



Board of County Commissioners

Eva J. Henry - District #1
Charles "Chaz" Tedesco - District #2
Emma Pinter - District #3
Steve O'Dorisio - District #4
Lynn Baca - District #5

PUBLIC HEARING AGENDA

NOTICE TO READERS: The Board of County Commissioners' meeting packets are prepared several days prior to the meeting. This information is reviewed and studied by the Board members to gain a basic understanding, thus eliminating lengthy discussions. Timely action and short discussion on agenda items does not reflect a lack of thought or analysis on the Board's part. An informational packet is available for public inspection in the Board's Office one day prior to the meeting.

THIS AGENDA IS SUBJECT TO CHANGE

Tuesday
November 9, 2021
9:30 AM

1. ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. MOTION TO APPROVE AGENDA

4. AWARDS AND PRESENTATIONS

- A. Recognition of Veteran's Day
- B. Proclamation of November 19, 2021 as National Adoption Day

5. PUBLIC COMMENT

A. Citizen Communication

During this portion of the meeting, the board will hear public comment. The Chair will determine how much time is reserved for public comment and how much time is permitted for each speaker.

B. Elected Officials' Communication

6. CONSENT CALENDAR

- A. List of Expenditures Under the Dates of October 25-29, 2021
- B. Minutes of the Commissioners' Proceedings from November 2, 2021

7. NEW BUSINESS

A. COUNTY MANAGER

1. First Reading of 2022 Adams County Proposed Budget
(File approved by ELT)
2. Resolution Approving Amendment One in the Amount of \$680,000.00
to the Agreement between Adams County and North Metro Community
Services, Inc., to Provide Additional Services for Residents with
Developmental Disabilities
(File approved by ELT)

B. COUNTY ATTORNEY

8. LAND USE HEARINGS

A. Cases to be Heard

1. PLN2021-00012 2021 Code Amendments, Phase III
(File approved by ELT)

9. ADJOURNMENT

AND SUCH OTHER MATTERS OF PUBLIC BUSINESS WHICH MAY ARISE

Proclamation
“National Adoption Day”
November 19, 2021

Whereas, each month an average of 27 abused and neglected children in the care of Adams County Human Services are waiting for a loving, nurturing, and permanent home; and

Whereas, these children are not the newborns most people picture when they think of adoption. Generally, they are older boys and girls and teenagers who may have unique medical, psychological, or physical needs; and

Whereas, nearly all of these children have special needs because they must be placed as a sibling group; because of physical, mental, or emotional disabilities; because they are minorities; or because they are school aged; and

Whereas, these children need extra patience and support to help them overcome previous hardships; and

Whereas, as a result of the partnership between Adams County and the 17th Judicial District Court, Adams County anticipates finalizing 140 adoptions in 2021; and

Whereas, there are families able and willing to adopt children who have special needs and circumstances; and

Whereas, it is important to stress that a disability, low income, or unmarried status does not preclude the right to adopt; and

Whereas, children waiting for adoptive parents, and families who have adopted these children, require, and deserve community and public agency support; and

Whereas, the local courts of Adams County will open their doors on National Adoption Day, Friday, November 19, to finalize the adoptions of local children and join other organizations to celebrate all adoptions.

Now, Therefore, Be It Resolved, that the Board of County Commissioners of the County of Adams, State of Colorado, proclaims November 19, 2021 as

“National Adoption Day”

and recognizes the entire month of November 2021 as National Adoption Month in Adams County, and urges all residents to join the national effort to raise awareness about the importance of adoption.

In witness whereof, we have set our hands and caused the seal of the county to be affixed November 9, 2021.

County of Adams
Net Warrant by Fund Summary

Fund Number	Fund Description	Amount
1	General Fund	650,530.29
4	Capital Facilities Fund	29,538.64
5	Golf Course Enterprise Fund	31,196.18
6	Equipment Service Fund	123,197.03
7	Stormwater Utility Fund	19,413.75
13	Road & Bridge Fund	2,403,270.01
19	Insurance Fund	77.00
25	Waste Management Fund	10,963.80
30	Community Dev Block Grant Fund	11,260.00
31	Head Start Fund	22,037.49
34	Comm Services Blk Grant Fund	3,879.86
35	Workforce & Business Center	15,221.83
43	Colorado Air & Space Port	75,651.99
50	FLATROCK Facility Fund	2,220.87
		<u>3,398,458.74</u>

Net Warrants by Fund Detail

1 General Fund

<u>Warrant</u>	<u>Supplier No</u>	<u>Supplier Name</u>	<u>Warrant Date</u>	<u>Amount</u>
00008183	1017428	B&R INDUSTRIES	10/27/21	4,228.50
00008184	373974	DAWN B HOLMES INC	10/27/21	6,100.00
00008186	1016895	G4S SECURE SOLUTIONS USA INC	10/27/21	4,870.61
00008189	465183	PITNEY BOWES RESERVE ACCOUNT	10/27/21	25,000.00
00008192	1199089	WHITE RYAN TYLER	10/27/21	625.00
00008193	737980	WOLD ARCHITECTS AND ENGINEERS	10/27/21	220.58
00008197	2284	SENIOR HUB THE	10/29/21	3,630.00
00008198	2284	SENIOR HUB THE	10/29/21	3,792.00
00008199	1199089	WHITE RYAN TYLER	10/29/21	750.00
00764278	72554	AAA PEST PROS	10/28/21	2,090.00
00764281	410759	ABC LEGAL SERVICES	10/28/21	19.00
00764282	98435	ACCOUNT BROKERS OF LARIMER COU	10/28/21	19.00
00764283	16236	ADAMS 12 FIVE STAR SCHOOLS	10/28/21	20.00
00764285	433987	ADCO DISTRICT ATTORNEY'S OFFIC	10/28/21	161.30
00764286	8579	AGFINITY INC	10/28/21	100.00
00764290	689589	ALPHA INSULATION & WATERPROOFI	10/28/21	51,803.00
00764291	12012	ALSCO AMERICAN INDUSTRIAL	10/28/21	231.11
00764293	221351	APEX SYSTEMS GROUP LLC	10/28/21	5,044.06
00764295	1230512	ARAPAHOE COUNTY ATTORNEY	10/28/21	19.00
00764296	498573	ARBORFORCE LLC	10/28/21	10,394.42
00764299	43744	AUTOMATED BUILDING SOLUTIONS I	10/28/21	7,765.00
00764300	1237472	BANUELOS FABIOLA	10/28/21	19.00
00764301	993099	BAYAUD ENTERPRISES INC	10/28/21	10,969.79
00764303	3020	BENNETT TOWN OF	10/28/21	78.28
00764304	1237705	BOZEMAN TINA	10/28/21	30.00
00764305	1063538	BRENDLE GROUP	10/28/21	14,015.00
00764306	13160	BRIGHTON CITY OF (WATER)	10/28/21	5,161.49
00764307	13160	BRIGHTON CITY OF (WATER)	10/28/21	708.53
00764308	13160	BRIGHTON CITY OF (WATER)	10/28/21	4,563.97
00764309	13160	BRIGHTON CITY OF (WATER)	10/28/21	113.51
00764310	13160	BRIGHTON CITY OF (WATER)	10/28/21	19,740.75
00764311	13160	BRIGHTON CITY OF (WATER)	10/28/21	21,460.91
00764314	463401	BUSH MELVIN E	10/28/21	65.00
00764316	1198170	CABNETICS COMMERCIAL CABINETRY	10/28/21	9,500.00
00764317	1213115	CASILLAN JOHN	10/28/21	100.00
00764320	28303	CENTURA HEALTH	10/28/21	900.00

Net Warrants by Fund Detail

1General Fund

<u>Warrant</u>	<u>Supplier No</u>	<u>Supplier Name</u>	<u>Warrant Date</u>	<u>Amount</u>
00764322	255194	CHAMBERS HOLDINGS LLC	10/28/21	17,208.84
00764323	852482	CLEARWAY ENERGY GROUP LLC	10/28/21	621.67
00764324	647801	CML SECURITY LLC	10/28/21	29,980.00
00764325	1190499	COLLIERS ENGINEERING & DESIGN	10/28/21	1,957.50
00764327	5050	COLO DIST ATTORNEY COUNCIL	10/28/21	38.40
00764329	209334	COLO NATURAL GAS INC	10/28/21	96.78
00764330	1029850	COLORADO HOSPITALITY SERVICES	10/28/21	25.00
00764331	13565	CORE ELECTRIC COOPERATIVE	10/28/21	1,396.64
00764332	229743	CRESTVIEW WATER & SANITATION D	10/28/21	571.92
00764334	6136	DEPT OF PUBLIC SAFETY	10/28/21	40.26
00764335	1191434	DGEB MANAGEMENT LLC	10/28/21	149.00
00764336	101347	DHM DESIGNS	10/28/21	570.00
00764337	56025	DISCOUNT PLUMBING SERVICES INC	10/28/21	1,466.44
00764340	13409	EASTERN DISPOSE ALL	10/28/21	163.50
00764342	810281	ELLIOTT LEGAL INVESTIGATIONS	10/28/21	19.00
00764345	633833	EZ MESSENGER	10/28/21	19.00
00764347	1237473	FARMER KIMBERLY ANN	10/28/21	19.00
00764348	47723	FEDEX	10/28/21	97.96
00764349	1141721	FLEXENTIAL	10/28/21	289.00
00764350	263238	FOSTER GRAHAM MILSTEIN AND CAL	10/28/21	66.00
00764351	506511	FRANK J BALL	10/28/21	9.00
00764352	1237463	FRASER GREGORY	10/28/21	19.00
00764353	6388	FREMONT COUNTY SHERIFF'S OFFIC	10/28/21	9.01
00764355	463649	GABLEHOUSE GRANBERG LLC	10/28/21	4,033.90
00764356	12689	GALLS LLC	10/28/21	335.68
00764357	689772	GENEDX INC	10/28/21	1,500.00
00764359	1212290	GOMEZ SALLY	10/28/21	500.00
00764360	675517	GREEN THOMAS D	10/28/21	65.00
00764361	808845	GRONQUIST, CHRISTOPHER L	10/28/21	65.00
00764365	970284	HARNETT OWEN	10/28/21	65.00
00764367	699829	HILL'S PET NUTRITION SALES INC	10/28/21	1,329.11
00764368	10864	HILLYARD - DENVER	10/28/21	820.71
00764369	1237462	HIRSCH REBECCA	10/28/21	38.00
00764370	358482	HOLST AND BOETTCHER	10/28/21	19.00
00764371	185462	HOSPITAL SHARED SERVICES	10/28/21	968.75
00764373	418327	IC CHAMBERS LP	10/28/21	7,243.32

Net Warrants by Fund Detail

1 General Fund

<u>Warrant</u>	<u>Supplier No</u>	<u>Supplier Name</u>	<u>Warrant Date</u>	<u>Amount</u>
00764374	79260	IDEXX DISTRIBUTION INC	10/28/21	692.40
00764375	198956	INTERVET INC	10/28/21	5,850.00
00764380	652983	K&H INTEGRATED PRINT SOLUTIONS	10/28/21	24,800.62
00764381	1029848	KING SOOPERS	10/28/21	150.00
00764385	1188699	LIERMAN JENNIFER	10/28/21	200.00
00764387	1173829	LOOMIS ARMORED	10/28/21	833.00
00764390	1231958	MAZIE JONATHAN	10/28/21	320.00
00764392	1227729	MCNEILPAPPAS PC	10/28/21	16.00
00764393	1237468	MENDOZA TYLYNN MICHELE	10/28/21	19.00
00764394	1033585	MEXICAN CULTURAL CENTER	10/28/21	750.00
00764397	357044	MILE HIGH FLEA MARKET	10/28/21	50.00
00764398	278360	MILLER SUVI	10/28/21	480.00
00764399	1237465	MORENO DAISY	10/28/21	19.00
00764400	13719	MORGAN COUNTY REA	10/28/21	223.37
00764401	42431	MOUNTAIN STATES IMAGING LLC	10/28/21	673.25
00764402	13591	MWI ANIMAL HEALTH	10/28/21	5,886.18
00764404	1225396	NATIONAL SUBROGATION SERVICES	10/28/21	412.14
00764405	570347	NELSON AND KENNARD	10/28/21	38.00
00764406	124449	NMS LABS	10/28/21	23,219.34
00764407	20458	NORTHSIDE EMERGENCY PET CLINIC	10/28/21	120.00
00764408	573416	NYHOLM STEWART E	10/28/21	65.00
00764409	470643	ONENECK IT SOLUTIONS LLC	10/28/21	9,830.14
00764410	516994	PARK 12 HUNDRED OWNERS ASSOCIA	10/28/21	16,149.88
00764411	669732	PATTERSON VETERINARY SUPPLY IN	10/28/21	1,542.15
00764412	1229104	PAYSCALE INC	10/28/21	14,500.00
00764414	1237471	PEOPLES CHOICE APARTMENTS	10/28/21	198.00
00764415	32700	PITNEY BOWES RESERVE ACCOUNT	10/28/21	2,000.00
00764418	1149013	ROCKY MOUNTAIN PARTNERSHIP	10/28/21	10,000.00
00764419	800159	SALT LAKE WHOLESALE SPORTS	10/28/21	2,200.00
00764422	1029870	SANTIAGOS MEXICAN RESTURANT	10/28/21	50.00
00764423	146429	SCAN AIR FILTERS INC	10/28/21	11,217.18
00764425	255505	SHERMAN & HOWARD LLC	10/28/21	1,700.00
00764429	13932	SOUTH ADAMS WATER & SANITATION	10/28/21	370.60
00764430	13932	SOUTH ADAMS WATER & SANITATION	10/28/21	1,529.31
00764431	13932	SOUTH ADAMS WATER & SANITATION	10/28/21	48.18
00764432	13932	SOUTH ADAMS WATER & SANITATION	10/28/21	48.18

Net Warrants by Fund Detail

1 General Fund

<u>Warrant</u>	<u>Supplier No</u>	<u>Supplier Name</u>	<u>Warrant Date</u>	<u>Amount</u>
00764433	13932	SOUTH ADAMS WATER & SANITATION	10/28/21	2,391.97
00764434	51001	SOUTHLAND MEDICAL LLC	10/28/21	137.00
00764435	315130	STANFIELD THOMSON	10/28/21	65.00
00764438	42818	STATE OF COLORADO	10/28/21	97.86
00764439	42818	STATE OF COLORADO	10/28/21	727.93
00764440	42818	STATE OF COLORADO	10/28/21	13.76
00764441	42818	STATE OF COLORADO	10/28/21	.59
00764442	42818	STATE OF COLORADO	10/28/21	1,053.58
00764443	42818	STATE OF COLORADO	10/28/21	23.38
00764444	42818	STATE OF COLORADO	10/28/21	209.44
00764445	42818	STATE OF COLORADO	10/28/21	677.62
00764446	42818	STATE OF COLORADO	10/28/21	60.24
00764447	42818	STATE OF COLORADO	10/28/21	14.50
00764448	42818	STATE OF COLORADO	10/28/21	3.77
00764449	42818	STATE OF COLORADO	10/28/21	6,148.58
00764450	42818	STATE OF COLORADO	10/28/21	169.66
00764451	42818	STATE OF COLORADO	10/28/21	2,000.73
00764452	42818	STATE OF COLORADO	10/28/21	9,771.80
00764453	42818	STATE OF COLORADO	10/28/21	523.34
00764454	4056	STEELOCK GENERAL FENCE CONTRAC	10/28/21	2,951.03
00764455	882335	STRATEGY WITH ROX	10/28/21	6,600.00
00764456	599714	SUMMIT FOOD SERVICE LLC	10/28/21	30,672.50
00764457	41889	SUNSTATE EQUIPMENT CO LLC	10/28/21	2,107.25
00764458	618144	T&G PECOS LLC	10/28/21	1,800.00
00764462	7189	TOSHIBA FINANCIAL SERVICES	10/28/21	6,243.00
00764463	666214	TYGRETT DEBRA R	10/28/21	85.00
00764464	51179	UNITED PARCEL SERVICE INC	10/28/21	15.45
00764465	1007	UNITED POWER (UNION REA)	10/28/21	24,063.97
00764466	1007	UNITED POWER (UNION REA)	10/28/21	89.58
00764467	1007	UNITED POWER (UNION REA)	10/28/21	179.38
00764468	1007	UNITED POWER (UNION REA)	10/28/21	31,084.00
00764469	1007	UNITED POWER (UNION REA)	10/28/21	2,603.00
00764470	1007	UNITED POWER (UNION REA)	10/28/21	190.25
00764471	1007	UNITED POWER (UNION REA)	10/28/21	672.40
00764472	1007	UNITED POWER (UNION REA)	10/28/21	1,390.62
00764473	1007	UNITED POWER (UNION REA)	10/28/21	28.11

Net Warrants by Fund Detail

1 **General Fund**

<u>Warrant</u>	<u>Supplier No</u>	<u>Supplier Name</u>	<u>Warrant Date</u>	<u>Amount</u>
00764474	1007	UNITED POWER (UNION REA)	10/28/21	110.61
00764475	1007	UNITED POWER (UNION REA)	10/28/21	5,411.42
00764476	1007	UNITED POWER (UNION REA)	10/28/21	4,714.86
00764477	1007	UNITED POWER (UNION REA)	10/28/21	7,859.56
00764478	1007	UNITED POWER (UNION REA)	10/28/21	10,070.70
00764479	1007	UNITED POWER (UNION REA)	10/28/21	56.31
00764480	1007	UNITED POWER (UNION REA)	10/28/21	568.98
00764481	1007	UNITED POWER (UNION REA)	10/28/21	19,687.05
00764482	1007	UNITED POWER (UNION REA)	10/28/21	8,060.28
00764518	28566	VERIZON WIRELESS	10/28/21	370.08
00764519	28617	VERIZON WIRELESS	10/28/21	1,903.16
00764521	1237470	VICKERS RORY CHARLES	10/28/21	19.00
00764522	1237595	WARRIORNOW	10/28/21	500.00
00764523	1230972	WELBY HERITAGE FOUNDATION	10/28/21	2,000.00
00764525	57887	WYN T TAYLOR	10/28/21	19.00
00764526	48464	WYOMING DEPT OF FAMILY SERVICE	10/28/21	19.00
00764527	13822	XCEL ENERGY	10/28/21	4,849.90
00764528	13822	XCEL ENERGY	10/28/21	1,727.81
00764529	13822	XCEL ENERGY	10/28/21	11,147.68
00764530	13822	XCEL ENERGY	10/28/21	13,281.98
00764531	13822	XCEL ENERGY	10/28/21	625.48
00764549	652416	DAVIDSON MELANY	10/28/21	335.02
Fund Total				650,530.29

Net Warrants by Fund Detail

4 Capital Facilities Fund

<u>Warrant</u>	<u>Supplier No</u>	<u>Supplier Name</u>	<u>Warrant Date</u>	<u>Amount</u>
00764436	740359	STANTEC ARCHITECTURE INC	10/28/21	24,338.64
00764460	498722	THERMAL & MOISTURE PROTECTION	10/28/21	5,200.00
Fund Total				29,538.64

Net Warrants by Fund Detail

5 Golf Course Enterprise Fund

<u>Warrant</u>	<u>Supplier No</u>	<u>Supplier Name</u>	<u>Warrant Date</u>	<u>Amount</u>
00008196	6177	PROFESSIONAL RECREATION MGMT I	10/29/21	8,106.63
00764279	72554	AAA PEST PROS	10/28/21	45.00
00764287	8579	AGFINITY INC	10/28/21	55.00
00764292	12012	ALSCO AMERICAN INDUSTRIAL	10/28/21	56.13
00764313	9822	BUCKEYE WELDING SUPPLY CO INC	10/28/21	30.60
00764315	13206	C P S DISTRIBUTORS INC	10/28/21	2,253.89
00764318	25288	CEM LAKE MGMT	10/28/21	494.00
00764328	14008	COLO GOLF & TURF INC	10/28/21	1,200.00
00764339	128225	DXP ENTERPRISES INC	10/28/21	25.98
00764358	160270	GOLF & SPORT SOLUTIONS	10/28/21	1,092.44
00764383	11496	L L JOHNSON DIST	10/28/21	1,470.79
00764389	46175	MASEK GOLF CAR COMPANY	10/28/21	1,336.29
00764416	152295	POTESTIO BROTHER EQUIPMENT	10/28/21	18.69
00764461	47140	TORO NSN	10/28/21	233.00
00764483	1007	UNITED POWER (UNION REA)	10/28/21	26.83
00764484	1007	UNITED POWER (UNION REA)	10/28/21	2,788.65
00764485	1007	UNITED POWER (UNION REA)	10/28/21	3,967.14
00764486	1007	UNITED POWER (UNION REA)	10/28/21	4,106.66
00764487	1007	UNITED POWER (UNION REA)	10/28/21	988.22
00764488	1007	UNITED POWER (UNION REA)	10/28/21	30.64
00764489	1007	UNITED POWER (UNION REA)	10/28/21	37.35
00764524	18645	WILBUR-ELLIS COMPANY LLC	10/28/21	2,356.00
00764532	13822	XCEL ENERGY	10/28/21	476.25

Fund Total**31,196.18**

Net Warrants by Fund Detail

6Equipment Service Fund

<u>Warrant</u>	<u>Supplier No</u>	<u>Supplier Name</u>	<u>Warrant Date</u>	<u>Amount</u>
00764302	796846	BEARCOM	10/28/21	20,473.22
00764377	27626	JOHN ELWAY CHEVROLET	10/28/21	77,512.50
00764396	1078783	MIKE MAROONE FORD LONGMONT	10/28/21	8,134.91
00764420	16237	SAM HILL OIL INC	10/28/21	17,076.40
Fund Total				123,197.03

County of Adams
Net Warrants by Fund Detail

7

Stormwater Utility Fund

<u>Warrant</u>	<u>Supplier No</u>	<u>Supplier Name</u>	<u>Warrant Date</u>	<u>Amount</u>
00764338	128693	DREXEL BARRELL & CO	10/28/21	19,413.75
Fund Total				19,413.75

Net Warrants by Fund Detail

13

Road & Bridge Fund

<u>Warrant</u>	<u>Supplier No</u>	<u>Supplier Name</u>	<u>Warrant Date</u>	<u>Amount</u>
00008182	1092	AGGREGATE INDUSTRIES	10/27/21	1,671,530.14
00008187	1180246	HC PECK & ASSOCIATES INC	10/27/21	349,825.00
00008191	982994	WESTERN STATES LAND SERVICES L	10/27/21	1,112.66
00764297	1213828	ARREOLA CARLOS	10/28/21	14,220.00
00764312	1228204	BROWN JENA	10/28/21	2,950.00
00764343	873559	EST INC	10/28/21	48,909.50
00764363	1228201	GURUNG KHAGENDRA	10/28/21	1,308.00
00764364	725691	HARICK INC	10/28/21	4,730.00
00764372	1187602	HUBERT COLIN	10/28/21	2,350.00
00764378	28851	JR ENGINEERING LTD	10/28/21	198,551.67
00764382	1008921	KUETTEL +2	10/28/21	2,500.00
00764384	1228202	LEWIS STEPHEN C	10/28/21	2,500.00
00764386	1187603	LINEBARGER TAYLOR JULIE	10/28/21	2,870.00
00764388	13082	LUMIN8 TRANSPORTATION TECHNOLO	10/28/21	8,342.28
00764391	1213829	MCKIM BRYAN	10/28/21	610.00
00764403	1117025	NATIONAL SOCIETY OF PROF ENGIN	10/28/21	2,990.00
00764417	1226730	RINKOR WILLIAM J	10/28/21	200.00
00764421	1228206	SANCHEZ BERNARDO	10/28/21	492.00
00764424	249035	SHARMA N K	10/28/21	4,800.00
00764426	778644	SHORT ELLIOTT HENDRICKSON INC	10/28/21	5,067.86
00764427	10449	SIR SPEEDY	10/28/21	102.35
00764437	173676	STANTEC CONSULTING CORPORATION	10/28/21	48,926.99
00764490	1007	UNITED POWER (UNION REA)	10/28/21	23.16
00764491	1007	UNITED POWER (UNION REA)	10/28/21	48.28
00764492	1007	UNITED POWER (UNION REA)	10/28/21	16.50
00764493	1007	UNITED POWER (UNION REA)	10/28/21	16.50
00764494	1007	UNITED POWER (UNION REA)	10/28/21	16.50
00764495	1007	UNITED POWER (UNION REA)	10/28/21	144.71
00764496	1007	UNITED POWER (UNION REA)	10/28/21	53.07
00764497	1007	UNITED POWER (UNION REA)	10/28/21	115.95
00764498	1007	UNITED POWER (UNION REA)	10/28/21	34.33
00764499	1007	UNITED POWER (UNION REA)	10/28/21	34.00
00764500	1007	UNITED POWER (UNION REA)	10/28/21	140.28
00764501	1007	UNITED POWER (UNION REA)	10/28/21	115.33
00764502	1007	UNITED POWER (UNION REA)	10/28/21	20.31
00764503	1007	UNITED POWER (UNION REA)	10/28/21	46.06

Net Warrants by Fund Detail

13**Road & Bridge Fund**

<u>Warrant</u>	<u>Supplier No</u>	<u>Supplier Name</u>	<u>Warrant Date</u>	<u>Amount</u>
00764504	1007	UNITED POWER (UNION REA)	10/28/21	50.26
00764505	1007	UNITED POWER (UNION REA)	10/28/21	58.98
00764506	1007	UNITED POWER (UNION REA)	10/28/21	37.56
00764507	1007	UNITED POWER (UNION REA)	10/28/21	33.00
00764508	1007	UNITED POWER (UNION REA)	10/28/21	48.28
00764509	1007	UNITED POWER (UNION REA)	10/28/21	33.00
00764510	1007	UNITED POWER (UNION REA)	10/28/21	36.00
00764511	1007	UNITED POWER (UNION REA)	10/28/21	88.49
00764533	13822	XCEL ENERGY	10/28/21	73.03
00764534	13822	XCEL ENERGY	10/28/21	11.40
00764535	13822	XCEL ENERGY	10/28/21	66.48
00764536	13822	XCEL ENERGY	10/28/21	61.59
00764537	13822	XCEL ENERGY	10/28/21	90.03
00764538	13822	XCEL ENERGY	10/28/21	122.67
00764539	13822	XCEL ENERGY	10/28/21	85.31
00764540	13822	XCEL ENERGY	10/28/21	56.01
00764541	13822	XCEL ENERGY	10/28/21	49.87
00764542	13822	XCEL ENERGY	10/28/21	21,516.62
00764543	13822	XCEL ENERGY	10/28/21	5,038.00
Fund Total				2,403,270.01

County of Adams
Net Warrants by Fund Detail

19 **Insurance Fund**

<u>Warrant</u>	<u>Supplier No</u>	<u>Supplier Name</u>	<u>Warrant Date</u>	<u>Amount</u>
00764376	13771	JOE'S TOWING & RECOVERY	10/28/21	77.00
Fund Total				<hr/> 77.00

County of Adams
Net Warrants by Fund Detail

25

Waste Management Fund

<u>Warrant</u>	<u>Supplier No</u>	<u>Supplier Name</u>	<u>Warrant Date</u>	<u>Amount</u>
00008195	535096	B & B ENVIRONMENTAL SAFETY INC	10/29/21	10,963.80
			Fund Total	10,963.80

County of Adams
Net Warrants by Fund Detail

30 Community Dev Block Grant Fund

<u>Warrant</u>	<u>Supplier No</u>	<u>Supplier Name</u>	<u>Warrant Date</u>	<u>Amount</u>
00008190	29064	TIERRA ROJO CORPORATION	10/27/21	11,260.00
Fund Total				11,260.00

Net Warrants by Fund Detail

31Head Start Fund

<u>Warrant</u>	<u>Supplier No</u>	<u>Supplier Name</u>	<u>Warrant Date</u>	<u>Amount</u>
00764289	1234883	ALL JOY INC	10/28/21	3,800.00
00764321	327914	CESCO LINGUISTIC SERVICE INC	10/28/21	371.87
00764366	1064435	HEARTFUL ROOTS PLLC	10/28/21	6,000.00
00764395	1090294	MIGHTY LITTLE VOICES SPEECH TH	10/28/21	8,350.00
00764413	1230973	PEDIATRIC THERAPY OF COLORADO	10/28/21	3,300.00
00764516	42541	US FOODSERVICE	10/28/21	37.87
00764517	42541	US FOODSERVICE	10/28/21	177.75
Fund Total				22,037.49

Net Warrants by Fund Detail

34

Comm Services Blk Grant Fund

<u>Warrant</u>	<u>Supplier No</u>	<u>Supplier Name</u>	<u>Warrant Date</u>	<u>Amount</u>
00764341	190240	ECPAC	10/28/21	398.27
00764346	8818069	FAMILY TREE INC	10/28/21	1,689.00
00764362	44825	GROWING HOME INC	10/28/21	1,792.59
Fund Total				3,879.86

Net Warrants by Fund Detail

35Workforce & Business Center

<u>Warrant</u>	<u>Supplier No</u>	<u>Supplier Name</u>	<u>Warrant Date</u>	<u>Amount</u>
00764284	252050	ADAMS COUNTY HUMAN SERVICES	10/28/21	67.95
00764319	1230023	CENGAGE LEARNING INC	10/28/21	124.79
00764333	1227430	CURRINGTON SHAUDAE	10/28/21	100.00
00764344	5686	EXPRESS SERVICES INC	10/28/21	2,968.87
00764354	94970	FRONT RANGE COMMUNITY COLLEGE	10/28/21	1,065.28
00764428	1229116	SKILL DISTILLERY	10/28/21	5,000.00
00764459	581649	TECHTONIC GROUP LLC	10/28/21	5,000.00
00764520	8076	VERIZON WIRELESS	10/28/21	499.94
00764548	850088	YELLOW PAGE DIRECTORY SERVICES	10/28/21	395.00
Fund Total				15,221.83

Net Warrants by Fund Detail

43Colorado Air & Space Port

<u>Warrant</u>	<u>Supplier No</u>	<u>Supplier Name</u>	<u>Warrant Date</u>	<u>Amount</u>
00008185	1168461	FUZION FIELD SERVICES LLC	10/27/21	481.80
00008188	80249	OFFEN PETROLEUM INC	10/27/21	2,342.80
00764288	88281	ALBERTS WATER & WASTEWATER SER	10/28/21	3,300.00
00764294	228213	ARAMARK REFRESHMENT SERVICES	10/28/21	118.69
00764298	34751	AURORA CHAMBER OF COMMERCE	10/28/21	1,034.00
00764379	204737	JVIATION, A WOOLPERT COMPANY	10/28/21	66,534.62
00764544	13822	XCEL ENERGY	10/28/21	12.56
00764545	13822	XCEL ENERGY	10/28/21	42.90
00764546	13822	XCEL ENERGY	10/28/21	1,148.30
00764547	13822	XCEL ENERGY	10/28/21	636.32
			Fund Total	75,651.99

Net Warrants by Fund Detail

50FLATROCK Facility Fund

<u>Warrant</u>	<u>Supplier No</u>	<u>Supplier Name</u>	<u>Warrant Date</u>	<u>Amount</u>
00764280	72554	AAA PEST PROS	10/28/21	60.00
00764326	2381	COLO ANALYTICAL LABORATORY	10/28/21	23.00
00764512	1007	UNITED POWER (UNION REA)	10/28/21	1,676.40
00764513	1007	UNITED POWER (UNION REA)	10/28/21	62.34
00764514	1007	UNITED POWER (UNION REA)	10/28/21	252.60
00764515	1007	UNITED POWER (UNION REA)	10/28/21	146.53
Fund Total				2,220.87

County of Adams
Net Warrants by Fund Detail

Grand Total 3,398,458.74

County of Adams
Vendor Payment Report

<u>99800</u>	<u>All Ofc Shared Direct</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Postage & Freight					
	ADAMS COUNTY HUMAN SERVICES	00035	1005271	402611	10/19/21	63.71
					Account Total	63.71
	Telephone					
	YELLOW PAGE DIRECTORY SERVICES	00035	1004931	402611	10/11/21	395.00
					Account Total	395.00
					Department Total	458.71

County of Adams
Vendor Payment Report

<u>2051</u>	<u>ANS - Admin & Customer Care</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Animal Control/Shelter					
	BOZEMAN TINA	00001	1005800	403787	10/27/21	30.00
	MAZIE JONATHAN	00001	1005594	403428	10/21/21	320.00
					Account Total	<u>350.00</u>
					Department Total	<u><u>350.00</u></u>

County of Adams
Vendor Payment Report

<u>4</u>	<u>Capital Facilities Fund</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Received not Vouchered Cllrg					
	STANTEC ARCHITECTURE INC	00004	1005893	403882	10/28/21	14,669.97
	STANTEC ARCHITECTURE INC	00004	1005894	403882	10/28/21	9,668.67
	THERMAL & MOISTURE PROTECTION	00004	1005888	403882	10/28/21	5,200.00
					Account Total	<u>29,538.64</u>
					Department Total	<u><u>29,538.64</u></u>

County of Adams
Vendor Payment Report

<u>4302</u>	<u>CASP Administration</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Coffee					
	ARAMARK REFRESHMENT SERVICES	00043	1005828	403805	10/27/21	59.34
					Account Total	59.34
	Membership Dues					
	AURORA CHAMBER OF COMMERCE	00043	1005829	403805	10/27/21	1,034.00
					Account Total	1,034.00
	Water/Sewer/Sanitation					
	FUZION FIELD SERVICES LLC	00043	1005733	403705	10/26/21	481.80
					Account Total	481.80
					Department Total	1,575.14

County of Adams
Vendor Payment Report

<u>4303</u>	<u>CASP FBO</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Coffee					
	ARAMARK REFRESHMENT SERVICES	00043	1005828	403805	10/27/21	59.35
					Account Total	59.35
					Department Total	59.35

County of Adams
Vendor Payment Report

<u>4304</u>	<u>CASP Operations/Maintenance</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Diesel					
	OFFEN PETROLEUM INC	00043	1005738	403705	10/26/21	2,312.80
	OFFEN PETROLEUM INC	00043	1005738	403705	10/26/21	30.00
					Account Total	2,342.80
	Gas & Electricity					
	XCEL ENERGY	00043	1005739	403714	10/26/21	12.56
	XCEL ENERGY	00043	1005741	403714	10/26/21	42.90
	XCEL ENERGY	00043	1005827	403802	10/27/21	535.60
	XCEL ENERGY	00043	1005827	403802	10/27/21	100.72
					Account Total	691.78
					Department Total	3,034.58

County of Adams
Vendor Payment Report

<u>941018</u>	<u>CDBG 2018/2019</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Grants to Other Institutions					
	TIERRA ROJO CORPORATION	00030	1005218	403027	10/15/21	11,260.00
					Account Total	11,260.00
					Department Total	11,260.00

County of Adams
Vendor Payment Report

<u>43</u>	<u>Colorado Air & Space Port</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Received not Vouchered Clrg					
	ALBERTS WATER & WASTEWATER SER	00043	1005852	403882	10/28/21	3,300.00
	JVIATION, A WOOLPERT COMPANY	00043	1005873	403882	10/28/21	8,938.00
	JVIATION, A WOOLPERT COMPANY	00043	1005874	403882	10/28/21	46,998.60
	JVIATION, A WOOLPERT COMPANY	00043	1005875	403882	10/28/21	10,598.02
					Account Total	<u>69,834.62</u>
					Department Total	<u><u>69,834.62</u></u>

County of Adams
Vendor Payment Report

<u>2055</u>	<u>Control/Enforcement</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Other Professional Serv					
	NORTHSIDE EMERGENCY PET CLINIC	00001	1005690	403687	10/26/21	<u>120.00</u>
					Account Total	<u>120.00</u>
					Department Total	<u><u>120.00</u></u>

County of Adams
Vendor Payment Report

<u>2031</u>	<u>County Coroner</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Medical Services					
	DAWN B HOLMES INC	00001	1005616	403526	10/22/21	5,075.00
	DAWN B HOLMES INC	00001	1005662	403628	10/25/21	1,025.00
					Account Total	6,100.00
	Operating Supplies					
	SOUTHLAND MEDICAL LLC	00001	1005663	403633	10/25/21	137.00
					Account Total	137.00
	Other Professional Serv					
	FEDEX	00001	1005665	403633	10/25/21	23.44
	FEDEX	00001	1005666	403633	10/25/21	24.58
	FEDEX	00001	1005667	403633	10/25/21	49.94
	GENEDX INC	00001	1005669	403633	10/25/21	1,500.00
	NMS LABS	00001	1005668	403633	10/25/21	23,219.34
	UNITED PARCEL SERVICE INC	00001	1005664	403633	10/25/21	15.45
	WHITE RYAN TYLER	00001	1005834	403818	10/27/21	750.00
	WHITE RYAN TYLER	00001	1005661	403627	10/25/21	625.00
					Account Total	26,207.75
					Department Total	32,444.75

County of Adams
Vendor Payment Report

<u>1012</u>	<u>County Manager</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Special Events					
	DAVIDSON MELANY	00001	1006116	403898	10/28/21	<u>335.02</u>
					Account Total	<u>335.02</u>
					Department Total	<u><u>335.02</u></u>

County of Adams
Vendor Payment Report

<u>951016</u>	<u>CSBG</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Grants to Other Instit					
	ECPAC	00034	1005286	403218	10/19/21	398.27
	FAMILY TREE INC	00034	1005292	403218	10/19/21	1,689.00
	GROWING HOME INC	00034	1005285	403218	10/19/21	1,792.59
					Account Total	<u>3,879.86</u>
					Department Total	<u><u>3,879.86</u></u>

County of Adams
Vendor Payment Report

<u>1051</u>	<u>District Attorney</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Business Meetings					
	COLO DIST ATTORNEY COUNCIL	00001	1005377	403324	10/20/21	38.40
					Account Total	38.40
	Interpreting Services					
	DEPT OF PUBLIC SAFETY	00001	1005806	403795	10/27/21	40.26
					Account Total	40.26
	Other Professional Serv					
	FREMONT COUNTY SHERIFF'S OFFIC	00001	1005807	403795	10/27/21	9.01
	MILLER SUVI	00001	1005808	403795	10/27/21	480.00
	MOUNTAIN STATES IMAGING LLC	00001	1005378	403324	10/20/21	673.25
					Account Total	1,162.26
	Postage & Freight					
	PITNEY BOWES RESERVE ACCOUNT	00001	1005809	403795	10/27/21	2,000.00
					Account Total	2,000.00
	Witness Fees					
	ADCO DISTRICT ATTORNEY'S OFFIC	00001	1005801	403795	10/27/21	.10-
	ADCO DISTRICT ATTORNEY'S OFFIC	00001	1005802	403795	10/27/21	22.59
	ADCO DISTRICT ATTORNEY'S OFFIC	00001	1005803	403795	10/27/21	25.56
	ADCO DISTRICT ATTORNEY'S OFFIC	00001	1005803	403795	10/27/21	25.00
	ADCO DISTRICT ATTORNEY'S OFFIC	00001	1005803	403795	10/27/21	19.00
	ADCO DISTRICT ATTORNEY'S OFFIC	00001	1005804	403795	10/27/21	20.62
	ADCO DISTRICT ATTORNEY'S OFFIC	00001	1005804	403795	10/27/21	19.45
	ADCO DISTRICT ATTORNEY'S OFFIC	00001	1005805	403795	10/27/21	16.68
	ADCO DISTRICT ATTORNEY'S OFFIC	00001	1005805	403795	10/27/21	12.40
					Account Total	161.20
					Department Total	3,402.12

County of Adams
Vendor Payment Report

<u>7041</u>	<u>Economic Development Center</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Grants to Other Instit					
	ROCKY MOUNTAIN PARTNERSHIP	00001	1005598	403435	10/21/21	<u>10,000.00</u>
					Account Total	<u>10,000.00</u>
					Department Total	<u><u>10,000.00</u></u>

County of Adams
Vendor Payment Report

<u>97802</u>	<u>Employment Support Fund</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Clnt Trng-Books					
	CENGAGE LEARNING INC	00035	1005720	403118	10/26/21	<u>4.80</u>
					Account Total	<u>4.80</u>
					Department Total	<u><u>4.80</u></u>

County of Adams
Vendor Payment Report

<u>6</u>	<u>Equipment Service Fund</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Received not Vouchered Clrg					
	BEARCOM	00006	1005847	403882	10/28/21	10,186.61
	BEARCOM	00006	1005848	403882	10/28/21	10,286.61
	JOHN ELWAY CHEVROLET	00006	1005842	403882	10/28/21	38,756.25
	JOHN ELWAY CHEVROLET	00006	1005843	403882	10/28/21	38,756.25
	MIKE MAROONE FORD LONGMONT	00006	1005844	403882	10/28/21	8,134.91
	SAM HILL OIL INC	00006	1005845	403882	10/28/21	16,068.26
	SAM HILL OIL INC	00006	1005846	403882	10/28/21	1,008.14
					Account Total	123,197.03
					Department Total	123,197.03

County of Adams
Vendor Payment Report

<u>98802</u>	<u>ESF Supplemental PY20</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Apprenticeship					
	FRONT RANGE COMMUNITY COLLEGE	00035	1005673	402611	10/26/21	<u>565.28</u>
					Account Total	<u>565.28</u>
					Department Total	<u><u>565.28</u></u>

County of Adams
Vendor Payment Report

<u>50</u>	<u>FLATROCK Facility Fund</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Received not Vouchered Clrg					
	AAA PEST PROS	00050	1005885	403882	10/28/21	<u>60.00</u>
					Account Total	<u>60.00</u>
					Department Total	<u><u>60.00</u></u>

County of Adams
Vendor Payment Report

<u>1076</u>	<u>FO - Adams County Svc Center</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Water/Sewer/Sanitation					
	Energy Cap Bill ID=12223	00001	1005630	403617	10/13/21	<u>2,391.97</u>
					Account Total	<u>2,391.97</u>
					Department Total	<u><u>2,391.97</u></u>

County of Adams
Vendor Payment Report

<u>1091</u>	<u>FO - Administration</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Building Rental					
	CHAMBERS HOLDINGS LLC	00001	1005725	403703	10/26/21	17,208.84
	IC CHAMBERS LP	00001	1005722	403703	10/26/21	7,243.32
					Account Total	<u>24,452.16</u>
	Water/Sewer/Sanitation					
	EASTERN DISPOSE ALL	00001	1005391	403326	10/20/21	72.50
	Energy Cap Bill ID=12186	00001	1005636	403617	10/04/21	78.28
					Account Total	<u>150.78</u>
					Department Total	<u><u>24,602.94</u></u>

County of Adams
Vendor Payment Report

<u>1060</u>	<u>FO - Community Corrections</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Building Repair & Maint					
	SUNSTATE EQUIPMENT CO LLC	00001	1005397	403326	10/20/21	2,107.25
					Account Total	2,107.25
	Gas & Electricity					
	Energy Cap Bill ID=12226	00001	1005617	403617	10/04/21	4,849.90
					Account Total	4,849.90
	Water/Sewer/Sanitation					
	Energy Cap Bill ID=12219	00001	1005618	403617	10/13/21	370.60
					Account Total	370.60
					Department Total	7,327.75

County of Adams
Vendor Payment Report

<u>1114</u>	<u>FO - District Attorney Bldg.</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Gas & Electricity					
	Energy Cap Bill ID=12194	00001	1005648	403617	10/06/21	<u>7,859.56</u>
					Account Total	<u>7,859.56</u>
					Department Total	<u><u>7,859.56</u></u>

County of Adams
Vendor Payment Report

<u>2090</u>	<u>FO - Flatrock Facility</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Building Repair & Maint					
	COLO ANALYTICAL LABORATORY	00050	1005396	403326	10/20/21	23.00
					Account Total	<u>23.00</u>
	Gas & Electricity					
	Energy Cap Bill ID=12197	00050	1005657	403617	10/06/21	1,676.40
	Energy Cap Bill ID=12199	00050	1005658	403617	10/06/21	62.34
	Energy Cap Bill ID=12201	00050	1005659	403617	10/06/21	252.60
	Energy Cap Bill ID=12210	00050	1005660	403617	10/06/21	146.53
					Account Total	<u>2,137.87</u>
					Department Total	<u><u>2,160.87</u></u>

County of Adams
Vendor Payment Report

<u>1077</u>	<u>FO - Government Center</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Gas & Electricity					
	Energy Cap Bill ID=12203	00001	1005631	403617	10/06/21	31,084.00
	Energy Cap Bill ID=12204	00001	1005632	403617	10/06/21	2,603.00
					Account Total	<u>33,687.00</u>
	Repair & Maint Supplies					
	AUTOMATED BUILDING SOLUTIONS I	00001	1005723	403703	10/26/21	7,765.00
					Account Total	<u>7,765.00</u>
	Water/Sewer/Sanitation					
	Energy Cap Bill ID=12192	00001	1005633	403617	10/07/21	5,161.49
					Account Total	<u>5,161.49</u>
					Department Total	<u><u>46,613.49</u></u>

County of Adams
Vendor Payment Report

<u>1070</u>	<u>FO - Honnen/Plan&Devel/MV Ware</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Gas & Electricity					
	Energy Cap Bill ID=12184	00001	1005619	403617	10/05/21	529.68
	Energy Cap Bill ID=12187	00001	1005620	403617	09/30/21	1,727.81
					Account Total	<u>2,257.49</u>
	Water/Sewer/Sanitation					
	Energy Cap Bill ID=12207	00001	1005621	403617	10/13/21	1,529.31
	Energy Cap Bill ID=12220	00001	1005622	403617	10/13/21	48.18
	Energy Cap Bill ID=12221	00001	1005623	403617	10/13/21	48.18
					Account Total	<u>1,625.67</u>
					Department Total	<u><u>3,883.16</u></u>

County of Adams
Vendor Payment Report

<u>1079</u>	<u>FO - Human Services Center</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Gas & Electricity					
	Energy Cap Bill ID=12224	00001	1005634	403617	09/28/21	11,147.68
	Energy Cap Bill ID=12227	00001	1005635	403617	09/28/21	13,281.98
					Account Total	24,429.66
	Other Repair & Maint					
	PARK 12 HUNDRED OWNERS ASSOCIA	00001	1005394	403326	10/20/21	16,149.88
					Account Total	16,149.88
	Repair & Maint Supplies					
	SCAN AIR FILTERS INC	00001	1005393	403326	10/20/21	11,217.18
					Account Total	11,217.18
					Department Total	51,796.72

County of Adams
Vendor Payment Report

<u>1071</u>	<u>FO - Justice Center</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Gas & Electricity					
	Energy Cap Bill ID=12189	00001	1005624	403617	10/06/21	24,063.97
	Energy Cap Bill ID=12193	00001	1005625	403617	10/06/21	89.58
					Account Total	24,153.55
					Department Total	24,153.55

County of Adams
Vendor Payment Report

<u>1019</u>	<u>FO - Mailroom & Dock</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Postage & Freight					
	PITNEY BOWES RESERVE ACCOUNT	00001	1005721	403700	10/26/21	<u>25,000.00</u>
					Account Total	<u>25,000.00</u>
					Department Total	<u><u>25,000.00</u></u>

County of Adams
Vendor Payment Report

<u>1111</u>	<u>FO - Parks Facilities</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Gas & Electricity					
	Energy Cap Bill ID=12185	00001	1005637	403617	10/05/21	91.99
	Energy Cap Bill ID=12205	00001	1005638	403617	10/06/21	190.25
	Energy Cap Bill ID=12206	00001	1005639	403617	10/06/21	672.40
	Energy Cap Bill ID=12208	00001	1005640	403617	10/06/21	1,390.62
	Energy Cap Bill ID=12209	00001	1005641	403617	10/06/21	28.11
	Energy Cap Bill ID=12211	00001	1005642	403617	10/06/21	110.61
	Energy Cap Bill ID=12212	00001	1005643	403617	10/06/21	5,411.42
	Energy Cap Bill ID=12225	00001	1005644	403617	10/04/21	625.48
					Account Total	<u>8,520.88</u>
					Department Total	<u><u>8,520.88</u></u>

County of Adams
Vendor Payment Report

<u>1123</u>	<u>FO - Riverdale Animal Shelter</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Building Repair & Maint					
	DISCOUNT PLUMBING SERVICES INC	00001	1005724	403703	10/26/21	1,466.44
					Account Total	1,466.44
	Gas & Electricity					
	Energy Cap Bill ID=12213	00001	1005649	403617	10/06/21	10,070.70
					Account Total	10,070.70
					Department Total	11,537.14

County of Adams
Vendor Payment Report

<u>1112</u>	<u>FO - Sheriff HQ/Coroner Bldg</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Gas & Electricity					
	Energy Cap Bill ID=12196	00001	1005645	403617	10/06/21	4,714.86
					Account Total	4,714.86
	Water/Sewer/Sanitation					
	Energy Cap Bill ID=12214	00001	1005646	403617	10/15/21	708.53
	Energy Cap Bill ID=12218	00001	1005647	403617	10/15/21	4,563.97
					Account Total	5,272.50
					Department Total	9,987.36

County of Adams
Vendor Payment Report

<u>2009</u>	<u>FO - Sheriff Maintenance</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Gas & Electricity					
	Energy Cap Bill ID=12188	00001	1005650	403617	10/06/21	56.31
	Energy Cap Bill ID=12190	00001	1005651	403617	10/06/21	568.98
	Energy Cap Bill ID=12191	00001	1005652	403617	10/06/21	19,687.05
	Energy Cap Bill ID=12200	00001	1005653	403617	10/06/21	8,060.28
					Account Total	<u>28,372.62</u>
	Water/Sewer/Sanitation					
	Energy Cap Bill ID=12215	00001	1005654	403617	10/15/21	113.51
	Energy Cap Bill ID=12216	00001	1005655	403617	10/15/21	19,740.75
	Energy Cap Bill ID=12217	00001	1005656	403617	10/15/21	21,460.91
					Account Total	<u>41,315.17</u>
					Department Total	<u><u>69,687.79</u></u>

County of Adams
Vendor Payment Report

<u>1075</u>	<u>FO - Strasburg/Whittier</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Gas & Electricity					
	Energy Cap Bill ID=12195	00001	1005626	403617	10/01/21	223.37
	Energy Cap Bill ID=12198	00001	1005627	403617	10/12/21	96.78
	Energy Cap Bill ID=12202	00001	1005628	403617	10/06/21	179.38
	Energy Cap Bill ID=12222	00001	1005629	403617	10/07/21	1,396.64
					Account Total	<u>1,896.17</u>
	Water/Sewer/Sanitation					
	EASTERN DISPOSE ALL	00001	1005392	403326	10/20/21	91.00
					Account Total	<u>91.00</u>
					Department Total	<u><u>1,987.17</u></u>

County of Adams
Vendor Payment Report

<u>1</u>	<u>General Fund</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Cash Over/Short					
	ADCO DISTRICT ATTORNEY'S OFFIC	00001	1005801	403795	10/27/21	.10
					Account Total	.10
	Diversions Restitution Payable					
	ADAMS 12 FIVE STAR SCHOOLS	00001	1005810	403795	10/27/21	20.00
	AGFINITY INC	00001	1005811	403795	10/27/21	50.00
	AGFINITY INC	00001	1005379	403324	10/20/21	50.00
	CASILLAN JOHN	00001	1005384	403324	10/20/21	100.00
	COLORADO HOSPITALITY SERVICES	00001	1005380	403324	10/20/21	25.00
	DGEB MANAGEMENT LLC	00001	1005381	403324	10/20/21	149.00
	FLEXENTIAL	00001	1005382	403324	10/20/21	240.00
	FLEXENTIAL	00001	1005812	403795	10/27/21	49.00
	GOMEZ SALLY	00001	1005813	403795	10/27/21	500.00
	KING SOOPERS	00001	1005385	403324	10/20/21	150.00
	LIERMAN JENNIFER	00001	1005383	403324	10/20/21	200.00
	LOOMIS ARMORED	00001	1005386	403324	10/20/21	833.00
	MILE HIGH FLEA MARKET	00001	1005387	403324	10/20/21	50.00
	NATIONAL SUBROGATION SERVICES	00001	1005388	403324	10/20/21	412.14
	SANTIAGOS MEXICAN RESTURANT	00001	1005389	403324	10/20/21	25.00
	SANTIAGOS MEXICAN RESTURANT	00001	1005390	403324	10/20/21	25.00
					Account Total	2,878.14
	Received not Vouchered Clrg					
	AAA PEST PROS	00001	1005887	403882	10/28/21	60.00
	AAA PEST PROS	00001	1005887	403882	10/28/21	145.00
	AAA PEST PROS	00001	1005887	403882	10/28/21	120.00
	AAA PEST PROS	00001	1005887	403882	10/28/21	50.00
	AAA PEST PROS	00001	1005887	403882	10/28/21	170.00
	AAA PEST PROS	00001	1005887	403882	10/28/21	65.00
	AAA PEST PROS	00001	1005887	403882	10/28/21	150.00
	AAA PEST PROS	00001	1005887	403882	10/28/21	140.00
	AAA PEST PROS	00001	1005887	403882	10/28/21	160.00
	AAA PEST PROS	00001	1005887	403882	10/28/21	100.00
	AAA PEST PROS	00001	1005887	403882	10/28/21	365.00
	AAA PEST PROS	00001	1005887	403882	10/28/21	55.00
	AAA PEST PROS	00001	1005887	403882	10/28/21	60.00

County of Adams
Vendor Payment Report

<u>1</u>	<u>General Fund</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	AAA PEST PROS	00001	1005887	403882	10/28/21	325.00
	AAA PEST PROS	00001	1005887	403882	10/28/21	125.00
	ALPHA INSULATION & WATERPROOFI	00001	1005872	403882	10/28/21	29,621.00
	ALPHA INSULATION & WATERPROOFI	00001	1005872	403882	10/28/21	1,299.00
	ALPHA INSULATION & WATERPROOFI	00001	1005872	403882	10/28/21	13,432.00
	ALPHA INSULATION & WATERPROOFI	00001	1005872	403882	10/28/21	450.00
	ALPHA INSULATION & WATERPROOFI	00001	1005872	403882	10/28/21	2,850.00
	ALPHA INSULATION & WATERPROOFI	00001	1005872	403882	10/28/21	4,151.00
	ALSCO AMERICAN INDUSTRIAL	00001	1005924	403882	10/28/21	231.11
	APEX SYSTEMS GROUP LLC	00001	1005883	403882	10/28/21	5,044.06
	ARBORFORCE LLC	00001	1005895	403882	10/28/21	10,394.42
	B&R INDUSTRIES	00001	1005821	403799	10/27/21	1,828.50
	B&R INDUSTRIES	00001	1005822	403799	10/27/21	592.74
	B&R INDUSTRIES	00001	1005822	403799	10/27/21	7.26
	B&R INDUSTRIES	00001	1005823	403799	10/27/21	600.00
	B&R INDUSTRIES	00001	1005824	403799	10/27/21	600.00
	B&R INDUSTRIES	00001	1005825	403799	10/27/21	600.00
	BAYAUD ENTERPRISES INC	00001	1005853	403882	10/28/21	10,969.79
	BRENDLE GROUP	00001	1005889	403882	10/28/21	14,015.00
	CABNETICS COMMERCIAL CABINETRY	00001	1005877	403882	10/28/21	9,500.00
	CML SECURITY LLC	00001	1005925	403882	10/28/21	29,980.00
	COLLIERS ENGINEERING & DESIGN	00001	1005878	403882	10/28/21	1,957.50
	DHM DESIGNS	00001	1006111	403882	10/28/21	570.00
	G4S SECURE SOLUTIONS USA INC	00001	1005815	403799	10/27/21	1,203.41
	G4S SECURE SOLUTIONS USA INC	00001	1005816	403799	10/27/21	1,182.30
	G4S SECURE SOLUTIONS USA INC	00001	1005817	403799	10/27/21	1,186.52
	G4S SECURE SOLUTIONS USA INC	00001	1005818	403799	10/27/21	1,002.80
	G4S SECURE SOLUTIONS USA INC	00001	1005819	403799	10/27/21	295.58
	GABLEHOUSE GRANBERG LLC	00001	1005850	403882	10/28/21	4,033.90
	GALLS LLC	00001	1005926	403882	10/28/21	214.46
	GALLS LLC	00001	1005962	403882	10/28/21	121.22
	HILL'S PET NUTRITION SALES INC	00001	1005870	403882	10/28/21	770.70
	HILL'S PET NUTRITION SALES INC	00001	1005876	403882	10/28/21	30.96
	HILL'S PET NUTRITION SALES INC	00001	1005876	403882	10/28/21	527.45
	HILLYARD - DENVER	00001	1005871	403882	10/28/21	122.64
	HILLYARD - DENVER	00001	1005890	403882	10/28/21	107.75

County of Adams
Vendor Payment Report

<u>1</u>	<u>General Fund</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	HILLYARD - DENVER	00001	1005891	403882	10/28/21	436.08
	HILLYARD - DENVER	00001	1005892	403882	10/28/21	154.24
	HOSPITAL SHARED SERVICES	00001	1005963	403882	10/28/21	160.00
	HOSPITAL SHARED SERVICES	00001	1005963	403882	10/28/21	498.75
	HOSPITAL SHARED SERVICES	00001	1005964	403882	10/28/21	310.00
	IDEXX DISTRIBUTION INC	00001	1005862	403882	10/28/21	252.43
	IDEXX DISTRIBUTION INC	00001	1005862	403882	10/28/21	439.97
	INTERVET INC	00001	1005867	403882	10/28/21	5,850.00
	K&H INTEGRATED PRINT SOLUTIONS	00001	1005879	403882	10/28/21	2,261.72
	K&H INTEGRATED PRINT SOLUTIONS	00001	1005880	403882	10/28/21	21,376.93
	K&H INTEGRATED PRINT SOLUTIONS	00001	1005881	403882	10/28/21	1,161.97
	MEXICAN CULTURAL CENTER	00001	1005863	403882	10/28/21	750.00
	MWI ANIMAL HEALTH	00001	1005856	403882	10/28/21	251.88
	MWI ANIMAL HEALTH	00001	1005857	403882	10/28/21	99.04
	MWI ANIMAL HEALTH	00001	1005858	403882	10/28/21	1,532.79
	MWI ANIMAL HEALTH	00001	1005859	403882	10/28/21	1,059.86
	MWI ANIMAL HEALTH	00001	1005860	403882	10/28/21	51.43
	MWI ANIMAL HEALTH	00001	1005836	403882	10/28/21	273.30
	MWI ANIMAL HEALTH	00001	1005837	403882	10/28/21	12.50
	MWI ANIMAL HEALTH	00001	1005838	403882	10/28/21	169.25
	MWI ANIMAL HEALTH	00001	1005839	403882	10/28/21	562.25
	MWI ANIMAL HEALTH	00001	1005840	403882	10/28/21	456.89
	MWI ANIMAL HEALTH	00001	1005840	403882	10/28/21	671.61
	MWI ANIMAL HEALTH	00001	1005841	403882	10/28/21	36.50
	MWI ANIMAL HEALTH	00001	1006095	403882	10/28/21	672.26
	MWI ANIMAL HEALTH	00001	1006096	403882	10/28/21	36.62
	ONENECK IT SOLUTIONS LLC	00001	1005965	403882	10/28/21	9,830.14
	PATTERSON VETERINARY SUPPLY IN	00001	1006092	403882	10/28/21	1,394.39
	PATTERSON VETERINARY SUPPLY IN	00001	1006093	403882	10/28/21	76.44
	PATTERSON VETERINARY SUPPLY IN	00001	1006094	403882	10/28/21	71.32
	PAYSCALE INC	00001	1005896	403882	10/28/21	14,500.00
	SALT LAKE WHOLESALE SPORTS	00001	1005966	403882	10/28/21	440.00
	SALT LAKE WHOLESALE SPORTS	00001	1005967	403882	10/28/21	1,760.00
	SENIOR HUB THE	00001	1006169	404028	10/29/21	3,630.00
	SENIOR HUB THE	00001	1006170	404028	10/29/21	3,792.00
	SHERMAN & HOWARD LLC	00001	1005849	403882	10/28/21	1,700.00

County of Adams
Vendor Payment Report

<u>1</u>	<u>General Fund</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	STATE OF COLORADO	00001	1005884	403882	10/28/21	97.86
	STATE OF COLORADO	00001	1005884	403882	10/28/21	727.93
	STATE OF COLORADO	00001	1006097	403882	10/28/21	13.76
	STATE OF COLORADO	00001	1006098	403882	10/28/21	.59
	STATE OF COLORADO	00001	1006099	403882	10/28/21	1,053.58
	STATE OF COLORADO	00001	1006100	403882	10/28/21	23.38
	STATE OF COLORADO	00001	1006101	403882	10/28/21	209.44
	STATE OF COLORADO	00001	1006102	403882	10/28/21	677.62
	STATE OF COLORADO	00001	1006103	403882	10/28/21	60.24
	STATE OF COLORADO	00001	1006104	403882	10/28/21	14.50
	STATE OF COLORADO	00001	1006105	403882	10/28/21	3.77
	STATE OF COLORADO	00001	1006106	403882	10/28/21	6,148.58
	STATE OF COLORADO	00001	1006107	403882	10/28/21	169.66
	STATE OF COLORADO	00001	1006108	403882	10/28/21	2,000.73
	STATE OF COLORADO	00001	1006109	403882	10/28/21	9,771.80
	STATE OF COLORADO	00001	1006110	403882	10/28/21	523.34
	STRATEGY WITH ROX	00001	1006112	403882	10/28/21	6,600.00
	SUMMIT FOOD SERVICE LLC	00001	1005968	403882	10/28/21	26,329.94
	SUMMIT FOOD SERVICE LLC	00001	1005969	403882	10/28/21	4,342.56
	T&G PECOS LLC	00001	1005970	403882	10/28/21	1,800.00
	TYGRETT DEBRA R	00001	1006087	403882	10/28/21	85.00
	WOLD ARCHITECTS AND ENGINEERS	00001	1005820	403799	10/27/21	220.58
					Account Total	289,190.49
					Department Total	292,068.73

County of Adams
Vendor Payment Report

<u>5</u>	<u>Golf Course Enterprise Fund</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Received not Vouchered Clrg					
	AAA PEST PROS	00005	1005886	403882	10/28/21	<u>45.00</u>
					Account Total	<u>45.00</u>
					Department Total	<u><u>45.00</u></u>

County of Adams
Vendor Payment Report

<u>5026</u>	<u>Golf Course- Maintenance</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Equipment Rental					
	BUCKEYE WELDING SUPPLY CO INC	00005	1005559	403421	10/21/21	30.60
					Account Total	30.60
	Gas & Electricity					
	UNITED POWER (UNION REA)	00005	1005579	403421	10/21/21	3,967.14
	UNITED POWER (UNION REA)	00005	1005580	403421	10/21/21	4,106.66
	UNITED POWER (UNION REA)	00005	1005581	403421	10/21/21	988.22
	UNITED POWER (UNION REA)	00005	1005582	403421	10/21/21	30.64
	UNITED POWER (UNION REA)	00005	1005583	403421	10/21/21	37.35
	XCEL ENERGY	00005	1005586	403421	10/21/21	77.02
					Account Total	9,207.03
	Grounds Maintenance					
	AGFINITY INC	00005	1005557	403421	10/21/21	55.00
	C P S DISTRIBUTORS INC	00005	1005562	403421	10/21/21	875.25
	C P S DISTRIBUTORS INC	00005	1005563	403421	10/21/21	40.08
	C P S DISTRIBUTORS INC	00005	1005564	403421	10/21/21	41.64
	C P S DISTRIBUTORS INC	00005	1005565	403421	10/21/21	941.09
	C P S DISTRIBUTORS INC	00005	1005566	403421	10/21/21	355.83
	CEM LAKE MGMT	00005	1005560	403421	10/21/21	494.00
	GOLF & SPORT SOLUTIONS	00005	1005568	403421	10/21/21	577.89
	GOLF & SPORT SOLUTIONS	00005	1005569	403421	10/21/21	514.55
	L L JOHNSON DIST	00005	1005572	403421	10/21/21	670.97
	L L JOHNSON DIST	00005	1005573	403421	10/21/21	43.56
	TORO NSN	00005	1005576	403421	10/21/21	233.00
	WILBUR-ELLIS COMPANY LLC	00005	1005584	403421	10/21/21	1,178.00
	WILBUR-ELLIS COMPANY LLC	00005	1005585	403421	10/21/21	1,178.00
					Account Total	7,198.86
	Repair & Maint Supplies					
	ALSCO AMERICAN INDUSTRIAL	00005	1005558	403421	10/21/21	56.13
					Account Total	56.13
	Vehicle Parts & Supplies					
	DXP ENTERPRISES INC	00005	1005567	403421	10/21/21	25.98
	L L JOHNSON DIST	00005	1005570	403421	10/21/21	296.40
	L L JOHNSON DIST	00005	1005571	403421	10/21/21	459.86

County of Adams
Vendor Payment Report

<u>5026</u>	<u>Golf Course- Maintenance</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	POTESTIO BROTHER EQUIPMENT	00005	1005575	403421	10/21/21	18.69
					Account Total	800.93
					Department Total	17,293.55

County of Adams
Vendor Payment Report

<u>5021</u>	<u>Golf Course- Pro Shop</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Equipment Rental					
	PROFESSIONAL RECREATION MGMT I	00005	1006168	404025	10/29/21	168.30
					Account Total	168.30
	Gas & Electricity					
	UNITED POWER (UNION REA)	00005	1005577	403421	10/21/21	26.83
	UNITED POWER (UNION REA)	00005	1005578	403421	10/21/21	2,788.65
	XCEL ENERGY	00005	1005586	403421	10/21/21	399.23
					Account Total	3,214.71
	Golf Carts					
	MASEK GOLF CAR COMPANY	00005	1005574	403421	10/21/21	1,336.29
					Account Total	1,336.29
	Insurance Premiums					
	PROFESSIONAL RECREATION MGMT I	00005	1006168	404025	10/29/21	6,005.45
	PROFESSIONAL RECREATION MGMT I	00005	1006168	404025	10/29/21	592.80
					Account Total	6,598.25
	Minor Equipment					
	COLO GOLF & TURF INC	00005	1005561	403421	10/21/21	1,200.00
					Account Total	1,200.00
	Other Professional Serv					
	PROFESSIONAL RECREATION MGMT I	00005	1006168	404025	10/29/21	346.29
	PROFESSIONAL RECREATION MGMT I	00005	1006168	404025	10/29/21	346.29
					Account Total	692.58
	Security Service					
	PROFESSIONAL RECREATION MGMT I	00005	1006168	404025	10/29/21	647.50
					Account Total	647.50
					Department Total	13,857.63

County of Adams
Vendor Payment Report

<u>31</u>	<u>Head Start Fund</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Received not Vouchered Clrg					
	CESCO LINGUISTIC SERVICE INC	00031	1005897	403882	10/28/21	98.00
	CESCO LINGUISTIC SERVICE INC	00031	1005898	403882	10/28/21	100.87
	CESCO LINGUISTIC SERVICE INC	00031	1005922	403882	10/28/21	98.00
	CESCO LINGUISTIC SERVICE INC	00031	1005923	403882	10/28/21	75.00
					Account Total	371.87
					Department Total	371.87

County of Adams
Vendor Payment Report

<u>935121</u>	<u>HHS Grant</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Education & Training					
	ALL JOY INC	00031	1005726	403704	10/26/21	500.00
	ALL JOY INC	00031	1005727	403704	10/26/21	3,300.00
	HEARTFUL ROOTS PLLC	00031	1005728	403704	10/26/21	4,000.00
	HEARTFUL ROOTS PLLC	00031	1005729	403704	10/26/21	2,000.00
	MIGHTY LITTLE VOICES SPEECH TH	00031	1005743	403704	10/26/21	4,000.00
	MIGHTY LITTLE VOICES SPEECH TH	00031	1005744	403704	10/26/21	4,000.00
	PEDIATRIC THERAPY OF COLORADO	00031	1005730	403704	10/26/21	3,300.00
					Account Total	21,100.00
	HS Parent Activity Expenses					
	MIGHTY LITTLE VOICES SPEECH TH	00031	1005734	403704	10/26/21	350.00
	US FOODSERVICE	00031	1005731	403704	10/26/21	37.87
					Account Total	387.87
					Department Total	21,487.87

County of Adams
Vendor Payment Report

<u>935621</u>	<u>HS CACFP</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Food Supplies					
	US FOODSERVICE	00031	1005732	403704	10/26/21	<u>177.75</u>
					Account Total	<u>177.75</u>
					Department Total	<u><u>177.75</u></u>

County of Adams
Vendor Payment Report

<u>19</u>	<u>Insurance Fund</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Received not Vouchered Cllrg					
	JOE'S TOWING & RECOVERY	00019	1005861	403882	10/28/21	<u>77.00</u>
					Account Total	<u>77.00</u>
					Department Total	<u><u>77.00</u></u>

County of Adams
Vendor Payment Report

<u>99650</u>	<u>Misc Reimbursable Purchases</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Apprenticeship					
	FRONT RANGE COMMUNITY COLLEGE	00035	1005673	402611	10/26/21	500.00
	TECHTONIC GROUP LLC	00035	1005675	403680	10/26/21	500.00
					Account Total	<u>1,000.00</u>
					Department Total	<u><u>1,000.00</u></u>

County of Adams
Vendor Payment Report

<u>9253</u>	<u>Office of Cultural Affairs</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Advertising					
	WELBY HERITAGE FOUNDATION	00001	1005493	403415	10/21/21	<u>2,000.00</u>
					Account Total	<u>2,000.00</u>
					Department Total	<u><u>2,000.00</u></u>

County of Adams
Vendor Payment Report

<u>2061</u>	<u>PKS - Weed & Pest</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Other Communications					
	VERIZON WIRELESS	00001	1005485	403415	10/21/21	80.02
					Account Total	80.02
					Department Total	80.02

County of Adams
Vendor Payment Report

<u>5010</u>	<u>PKS- Fair</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	5K Run at Fair					
	WARRIORNOW	00001	1005832	403816	10/27/21	<u>500.00</u>
					Account Total	<u>500.00</u>
	Other Communications					
	VERIZON WIRELESS	00001	1005473	403415	10/21/21	<u>200.05</u>
					Account Total	<u>200.05</u>
					Department Total	<u><u>700.05</u></u>

County of Adams
Vendor Payment Report

<u>5012</u>	<u>PKS- Regional Complex</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Other Communications					
	VERIZON WIRELESS	00001	1005477	403415	10/21/21	90.01
					Account Total	90.01
					Department Total	90.01

County of Adams
Vendor Payment Report

<u>5041</u>	<u>PKS- Special Events</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Concerts Expense					
	STEELock GENERAL FENCE CONTRAC	00001	1005833	403816	10/27/21	2,951.03
					Account Total	<u>2,951.03</u>
					Department Total	<u><u>2,951.03</u></u>

County of Adams
Vendor Payment Report

<u>5016</u>	<u>PKS- Trail Ranger Patrol</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Water/Sewer/Sanitation					
	CRESTVIEW WATER & SANITATION D	00001	1005831	403816	10/27/21	<u>571.92</u>
					Account Total	<u>571.92</u>
					Department Total	<u><u>571.92</u></u>

County of Adams
Vendor Payment Report

<u>1089</u>	<u>PLN- Boards & Commissions</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Other Professional Serv					
	BUSH MELVIN E	00001	1005606	403501	10/22/21	65.00
	GREEN THOMAS D	00001	1005604	403501	10/22/21	65.00
	GRONQUIST, CHRISTOPHER L	00001	1005607	403501	10/22/21	65.00
	HARNETT OWEN	00001	1005608	403501	10/22/21	65.00
	NYHOLM STEWART E	00001	1005603	403501	10/22/21	65.00
	STANFIELD THOMSON	00001	1005605	403501	10/22/21	65.00
					Account Total	<u>390.00</u>
					Department Total	<u><u>390.00</u></u>

County of Adams
Vendor Payment Report

<u>3058</u>	<u>PW - ADA Transition Implement.</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Land					
	RINKOR WILLIAM J	00013	1005305	402819	10/21/21	<u>200.00</u>
					Account Total	<u>200.00</u>
					Department Total	<u><u>200.00</u></u>

County of Adams
Vendor Payment Report

<u>3011</u>	<u>PW - Administration</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Membership Dues					
	NATIONAL SOCIETY OF PROF ENGIN	00013	1005289	402819	10/21/21	<u>2,990.00</u>
					Account Total	<u>2,990.00</u>
					Department Total	<u><u>2,990.00</u></u>

County of Adams
Vendor Payment Report

<u>3056</u>	<u>PW - Capital Improvement Plan</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Land					
	ARREOLA CARLOS	00013	1005736	402819	10/28/21	14,220.00
	BROWN JENA	00013	1005735	402819	10/28/21	2,100.00
	HARICK INC	00013	1005737	402819	10/28/21	4,730.00
	HC PECK & ASSOCIATES INC	00013	1005615	403522	11/02/21	349,825.00
	HUBERT COLIN	00013	1005716	402819	10/28/21	2,350.00
	KUETTEL +2	00013	1005045	402819	10/14/21	2,500.00
	LINEBARGER TAYLOR JULIE	00013	1005715	402819	10/28/21	2,870.00
	MCKIM BRYAN	00013	1005714	402819	10/28/21	610.00
					Account Total	379,205.00
	Road & Streets					
	BROWN JENA	00013	1005230	402819	10/12/21	850.00
	GURUNG KHAGENDRA	00013	1005228	402819	10/12/21	1,308.00
	LEWIS STEPHEN C	00013	1005229	402819	10/12/21	2,500.00
	SANCHEZ BERNARDO	00013	1005231	402819	10/12/21	492.00
	SHARMA N K	00013	1005227	402819	10/12/21	4,800.00
	SIR SPEEDY	00013	1005290	402819	10/21/21	102.35
					Account Total	10,052.35
					Department Total	389,257.35

County of Adams
Vendor Payment Report

<u>3031</u>	<u>PW - Operations & Maintenance</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Gas & Electricity					
	UNITED POWER (UNION REA)	00013	1005425	403410	10/21/21	23.16
	UNITED POWER (UNION REA)	00013	1005426	403410	10/21/21	48.28
	UNITED POWER (UNION REA)	00013	1005427	403410	10/21/21	16.50
	UNITED POWER (UNION REA)	00013	1005428	403410	10/21/21	16.50
	UNITED POWER (UNION REA)	00013	1005429	403410	10/21/21	16.50
	UNITED POWER (UNION REA)	00013	1005430	403410	10/21/21	144.71
	UNITED POWER (UNION REA)	00013	1005431	403410	10/21/21	53.07
	UNITED POWER (UNION REA)	00013	1005432	403410	10/21/21	115.95
	UNITED POWER (UNION REA)	00013	1005433	403410	10/21/21	34.33
	UNITED POWER (UNION REA)	00013	1005434	403410	10/21/21	34.00
	UNITED POWER (UNION REA)	00013	1005435	403410	10/21/21	140.28
	UNITED POWER (UNION REA)	00013	1005436	403410	10/21/21	115.33
	UNITED POWER (UNION REA)	00013	1005437	403410	10/21/21	20.31
	UNITED POWER (UNION REA)	00013	1005438	403410	10/21/21	46.06
	UNITED POWER (UNION REA)	00013	1005439	403410	10/21/21	50.26
	UNITED POWER (UNION REA)	00013	1005440	403410	10/21/21	58.98
	UNITED POWER (UNION REA)	00013	1005441	403410	10/21/21	37.56
	UNITED POWER (UNION REA)	00013	1005442	403410	10/21/21	33.00
	UNITED POWER (UNION REA)	00013	1005443	403410	10/21/21	48.28
	UNITED POWER (UNION REA)	00013	1005444	403410	10/21/21	33.00
	UNITED POWER (UNION REA)	00013	1005445	403410	10/21/21	36.00
	UNITED POWER (UNION REA)	00013	1005446	403410	10/21/21	88.49
	XCEL ENERGY	00013	1005414	403410	10/21/21	73.03
	XCEL ENERGY	00013	1005415	403410	10/21/21	11.40
	XCEL ENERGY	00013	1005416	403410	10/21/21	66.48
	XCEL ENERGY	00013	1005417	403410	10/21/21	61.59
	XCEL ENERGY	00013	1005418	403410	10/21/21	90.03
	XCEL ENERGY	00013	1005419	403410	10/21/21	122.67
	XCEL ENERGY	00013	1005420	403410	10/21/21	85.31
	XCEL ENERGY	00013	1005421	403410	10/21/21	56.01
	XCEL ENERGY	00013	1005422	403410	10/21/21	49.87
	XCEL ENERGY	00013	1005423	403410	10/21/21	21,516.62
	XCEL ENERGY	00013	1005424	403410	10/21/21	5,038.00
					Account Total	28,381.56
					Department Total	28,381.56

County of Adams
Vendor Payment Report

<u>97975</u>	<u>RESEA Program-FY16</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Postage & Freight					
	ADAMS COUNTY HUMAN SERVICES	00035	1005271	402611	10/19/21	<u>4.24</u>
					Account Total	<u>4.24</u>
					Department Total	<u><u>4.24</u></u>

County of Adams
Vendor Payment Report

<u>13</u>	<u>Road & Bridge Fund</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Received not Vouchered Clrg					
	AGGREGATE INDUSTRIES	00013	1005826	403799	10/27/21	1,759,505.41
	EST INC	00013	1006089	403882	10/28/21	29,275.25
	EST INC	00013	1006090	403882	10/28/21	19,634.25
	JR ENGINEERING LTD	00013	1005854	403882	10/28/21	26,951.15
	JR ENGINEERING LTD	00013	1005854	403882	10/28/21	122,240.90
	JR ENGINEERING LTD	00013	1005855	403882	10/28/21	49,359.62
	LUMIN8 TRANSPORTATION TECHNOLO	00013	1005882	403882	10/28/21	8,342.28
	SHORT ELLIOTT HENDRICKSON INC	00013	1006091	403882	10/28/21	5,067.86
	STANTEC CONSULTING CORPORATION	00013	1006088	403882	10/28/21	34.47
	STANTEC CONSULTING CORPORATION	00013	1006088	403882	10/28/21	48,892.52
	WESTERN STATES LAND SERVICES L	00013	1005814	403799	10/27/21	1,112.66
					Account Total	2,070,416.37
	Retainages Payable					
	AGGREGATE INDUSTRIES	00013	1005826	403799	10/27/21	87,975.27-
					Account Total	87,975.27-
					Department Total	1,982,441.10

County of Adams
Vendor Payment Report

<u>2004</u>	<u>Sheriff Training</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Equipment Rental					
	TOSHIBA FINANCIAL SERVICES	00001	1005718	403699	10/26/21	252.35
					Account Total	252.35
	Operating Supplies					
	TOSHIBA FINANCIAL SERVICES	00001	1005718	403699	10/26/21	101.12
					Account Total	101.12
					Department Total	353.47

County of Adams
Vendor Payment Report

<u>2008</u>	<u>SHF - Training Academy</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Equipment Rental					
	TOSHIBA FINANCIAL SERVICES	00001	1005718	403699	10/26/21	113.11
					Account Total	113.11
	Operating Supplies					
	TOSHIBA FINANCIAL SERVICES	00001	1005718	403699	10/26/21	1.08
					Account Total	1.08
					Department Total	114.19

County of Adams
Vendor Payment Report

<u>2011</u>	<u>SHF- Admin Services Division</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Equipment Rental					
	TOSHIBA FINANCIAL SERVICES	00001	1005718	403699	10/26/21	634.92
					Account Total	634.92
	Operating Supplies					
	TOSHIBA FINANCIAL SERVICES	00001	1005718	403699	10/26/21	282.84
					Account Total	282.84
					Department Total	917.76

County of Adams
Vendor Payment Report

<u>2015</u>	<u>SHF- Civil Section</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Sheriff's Fees					
	ABC LEGAL SERVICES	00001	1005683	403686	10/26/21	19.00
	ACCOUNT BROKERS OF LARIMER COU	00001	1005686	403686	10/26/21	19.00
	ARAPAHOE COUNTY ATTORNEY	00001	1005682	403686	10/26/21	19.00
	BANUELOS FABIOLA	00001	1005699	403686	10/26/21	19.00
	ELLIOTT LEGAL INVESTIGATIONS	00001	1005684	403686	10/26/21	19.00
	EZ MESSENGER	00001	1005680	403686	10/26/21	19.00
	FARMER KIMBERLY ANN	00001	1005700	403686	10/26/21	19.00
	FOSTER GRAHAM MILSTEIN AND CAL	00001	1005689	403686	10/26/21	66.00
	FRANK J BALL	00001	1005691	403686	10/26/21	9.00
	FRASER GREGORY	00001	1005695	403686	10/26/21	19.00
	HIRSCH REBECCA	00001	1005693	403686	10/26/21	19.00
	HIRSCH REBECCA	00001	1005694	403686	10/26/21	19.00
	HOLST AND BOETTCHER	00001	1005685	403686	10/26/21	19.00
	MCNEILPAPPAS PC	00001	1005679	403686	10/26/21	16.00
	MENDOZA TYLYNN MICHELE	00001	1005697	403686	10/26/21	19.00
	MORENO DAISY	00001	1005696	403686	10/26/21	19.00
	NELSON AND KENNARD	00001	1005687	403686	10/26/21	19.00
	NELSON AND KENNARD	00001	1005688	403686	10/26/21	19.00
	PEOPLES CHOICE APARTMENTS	00001	1005701	403686	10/26/21	198.00
	VICKERS RORY CHARLES	00001	1005698	403686	10/26/21	19.00
	WYN T TAYLOR	00001	1005681	403686	10/26/21	19.00
	WYOMING DEPT OF FAMILY SERVICE	00001	1005692	403686	10/26/21	19.00
					Account Total	631.00
					Department Total	631.00

County of Adams
Vendor Payment Report

<u>2075</u>	<u>SHF- Commissary Fund</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Equipment Rental					
	TOSHIBA FINANCIAL SERVICES	00001	1005718	403699	10/26/21	221.72
					Account Total	221.72
	Operating Supplies					
	TOSHIBA FINANCIAL SERVICES	00001	1005718	403699	10/26/21	61.23
					Account Total	61.23
					Department Total	282.95

County of Adams
Vendor Payment Report

<u>2016</u>	<u>SHF- Detective Division</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Equipment Rental					
	TOSHIBA FINANCIAL SERVICES	00001	1005718	403699	10/26/21	680.85
					Account Total	680.85
	Medical Services					
	CENTURA HEALTH	00001	1005717	403699	10/26/21	600.00
					Account Total	600.00
	Operating Supplies					
	TOSHIBA FINANCIAL SERVICES	00001	1005718	403699	10/26/21	254.57
					Account Total	254.57
	Other Communications					
	VERIZON WIRELESS	00001	1005719	403699	10/26/21	1,903.16
					Account Total	1,903.16
					Department Total	<u>3,438.58</u>

County of Adams
Vendor Payment Report

<u>2071</u>	<u>SHF- Detention Facility</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Equipment Rental					
	TOSHIBA FINANCIAL SERVICES	00001	1005718	403699	10/26/21	1,707.85
					Account Total	<u>1,707.85</u>
	Operating Supplies					
	TOSHIBA FINANCIAL SERVICES	00001	1005718	403699	10/26/21	579.43
					Account Total	<u>579.43</u>
					Department Total	<u><u>2,287.28</u></u>

County of Adams
Vendor Payment Report

<u>2017</u>	<u>SHF- Patrol Division</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Equipment Rental					
	TOSHIBA FINANCIAL SERVICES	00001	1005718	403699	10/26/21	521.48
					Account Total	521.48
	Medical Services					
	CENTURA HEALTH	00001	1005717	403699	10/26/21	300.00
					Account Total	300.00
	Operating Supplies					
	TOSHIBA FINANCIAL SERVICES	00001	1005718	403699	10/26/21	105.88
					Account Total	105.88
					Department Total	927.36

County of Adams
Vendor Payment Report

<u>2018</u>	<u>SHF- Records/Warrants Section</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Equipment Rental					
	TOSHIBA FINANCIAL SERVICES	00001	1005718	403699	10/26/21	<u>377.25</u>
					Account Total	<u>377.25</u>
	Operating Supplies					
	TOSHIBA FINANCIAL SERVICES	00001	1005718	403699	10/26/21	<u>185.73</u>
					Account Total	<u>185.73</u>
					Department Total	<u><u>562.98</u></u>

County of Adams
Vendor Payment Report

<u>2005</u>	<u>SHF- TAC Section</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Equipment Rental					
	TOSHIBA FINANCIAL SERVICES	00001	1005718	403699	10/26/21	139.24
					Account Total	<u>139.24</u>
	Operating Supplies					
	TOSHIBA FINANCIAL SERVICES	00001	1005718	403699	10/26/21	22.35
					Account Total	<u>22.35</u>
					Department Total	<u><u>161.59</u></u>

County of Adams
Vendor Payment Report

<u>7</u>	<u>Stormwater Utility Fund</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Received not Vouchered Cllrg DREXEL BARRELL & CO	00007	1005851	403882	10/28/21	19,413.75
					Account Total	19,413.75
					Department Total	19,413.75

County of Adams
Vendor Payment Report

<u>97800</u>	<u>Wagner-Peyser</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Other Communications					
	VERIZON WIRELESS	00035	1005671	403680	10/26/21	40.01
					Account Total	40.01
					Department Total	40.01

County of Adams
Vendor Payment Report

<u>97803</u>	<u>Wagner-Peyser Migrant Seasonal</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Other Communications					
	VERIZON WIRELESS	00035	1005671	403680	10/26/21	<u>51.34</u>
					Account Total	<u>51.34</u>
					Department Total	<u><u>51.34</u></u>

County of Adams
Vendor Payment Report

<u>25</u>	<u>Waste Management Fund</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Received not Vouchered Clrg					
	B & B ENVIRONMENTAL SAFETY INC	00025	1006171	404028	10/29/21	5,851.61
	B & B ENVIRONMENTAL SAFETY INC	00025	1006172	404028	10/29/21	5,112.19
					Account Total	<u>10,963.80</u>
					Department Total	<u><u>10,963.80</u></u>

County of Adams
Vendor Payment Report

<u>4316</u>	<u>Wastewater Treatment Plant</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Gas & Electricity					
	XCEL ENERGY	00043	1005742	403714	10/26/21	<u>1,148.30</u>
					Account Total	<u>1,148.30</u>
					Department Total	<u><u>1,148.30</u></u>

County of Adams
Vendor Payment Report

<u>99600</u>	<u>WBC Admin Pool</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Other Communications					
	VERIZON WIRELESS	00035	1005671	403680	10/26/21	51.34
					Account Total	51.34
					Department Total	51.34

County of Adams
Vendor Payment Report

<u>99806</u>	<u>WIOA & Wag/Pey Shared Prog Cst</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Other Communications					
	VERIZON WIRELESS	00035	1005671	403680	10/26/21	51.34
					Account Total	51.34
					Department Total	51.34

County of Adams
Vendor Payment Report

<u>97200</u>	<u>WIOA ADULT PROGRAM</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Apprenticeship					
	TECHTONIC GROUP LLC	00035	1005675	403680	10/26/21	4,500.00
					Account Total	4,500.00
	Clnt Trng-Tuition					
	SKILL DISTILLERY	00035	1005237	403118	10/18/21	5,000.00
					Account Total	5,000.00
					Department Total	9,500.00

County of Adams
Vendor Payment Report

<u>97500</u>	<u>WIOA YOUTH OLDER</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Clnt Trng-Books					
	CENGAGE LEARNING INC	00035	1005720	403118	10/26/21	119.99
					Account Total	<u>119.99</u>
	Supp Svcs-Incentives					
	CURRINGTON SHAUDAE	00035	1005236	403118	10/18/21	100.00
					Account Total	<u>100.00</u>
					Department Total	<u><u>219.99</u></u>

County of Adams
Vendor Payment Report

<u>35</u>	<u>Workforce & Business Center</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Received not Vouchered Cllrg					
	EXPRESS SERVICES INC	00035	1005869	403882	10/28/21	<u>2,968.87</u>
					Account Total	<u>2,968.87</u>
					Department Total	<u><u>2,968.87</u></u>

County of Adams
Vendor Payment Report

<u>99807</u>	<u>Youth Shared Prgrm Direct Cost</u>	<u>Fund</u>	<u>Voucher</u>	<u>Batch No</u>	<u>GL Date</u>	<u>Amount</u>
	Other Communications					
	VERIZON WIRELESS	00035	1005671	403680	10/26/21	<u>305.91</u>
					Account Total	<u>305.91</u>
					Department Total	<u><u>305.91</u></u>

County of Adams
Vendor Payment Report

Grand Total 3,398,458.74



**Board of County Commissioners
Minutes of Commissioners' Proceedings**

Eva J. Henry - District #1
Charles "Chaz" Tedesco - District #2
Emma Pinter - District #3
Steve O'Dorisio - District #4
Lynn Baca - District #5

**Tuesday
November 02, 2021
9:30 AM**

1. ROLL CALL

Rollcall

Present: 5 - Commissioner Henry, Commissioner Tedesco, Commissioner Pinter, Commissioner O'Dorisio, and Commissioner Baca

2. PLEDGE OF ALLEGIANCE

3. MOTION TO APPROVE AGENDA

A motion was made by Commissioner Tedesco, seconded by Commissioner Baca, that this Agenda be approved. The motion carried by the following vote:

Aye: 5 - Commissioner Henry, Commissioner Tedesco, Commissioner Pinter, Commissioner O'Dorisio, and Commissioner Baca

4. AWARDS AND PRESENTATIONS

5. PUBLIC COMMENT

A. Citizen Communication

During this portion of the meeting, the board will hear public comment. The Chair will determine how much time is reserved for public comment and how much time is permitted for each speaker.

B. Elected Officials' Communication

6. CONSENT CALENDAR

A motion was made by Commissioner O'Dorisio, seconded by Commissioner Tedesco, that this Consent Calendar be approved. The motion carried by the following vote:

Aye: 5 - Commissioner Henry, Commissioner Tedesco, Commissioner Pinter, Commissioner O'Dorisio, and Commissioner Baca

- A.** List of Expenditures Under the Dates of October 18-22, 2021
- B.** Minutes from the Commissioners' Proceedings from October 26, 2021
- C.** Resolution Approving Arbitrators for Property Valuation Appeals
(File approved by ELT)
- D.** Resolution Approving the Intergovernmental Agreement between Adams County and 27J School District Regarding Colorado Preschool Program for 2021-2022 in the not to Exceed Amount of \$106,400.00
(File approved by ELT)
- E.** Resolution Approving Right-of-Way Agreement between Adams County and George Wilson and Sandra G. Skinner for Property Necessary for the Miscellaneous Concrete and ADA Ramps Project in the Amount of 210.00 Dollars
(File approved by ELT)
- F.** Resolution Approving Right-of-Way Agreement between Adams County and Sabrina McKibbin and Matthew McKibbin for Property Necessary for the Miscellaneous Concrete and ADA Ramps Project in the Amount of 200.00 Dollars
(File approved by ELT)
- G.** Resolution Approving Development Agreement between Adams County and Maverik, Inc. for Public Improvements and Receipt of Collateral in the Amount of \$331,613.59
(File approved by ELT)
- H.** Resolution Approving Right-of-Way Agreement between Adams County and Federal Partners, LLC, for Property Necessary for the East 58th Avenue Improvements Project – East 58th Avenue from Clarkson Street to York Street in the Amount of 300,000.00 Dollars
(File approved by ELT)
- I.** Resolution Approving Agreement Regarding Funding of Outfall Systems Planning for Fairfax Tributary and Tributaries in an Amount not to Exceed \$45,000.00 Dollars
(File approved by ELT)

- J.** Resolution Approving Amendment 1 to Intergovernmental Agreement between Adams County and North Washington Street Water and Sanitation District Regarding York Street Improvements from East 78th Avenue to Highway 224 (File approved by ELT)
- K.** Resolution Approving Contract to Buy & Sell Real Estate between Adams County and Kinna Corp for the Property Located at 1201 East 58th Avenue (File approved by ELT)
- L.** Resolution Approving Case #SIA2021-00006 Subdivision Improvements Agreement for U-Haul at Mile High (File approved by ELT)
- M.** Resolution Appointing Angela Atkinson as a Member to the Workforce Development Board (File approved by ELT)
- N.** Resolution Approving the Intergovernmental Agreement between Adams County, Colorado and City of Federal Heights for Animal Management Services (File approved by ELT)
- O.** Resolution Approving Corrected Protest Value Detail of the Adams County Board of Equalization Final Decisions for Tax Year 2021 (File approved by ELT)

7. NEW BUSINESS

A. COUNTY MANAGER

1. Resolution Authorizing Sixth Supplemental Appropriations to the 2021 Adams County Government Budget (File approved by ELT)
A motion was made by Commissioner O'Doriso, seconded by Commissioner Baca, that this New Business be approved. The motion carried by the following vote:
Aye: 5 - Commissioner Henry, Commissioner Tedesco, Commissioner Pinter, Commissioner O'Doriso, and Commissioner Baca
2. Resolution Approving Amendment Two in the Amount of \$661,117.20 to the Agreement between Adams County and Shiloh Home Inc., to Provide Guaranteed Beds (File approved by ELT)
A motion was made by Commissioner Tedesco, seconded by Commissioner O'Doriso, that this New Business be approved. The motion carried by the following vote:

Aye: 5 - Commissioner Henry, Commissioner Tedesco, Commissioner Pinter, Commissioner O'Dorisio, and Commissioner Baca

3. 2021 Commissioner Redistricting
(File approved by ELT)

B. COUNTY ATTORNEY

Motion to Adjourn into Executive Session Pursuant to C.R.S. 24-6-402(4)(b) for the Purpose of Receiving Legal Advice Regarding the Culpepper Litigation

A motion was made by Commissioner Baca, seconded by Commissioner Pinter, that this Executive Session be approved. The motion carried by the following vote:

Aye: 5 - Commissioner Henry, Commissioner Tedesco, Commissioner Pinter, Commissioner O'Dorisio, and Commissioner Baca

8. LAND USE HEARINGS

A. Cases to be Heard

1. PLN2021-00005 Colorado Air and Space Port Subarea Plan
(File approved by ELT)

A motion was made by Commissioner Baca, seconded by Commissioner Pinter, that this Land Use Hearing be approved. The motion carried by the following vote:

Aye: 5 - Commissioner Henry, Commissioner Tedesco, Commissioner Pinter, Commissioner O'Dorisio, and Commissioner Baca

2. PLT2021-00006 U-Haul Moving and Storage at Mile High Final Plat
(File approved by ELT)

A motion was made by Commissioner O'Dorisio, seconded by Commissioner Tedesco, that this Land Use Hearing be approved. The motion carried by the following vote:

Aye: 5 - Commissioner Henry, Commissioner Tedesco, Commissioner Pinter, Commissioner O'Dorisio, and Commissioner Baca

9. ADJOURNMENT

AND SUCH OTHER MATTERS OF PUBLIC BUSINESS WHICH MAY ARISE



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: November 9, 2021
SUBJECT: 2022 Budget Proposed for Adoption
FROM: Nancy Duncan, Budget & Finance Director
AGENCY/DEPARTMENT: Budget & Finance Department
HEARD AT STUDY SESSION ON: October 19, 2021
AUTHORIZATION TO MOVE FORWARD: <input type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: That the Board of County Commissioners considers the 2022 Proposed Budget being recommended by the County Manager.

BACKGROUND:

As a political subdivision of the State of Colorado, Adams County prepares an annual budget as required by Colorado State Statutes (CRS 29-1-103). As part of the 2022 annual budget development process, the 2022 Proposed Budget was proposed during Public Hearing on October 12, 2021. In addition to this Public Hearing, the Board of County Commissioners reviewed the 2022 Proposed Budget at working session on October 19, 2021. A Public Hearing regarding the proposed budget will be held on November 9, 2021 for a first reading. This will allow for public review of the 2022 Proposed Budget prior to final adoption of the 2022 Adams County Budget scheduled on November 16, 2021.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

County Manager's Office and Budget & Finance Department

ATTACHED DOCUMENTS:

2022 Proposed Budget Presentation

FISCAL IMPACT:

Please check if there is no fiscal impact . If there is fiscal impact, please fully complete the section below.

Fund:
Cost Center:

	Object Account	Subledger	Amount
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
Total Revenues:			<hr/>

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:			
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			<hr/>

New FTEs requested: YES NO

Future Amendment Needed: YES NO

Additional Note:

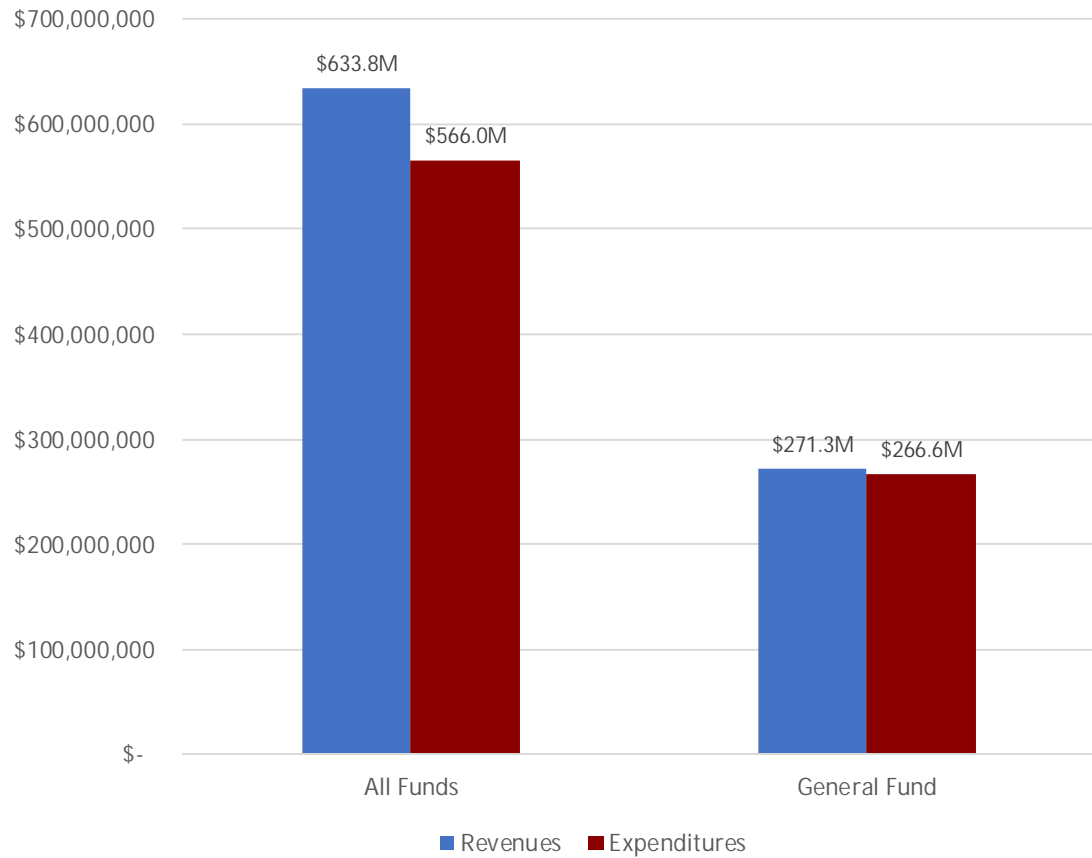
Informational Only

Adams County County Manager's 2022 Preliminary Budget

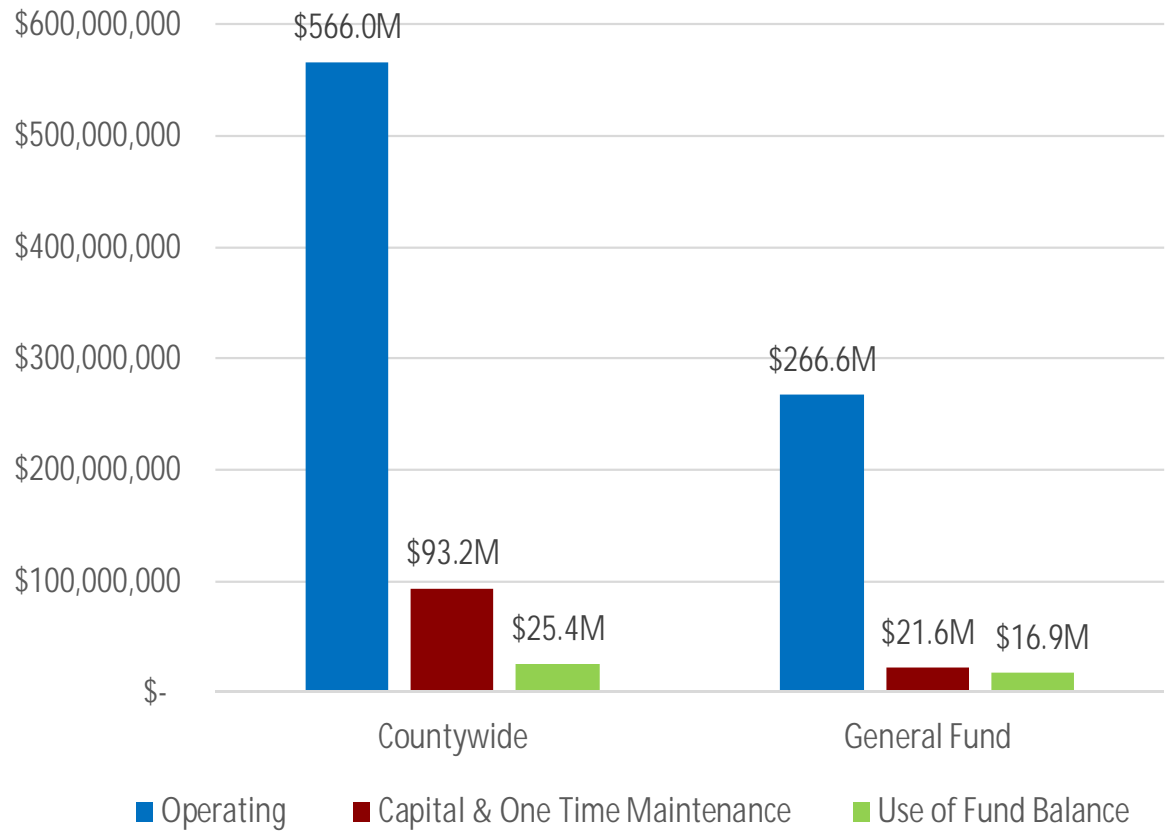
November 9, 2021

2022 Proposed Revenue and Proposed Operating Expenditures

(excludes 1-time maintenance)



2022 Proposed Operating Expenditures and Use of Fund Balance



Next Steps to Adopting the 2022 Budget

- November 16 – Second Reading and Adoption of the 2022 Adams County Budget.



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: November 9, 2021
SUBJECT: Mill Levy Fund for Residents with Developmental Disabilities
FROM: Raymond H. Gonzales, County Manager Alisha Reis, Deputy County Manager Nancy Duncan, Budget & Finance Director Jennifer Tierney Hammer, Procurement & Contracts Manager
AGENCY/DEPARTMENT: Finance Department and County Manager's Office
HEARD AT STUDY SESSION ON: August 24, 2021
AUTHORIZATION TO MOVE FORWARD: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
RECOMMENDED ACTION: That the Board of County Commissioners approves Amendment One to the Agreement with North Metro Community Services, Inc., to provide additional services and support for Adams County residents with Developmental Disabilities.

BACKGROUND:

For 2021, the 0.257 mill levy is projected to generate \$2,170,784.00 that is available for developmentally disabled services. Of that amount, the County budgeted \$1,620,512.00 from the developmentally disabled mill levy to be utilized for the benefit of persons with developmental disabilities who reside in Adams County. Most of these funds are allocated to North Metro Community Services, Inc., without a competitive process because they are the County's Community Centered Board organization.

On March 16, 2021, the Board of County Commissioners approved an Agreement with North Metro Community Services, Inc., to provide services to residents with developmental disabilities in the amount of \$1,620,512.00. Subsequently, on September 14, 2021, the Board of County Commissioners approved Budget Amendment Five for additional services in the amount of \$680,000.00 due to the pandemic.

It is recommended that the Board of County Commissioners approves Amendment One to the Agreement with North Metro Community Services, Inc., to provide services and support for Adams County residents with Developmental Disabilities in the amount of \$680,000.00 for a total not to exceed Agreement amount of \$2,300,512.00.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

Finance Department
County Manager's Office

ATTACHED DOCUMENTS:

Resolution

FISCAL IMPACT:

Please check if there is no fiscal impact . If there is fiscal impact, please fully complete the section below.

Fund: 01
Cost Center: 4031

	Object Account	Subledger	Amount
Current Budgeted Revenue:	5010		2,170,784
Additional Revenue not included in Current Budget:			
Total Revenues:			<u>2,170,784</u>

	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:	8810		680,000
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			<u>\$680,000</u>

New FTEs requested: YES NO

Future Amendment Needed: YES NO

Additional Note:

Budget Amendment Five approved September 14, 2021.

BOARD OF COUNTY COMMISSIONERS FOR
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION APPROVING AMENDMENT ONE IN THE AMOUNT OF \$680,000.00
TO THE AGREEMENT BETWEEN ADAMS COUNTY AND NORTH METRO
COMMUNITY SERVICES, INC., TO PROVIDE ADDITIONAL SERVICES FOR
RESIDENTS WITH DEVELOPMENTAL DISABILITIES

WHEREAS, on March 25, 2021, the Board of County Commissioners approved an Agreement with North Metro Community Services, Inc., to provide services to residents with developmental disabilities; and,

WHEREAS, the County and North Metro Community Services, Inc., mutually agree to amend the Agreement to provide additional services to residents with developmental disabilities due to the pandemic; and,

WHEREAS, North Metro Community Services, Inc., agrees to provide additional services to residents with developmental disabilities due to the pandemic, in the amount of \$680,000.00 for a total not to exceed Agreement amount of \$2,300,512.00.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that Amendment One in the amount of \$680,000.00 to the Agreement between Adams County and North Metro Community Services, Inc., to provide additional services for residents with developmental disabilities, is hereby approved.

BE IT FURTHER RESOLVED that the Chair is hereby authorized to sign Amendment One to the Agreement with North Metro Community Services, Inc., on behalf of Adams County, after negotiation and approval as to form is completed by the County Attorney's Office.



COMMUNITY AND ECONOMIC DEVELOPMENT
DEPARTMENT

CASE NO.: PLN2021-00012

CASE NAME: 2021 TEXT AMENDMENTS TO THE ADAMS COUNTY DEVELOPMENT
STANDARDS AND REGULATIONS, PHASE III

TABLE OF CONTENTS

EXHIBIT 1 – BoCC Staff Report

EXHIBIT 2- Proposed Regulation Amendments

- 2.1 Chapter 02 (Text of the Proposed Changes)
- 2.2 Chapter 03 (Text of the Proposed Changes)
- 2.3 Chapter 04 (Text of the Proposed Changes)
- 2.4 Chapter 11 (Text of the Proposed Changes)

EXHIBIT 3- Referral Comments

- 3.1 Referral Comments (Adams County Fire)
- 3.2 Referral Comments (Arapahoe County Planning)
- 3.3 Referral Comments (Arapahoe County Public Works)
- 3.4 Referral Comments (City of Commerce City)
- 3.5 Referral Comments (City of Thornton)
- 3.6 Referral Comments (Department of Water Resources)
- 3.7 Referral Comments (South Adams County Water and Sanitation)
- 3.8 Referral Comments (Tri-County Health Department)

EXHIBIT 4- Public Comments

- 4.1 Public Comment (Frank & Smith)
- 4.2 Public Comment (Gillan)

EXHIBIT 5- Public Comments (Outdoor Storage and Overlays)

- 5.1 Public Comment (5280 Waste Solutions-Johnson)
- 5.2 Public Comment (5280 Waste Solutions- Bradley)
- 5.3 Public Comment (American West- Snyder)
- 5.4 Public Comment (Barrett Towing-Barrett)
- 5.5 Public Comment (Bean)
- 5.6 Public Comment (Brannan Sand and Gravel- Marvel)
- 5.7 Public Comment (Brown)
- 5.8 Public Comment (Calabrese Trucking-Calabrese)
- 5.9 Public Comment (CAM Services-Hartman)
- 5.10 Public Comment (CEI-Hartman)
- 5.11 Public Comment (Central Auto Parts-Silver)
- 5.12 Public Comment (Central Auto Parts-Silver-2)
- 5.13 Public Comment (Colorado Associations)

- 5.14 Public Comment (Colorado Contractors Association-Milo)
- 5.15 Public Comment (Complete Container Services-Vetos)
- 5.16 Public Comment (CWS Colorado-Hagaman)
- 5.17 Public Comment (DNPk LLLP-Berglund/Kostelecky)
- 5.18 Public Comment (EFG-Laverty)
- 5.19 Public Comment (EFG-Laverty 2)
- 5.20 Public Comment (Fairfields and Woods Law-Alizadeh)
- 5.21 Public Comment (Fiore and Sons-Fiore)
- 5.22 Public Comment (Fiore and Sons-White)
- 5.23 Public Comment (Frank & Smith)
- 5.24 Public Comment (Frei and Sons 1&2)
- 5.25 Public Comment (Fuller Real Estate-Fannello)
- 5.26 Public Comment (Hamon Infrastructure)
- 5.27 Public Comment (Hernandez)
- 5.28 Public Comment (Hood)
- 5.29 Public Comment (Hot Shot Supply- Hartman)
- 5.30 Public Comment (IMCO Trailers-Jones)
- 5.31 Public Comment (JFW Corp.-White)
- 5.32 Public Comment (Liberty Oil-Barrios)
- 5.33 Public Comment (Martin Marietta-Courtney)
- 5.34 Public Comment (MDI Truck Parts and Service-Bandimere)
- 5.35 Public Comment (Merritt Trailers-Merritt)
- 5.36 Public Comment (Millennium-Young)
- 5.37 Public Comment (Miller Wall Co.-Miller)
- 5.38 Public Comment (New West Paving-Mikkelson)
- 5.39 Public Comment (Permagreen Products-Vendena)
- 5.40 Public Comment (Richey Inc.-Richey)
- 5.41 Public Comment (Rush Truck-Goree)
- 5.42 Public Comment (Samuelson 1&2)
- 5.43 Public Comment (Sharn)
- 5.44 Public Comment (Shoco Oil Inc.-Hohnstein)
- 5.45 Public Comment (Stabb)
- 5.46 Public Comment (The Quickrete Company-Page)
- 5.47 Public Comment (United Equipment- Johnson)
- 5.48 Public Comment (Utility Trailer Sales of Colorado-Martin)
- 5.49 Public Comment (Utility Trailer Sales of Colorado-Menken)
- 5.50 Public Comment (Vance Brothers)
- 5.51 Public Comment (Waste Solutions of Colorado-Bradley)
- 5.52 Public Comment (Windmill Creek-DelPiccolo)

EXHIBIT 6- Associated Case Materials

- 6.1 Request for Comments
- 6.2 Newspaper Publication
- 6.3 Public Hearing Notice
- 6.4 Referral Agency Labels



**COMMUNITY AND ECONOMIC DEVELOPMENT
DEPARTMENT
STAFF REPORT**

Board of County Commissioners

November 9, 2021

CASE No.:	PLN2021-00012
CASE NAME:	2021 Text Amendments to the Adams County Development Standards and Regulations, Phase III
Applicant's Name:	Adams County Community & Economic Development Department
Applicant's Address:	4430 S. Adams County Parkway, Brighton, CO 80601
Location of Request:	Unincorporated Adams County
Nature of Request:	Text amendments to the Adams County Development Standards and Regulations
Hearing Date(s):	PC: October 28, 2021 / 6:00 pm BoCC: November 9, 2021 / 9:30 am
Report Date:	October 29, 2021
Case Manager:	Layla Bajelan
Staff Recommendation:	APPROVAL with 3 Findings-of-Fact

Text Amendments to Be Heard on Another Date:

At Study Sessions with the Board of County Commissioners on October 12, 2021 and October 19, 2021, staff received direction to remove the updates to the permitted outdoor storage allowances within the I-2 and I-3 zone districts and to remove the overlay districts from this round of the text amendments. Staff requested more time to work with affected property owners and businesses, prioritize the overlays, and define specific goals for each station area/subarea. Amendments pertaining to outdoor storage and the overlays will be considered at a future date once additional stakeholder outreach and analysis have been performed. The additional stakeholder outreach on outdoor storage is currently schedule through November and December of 2021 in the form of large informational meetings and dedicated staff office hours for direct engagement with affected industrial users.

SUMMARY OF APPLICATION

Background:

In a Study Session held on May 11, 2021, the Board of County Commissioner (BoCC) directed staff to implement the County's vision from previously adopted long range plans by amending the County's Development Standards and Regulations. Staff also received direction to create regulations within the County's Development Standards and Regulations that would enhance the

County's ability to serve its residents while creating a vibrant, healthy environment and economy. From this directive, staff pursued the creation of overlay districts for three of our long-range plans (Welby Subarea Plan, Transit Oriented Development (TOD) and Rail Station Area Planning Guidelines/Clear Creek Valley TOD, and the Federal Boulevard Framework Plan), proposed reducing the permitted allowances of outdoor storage in the Industrial-2 (I-2) and Industrial-3 (I-3) zone districts, and drafted specific text amendments to better serve our most vulnerable residents.

Subjects within this round of text amendments include zoning overlays, reduction of permitted amounts of outdoor storage, tiny home villages, safe parking, compliance with the Comprehensive Plan, and the creation of a mixed-use zone district. The subject application consists of the third phase of 2021 text amendments and proposes changes to four chapters of the Development Standards. Amendments Phases I and II were related to updating Adams County oil and gas regulations, creating zone districts for parks and open space areas, and a Phase IV is related to an update to the sign code.

County staff created and executed a series of targeted stakeholder meetings as part of the process. Over 15,000 mailings were sent out to every property owner and resident within the targeted overlay boundaries in notification of the meetings. Meetings were arranged for two dates: Tuesday, June 22, 2021, and Tuesday, July 27, 2021 from 4:00 p.m. to 9:00 p.m. Each evening, four targeted one-hour meetings were held, the first with known industrial/business stakeholders within the County, the second with the Welby stakeholders, the third with Federal Boulevard stakeholders, and the fourth with the TOD stakeholders (within the ½ mile buffer from the six identified stations areas with land in unincorporated Adams County). In addition, two separate County-wide meetings were held on Thursday, July 27, 2021, and on Tuesday, October 12, 2021. Both meetings were held from 6 p.m. to 7 p.m. and advertised on the County's website, the mailed notice as discussed above, and on the County's social media accounts. All meetings were virtual meetings due to the ongoing COVID-19 pandemic.

The purpose of these meetings was to inform residents and property owners of the proposed overlay districts and review the proposed changes with any interested person or organization. The targeted stakeholder meetings did not see a significant amount of attendance with all meetings ranging for 15-30 individuals. Questions mainly concerned the proposed tiny home villages and safe parking uses, as well questions on the proposed overlay zone district and how it would affect the underlying zone district. The third public outreach (second County-wide) meeting was well attended with nearly 100 individuals. The majority of questions and feedback were related to the proposed limits to certain uses within the overlays and reduction in permitted outdoor storage in the I-2 and I-3 zone districts.

In addition to the public outreach efforts, staff also held a series of stakeholder outreach meetings with many of our referral agencies. Separate meetings were held with our Sheriff's Office and Code Compliance team, all Adams County School Districts, the County's Chief Building Official, the County's Public Health and Policy Program Specialist, and several of our local nonprofits, including: Maiker Housing Partners, Access, Brothers Redevelopment Inc., Almost Home, Colorado Safe Parking Initiative, Growing Home, Colorado Interfaith Alliance, Cold

Weather Care, St. Francis Center, Salvation Army, Colorado Village Collaborative, and the Brighton Housing Authority.

For the specific language of all the proposed amendments, please review Exhibit 2 of the staff report or visit the County's dedicated webpage for these Code Amendments at <http://www.adcogov.org/regulation-amendments>.

Development Standards and Regulations:

Section 2-02-13 of the Adams County Development Standards and Regulations details the approved procedures for amendments to the standards and regulations text.. Only the Board of County Commissioners may, after a recommendation from the Planning Commission, adopt a resolution amending the text of the standards and regulations.

Section 2-02-13-06-01 of the Development Standards and Regulations lists three criteria for reviewing text amendments. The first two criteria require consistency with the Comprehensive Plan and the overall purpose of the Development Standards. The third criterion requires the text amendment to not be detrimental to the majority of persons or property in the surrounding areas nor to the community in general. The changes proposed in the subject text amendment are consistent with the County's Comprehensive Plan, the purpose of the Development Standards and Regulations, and will not be detrimental to the residents of Adams County.

A summary of the proposed changes, including the purpose of the amendment, is outlined below:

Compliance with the Comprehensive Plan

The proposed changes in Chapter 2 will allow for staff, the Planning Commission, and the Board of County Commissioners to consider compliance with the Comprehensive Plan and other applicable subarea Plans in the criteria of approval for several land use cases. Requiring compliance with the comprehensive plan and applicable subarea plans will help the County to encourage development that support the vision for the specific area, as outlined within the adopted Plans. This requirement has been added as criteria of approval for the following land use case applications: Administrative Review Permit (ARP), Certificate of Designation (solid waste disposal facility and hazardous material facility), Biosolids Application Permit (domestic sludge), Conditional Use Permit, Urban Renewal Plan, Special Use Permit, Temporary Use Permit, Text amendments, Zoning Map Amendment, Comprehensive Plan Amendments, Final Plat, and Variance. The following plans already contain language in their criteria of approval citing compliance with the comprehensive plan and any applicable subarea plans: Overall Development Plan (ODP), Preliminary Development Plan (PDP), Final Development Plan (FDP), Sketch Plan, and Preliminary Plat.

Mixed-Use Zone District

The creation of a Mixed-Use zone district was encouraged through many of our Long-Range Plans. Many of the Plans encourage mixed-use within the boundaries and along key corridors within the County. Currently, the County only allows mixed-use with an approved Conditional Use Permit within the C-5 zone district. These regulations were approved in December of 2020 and as of writing this staff report, staff has not received any applications for a conditional use permit for mixed-use. The proposed creation of a mixed-use zone district would allow for property owners to have a more streamlined and permanent process for developing mixed-use developments within unincorporated Adams County. The proposed amendments would allow for residential/commercial mixed-use, along with other very limited permitted uses.

Safe Parking

Language was added to Chapter 4 to allow for safe parking as an accessory use to existing commercial and institutional uses. Safe parking would allow for individuals who are experiencing homelessness and living in their vehicles, a safe place to park overnight. This provides just one more service to some of the County's most vulnerable population. The regulations will allow for commercial and institutional uses to apply for an Administrative Review Permit (ARP) to use their parking lots during their off hours as a safe parking space. The proposed regulations will help implement safety and use standards for the site, types of vehicles utilizing these sites, and the services that must be offered on the site. Currently, the County does not regulate parking within private parking lots, and many individuals living in their vehicles are subject to tickets when parking within the County. Safe parking will be allowed in any zone district, however it must be accessory to an existing commercial or institutional use and will only be legal once permitted through the ARP process.

Tiny Home Villages

Tiny Home Villages were added as a use within the use chart under residential uses and language was added to Chapter 4 to require performance standards for tiny home villages. The Board of County Commissioners directed staff to draft the regulations to be specifically for residents who are experiencing homelessness or for transitional housing options, rather than an alternative housing option. The proposed language will allow for property owners to apply for a Conditional Use Permit to develop a tiny home village. With these regulations, the County is not planning to manage any sites or propose/identify specific parcels for a tiny home village, but more make the option available through the zoning code to future applicants. Proposed regulations will set site standards, home/building standards, community facilities, performance standards, parking, etc. An additional criterion of approval was added to the conditional use permit criteria specifically for tiny home villages in Chapter 2 to ensure that tiny home villages are

approved in areas to best serve the residents. Services can include, but are not limited to, proximity to RTD light rail stations/bus stops, community services, fresh food options, and park/school facilities.

Definitions

Several new or revised definitions have been proposed for Chapter 11. These changes include: Safe Parking, Tiny Home Village, and Tiny Home.

Staff Analysis:

Many of the proposed text amendments are supported by the 2012 Comprehensive Plan and adopted long range plans, as many call out the development of mixed use along key corridors. The Balanced Housing Plan supports fair housing for all Adams County residents, and with the proposed tiny home villages, the regulations would help support our most venerable residents to achieve permanent housing.

Staff Recommendation:

It is staff's determination that the request is consistent with the Adams County's Comprehensive Plan and the adopted subarea plans, the purpose of the standards and regulations, and will not be detrimental to the property owners nor the community in general. Based upon the criteria for approving a text amendment, staff recommends approval of this request with 3 findings-of-fact and 1 condition.

RECOMMENDED FINDINGS-OF-FACT:

1. The text amendment is consistent with the Adams County Comprehensive Plan.
2. The text amendment is consistent with the purposes of these standards and regulations.
3. The text amendment will not be detrimental to the majority of persons or property in the surrounding areas nor to the community in general.

RECOMMENDED CONDITION OF APPROVAL:

1. The Community and Economic Development Department staff may make minor corrections to these text amendments until December 9, 2021, including but not limited to, typographical errors, to ensure consistency and accuracy throughout the regulations.

PUBLIC COMMENTS

As of writing this report, staff has received fifty-four unique property owner or resident comments regarding the proposed text amendments. One comment was in opposition to the safe parking regulations and the tiny home villages, and one comment was in support of the mixed-use zone district, but had concerns over the road classification requirements, as South Welby would struggle to see mixed-use as a result. All other comments are related to either the outdoor storage regulations or the proposed zoning overlays. As outdoor storage and overlays have been removed from this round of text amendment, these specific comments have been removed both from the record and included in a separate exhibit, as they are no longer applicable to this case. Of these comments, three are in support of the proposed regulations, seven are neither in support

nor opposition, as they have questions on the proposed amendments, and the remaining forty-two comments are either in opposition or are requesting additional time before the outdoor storage and overlays regulations are heard at public hearings.

COUNTY AGENCY COMMENTS

Adams County staff has reviewed the request and has been diligently crafting the proposed amendments. The Code Amendments Team includes staff members from multiple departments and professions, including Development Services, Building Safety, Economic Development, Environmental Programs, Community Safety and Wellbeing and Public Works. The diversity of this team has allowed for a broad analysis of these standards, and input has been both collected and implemented in the proposed language.

REFERRAL AGENCY COMMENTS

Staff has received several letters from referral agencies stating that there were no concerns regarding the proposed text amendments.

PC UPDATE

This case was heard at the Planning Commission (PC) on October 28th, 2021 and the PC forwarded a recommendation of approval (5-0) with 3 findings-of-fact and 1 condition. The PC had several questions in regards to how quiet hours for the safe parking sites was defined, if there was a set size, weight, or breed restriction on cats or dogs within the tiny home villages, and why bowling alleys were permitted uses within the proposed Mixed-Use (MU) zone district. The PC also noted some typographical errors within the proposed redlines. Staff was able to respond to all the questions. The quiet hours will be defined within the specific zone districts and can be included in the conditions for an Administrative Review Permit. Staff did not propose a size, weight, breed restriction for dogs within the tiny home villages, as the CUP can set standards based on the needs of the residents. All of the proposed commercial uses within the Mixed-Use zone district were permitted in the performance standards for mixed use and have simply moved to the use chart to reflect the zone district. In addition, staff ensured that the new proposed definition of outdoor storage was not a part of the request being heard at the hearing.

There were a total of two members of the public who spoke during the hearing. One member of the public was thanking staff and the Board for delaying the vote on the overlays and outdoor storage. The second public commenter was in opposition to requiring compliance with the Comprehensive Plan stating legal concerns.

Responding with Concerns:

N/A

Responding without Concerns:

Adams County Fire
Arapahoe County Planning
Arapahoe County Public Works
City of Commerce City
City of Thornton

Department of Water Resources (DWR)
South Adams County Water and Sanitation
Tri-County Health Department (TCHD)

Agencies Notified (Those not responding considered a favorable response):

Cities

Citizen Groups

Counties

Ditch Companies

Federal Agencies

Fire Districts

Recreational Districts

Regional Agencies

State Agencies

Utilities

Water and Sanitation Districts

CHAPTER 2—APPLICATION AND PERMITTING PROCEDURES

Table of Contents

2-01 COMMON DEVELOPMENT REVIEW PROCEDURES FOR DEVELOPMENT APPLICATIONS 3

2-01-01 Step 1: Conceptual Review..... 3

2-01-02 Step 2: Neighborhood Meetings..... 4

2-01-03 Step 3: Development Application Submittal..... 7

2-01-04 Step 4: Determination of Sufficiency 8

2-01-05 Step 5: Staff Report 9

2-01-06 Step 6: Notice 10

2-01-07 Step 7: Public Hearing..... 12

2-01-08 Step 8: Standards 14

2-01-09 Step 9: Conditions of Approval..... 14

2-01-10 Step 10: Amendments 15

2-02 SPECIFIC DEVELOPMENT REVIEW STEPS FOR DEVELOPMENT APPLICATIONS 17

2-02-01 Access and Right-of-Way Permit 20

2-02-02 Administrative Review..... 23

2-02-03 Building Permit..... 25

2-02-04 Certificate of Designation 27

2-02-05 Conservation Plan Permit 39

2-02-06 Contractor Registration 42

2-02-07 Biosolids Application Permit (Domestic Sludge) 47

2-02-08 Floodplain Use Permit 50

2-02-09 Conditional Use Permit..... 52

2-02-10 Urban Renewal Plan* 60

2-02-11 Planned Unit Development..... 66

2-02-12 Special Use Permit..... 77

2-02-13	Temporary Use Permit.....	80
2-02-14	Oil and Gas Facility (OGF) Permit	84
2-02-15	Amendment to Text of the Standards and Regulations and/or Zoning Map (Rezoning) and/or Comprehensive Plan	94
2-02-16	Exemption	98
2-02-17	Waiver from Subdivision Design Standards*	101
2-02-18	Plat Correction; Replat of Lot, Easement or Building Envelope; Vacation of Recorded Plat, Right-of-Way or Easement; or Replat of Subdivision.....	104
2-02-19	Subdivision, Major.....	118
2-02-20	Subdivision, Minor.....	127
2-02-21	Appeal from Administrative Decision	134
2-02-22	Floodplain Use Permit Variance	137
2-02-23	Variance	142
2-02-24	Clearing and Grading Permit	145

Chapter 2—APPLICATION AND PERMITTING PROCEDURES**2-01 COMMON DEVELOPMENT REVIEW PROCEDURES FOR DEVELOPMENT APPLICATIONS**

This section outlines the general development review steps, which apply to all development applications or permits.

2-01-01 STEP 1: CONCEPTUAL REVIEW**2-01-01-01 PURPOSE**

Conceptual review is an opportunity for an applicant to discuss requirements, standards, and procedures, which apply to a development proposal. Major problems can be identified and solved during conceptual review before a formal application is submitted. Representatives of the Community and Economic Development Department and other County Departments regularly attend conceptual review meetings.

2-01-01-02 APPLICABILITY

A conceptual review meeting is voluntary for all development applications. Conceptual review may be requested by an applicant as a means of identifying potential problems prior to making formal application. A request for conceptual review shall be made at least one (1) week in advance of the requested conceptual review meeting.

2-01-01-03 CONCEPT PLAN SUBMITTAL

The applicant requesting a conceptual review meeting shall submit a sketch of the proposed development, conceptual review meeting checklist, and any conceptual review fees at least one (1) week in advance of the requested conceptual review meeting. The sketch should indicate the location of the proposed project, major streets, and other significant features in the vicinity. The applicant should also submit any conceptual designs to be discussed.

The degree of assistance provided by staff at the conceptual review meeting will depend upon the level of detail the applicant provides in the conceptual review

meeting submittal. The applicant is encouraged to provide as much detail as possible when preparing the conceptual review meeting submittal.

2-01-01-04 STAFF REVIEW AND RECOMMENDATION

Following the conceptual plan meeting with the applicant, the Director of Community and Economic Development (hereinafter in this Chapter "the Director" unless its context specifies one or the other) shall furnish the applicant with written comments regarding the plan, including appropriate recommendations to inform and assist the applicant. The written comments shall be mailed to the applicant within seven (7) days of the conceptual review meeting.

2-01-02 STEP 2: NEIGHBORHOOD MEETINGS

2-01-02-01 PURPOSE

The purpose of neighborhood meetings is to present the development concept to citizens and for the citizens to identify, list, and discuss issues related to the development proposal. Neighborhood meetings are held early in the process so affected property owners have an opportunity to provide input before excessive time and effort have been expended by the applicant.

Applicants are advised to get a determination of whether or not a neighborhood meeting is required prior to submitting an application that requires Planning Commission review. If an application is submitted and the Director determines that a neighborhood meeting is required, all review shall be held in abeyance until the applicant submits the required neighborhood meeting summary and affidavits.

2-01-02-02 APPLICABILITY

Neighborhood meetings may be required by the Director on a development proposal subject to Planning Commission review when the Director determines the development proposal could have significant neighborhood impacts.

If the Director determines that a neighborhood meeting is required, the applicant shall be responsible for scheduling, noticing, and coordinating the meeting. The applicant shall be responsible for all costs associated with holding the meeting.

2-01-02-03 NEIGHBORHOOD MEETING REQUIREMENTS*

Amended by the BoCC on January 28, 2013

2-01-02-03-01 LOCATION

In order to provide surrounding property owners, the best opportunity to attend, the neighborhood meeting should be held on the subject property whenever possible. If this is not possible, the meeting should be held on the closest practical location to the subject site. The location of the required neighborhood meeting shall follow the guidelines listed below:

- 1) Urban Adams County
 - a. If it is not possible to hold the neighborhood meeting on the subject property, the neighborhood meeting may be held at an alternate location that is a maximum of three (3) miles from the subject property
 - b. Exceptions to this policy may be granted in writing to increase the distance of the alternate location to approximately five (5) miles if applicants submit a request in writing with the proposed location and demonstrate that no practical locations within three (3) miles or less exist.
- 2) Semi-Urban Adams County
 - a. If it is not possible to hold the neighborhood meeting on the subject property, the neighborhood meeting may be held at an alternate location that is a maximum of five (5) miles from the subject property
 - b. Exceptions to this policy may be granted in writing to increase the distance of the alternate location to approximately fifteen (15) miles if applicants submit a request in writing with the proposed location and demonstrate that no practical locations within five (5) miles or less exist.
- 3) Rural Adams County
 - a. If it is not possible to hold the neighborhood meeting on the subject property, the neighborhood meeting may be held at an alternate location that is a maximum of fifteen (15) miles from the subject property
 - b. Exceptions to this policy may be granted in writing to increase the distance of the alternate location if applicants submit a request in writing with the proposed location and demonstrate that no practical locations within fifteen (15) miles or less exist.

These geographic areas are defined below:

- 1) Urban Adams County: all properties west of Imboden Road
- 2) Semi-Urban Adams County: all properties east of Imboden Road and west of Yellow Jacket Road
- 3) Rural Adams County: all properties east of Yellow Jacket Road to the eastern boundary of Adams County

2-01-02-03-02 ***TIME OF NEIGHBORHOOD MEETING***

The neighborhood meeting shall be held at a time that is convenient for most people, typically on a weekday evening between the hours of 5:00 p.m. and 8:00 p.m. or weekends at a reasonable time. The meeting shall not be scheduled on a legal holiday.

2-01-02-04 **NOTICE OF NEIGHBORHOOD MEETING**

2-01-02-04-01 ***WRITTEN NOTICE***

Written notice of the neighborhood meeting shall be given by the applicant to the owners of record of all real property within five hundred (500') feet (exclusive of public rights-of-way, public facilities, parks, or public open space) of the property lines of the parcel of land for which the development is planned. Designated representatives of neighborhood groups and homeowner's associations within the area of notification shall also receive written notice from the applicant.

The written notices shall be mailed at least ten (10) days prior to the meeting date. The notice shall state the date, time, place, and purpose of the neighborhood meeting and shall include a map of the property.

2-01-02-05 **ATTENDANCE AT NEIGHBORHOOD MEETING**

The applicant or applicant's representative shall attend the neighborhood meeting. The Community and Economic Development Department may also send a representative.

2-01-02-06 FORMAT OF NEIGHBORHOOD MEETING

The neighborhood meeting shall be held in an open house format. Maps of the development site, site plans and architectural elevation drawings should be available for review by the public. The applicant or applicant's representative shall be available to answer questions. The applicant shall provide comment sheets for participants to provide feedback concerning the proposed development. The applicant shall offer participants the opportunity to provide their name and mailing addresses for the purpose of receiving notice of public hearings concerning any application that is subsequently submitted.

2-01-02-07 SUMMARY OF NEIGHBORHOOD MEETING

A written summary of the neighborhood meeting shall be prepared by the applicant. The written summary shall be included with the development application submittal and shall explain how any issues identified at the neighborhood meeting have been addressed. In addition, any names and addresses for participants who would like to receive notice of public hearings concerning any application, which is subsequently submitted shall be submitted with the meeting summary.

2-01-03 STEP 3: DEVELOPMENT APPLICATION SUBMITTAL**2-01-03-01 DEVELOPMENT APPLICATIONS**

All development applications shall be submitted in a form established by the Director. Development applications, when submitted, shall be made available to the public.

2-01-03-02 CONSOLIDATED DEVELOPMENT APPLICATIONS AND REVIEW

When multiple development application types must be submitted for the same overall development proposal, the applications may be consolidated for submittal and review, at the discretion of the Director. A consolidated application shall only be reviewed, considered, and decided by the highest-level board or commission that would have made a decision concerning an individual application had it been submitted, processed and considered as a series of separate development applications. Decision-makers, from highest level to lowest level, are the Board of County Commissioners, Board of Adjustment, and the Director, respectively. If the highest level of decision-maker is determined to be the Board of County Commissioners, the Planning Commission may be

required to consider the application at a public hearing and provide a recommendation to the Board of County Commissioners.

2-01-03-03 DEVELOPMENT APPLICATION CONTENTS

The development application submittal requirements shall be established by the Director. The submittal requirements shall, at a minimum, include a list of all information, data, explanations, analysis, testing, reports, tables, graphics, maps, documents, forms, or other items reasonably necessary, desirable, or convenient to: (1) determine whether or not the applicant, developer and/or owner have the requisite power, authority, clear title, good standing, qualifications, and ability to submit and carry out the development and/or activities requested in the development application; and (2) determine whether or not the development activities and development application address and satisfy each and every applicable general development standard, district standard, or other requirement or provision of these standards and regulations.

2-01-03-03-01 SUBMITTAL REQUIREMENT

Each development application shall be submitted to the Director and shall include the identified submittal requirements for said development application. The Director may waive items not applicable due to the particular conditions and circumstances of said development proposal.

2-01-03-03-02 DEVELOPMENT REVIEW FEES

Development review fees shall be established by resolution by the Board of County Commissioners. The development review fees shall be paid at the time of submittal of any development application.

2-01-04 STEP 4: DETERMINATION OF SUFFICIENCY

After receipt of the development application, the Director shall determine whether the application is complete and ready for review. The determination of sufficiency shall not be based upon the perceived merits of the development proposal. If a submittal is found to be insufficient, all review of the submittal will be held in abeyance until the Director receives the necessary material to determine that the submittal is sufficient. The development application shall not be determined to be accepted nor shall the application be reviewed until the application submittal is determined sufficient by the Director.

Upon acceptance, the Director shall send written notice to the owners of record of all real property located within a minimum of five hundred (500') feet (exclusive of public rights-of-way, public facilities, parks, or public open space) of the property lines of the parcel of land for which the development is planned. Notice shall also be provided to all owners of mineral interests concerning impending surface development based on a certified list of owners provided by the applicant. Designated representatives of neighborhood groups and homeowner's associations within the area of notification shall also receive written notice from the Director. In addition, the Director shall send notice to all individuals who attended the neighborhood meeting and requested to be notified of the progress of the application for development. The notice shall be mailed by the Director within seven (7) days of the date of acceptance of the application. The notice shall describe the nature of the application and the deadline for pre-hearing comments.

2-01-05 STEP 5: STAFF REPORT

Within seven (7) days after determining the development application is sufficient, the Director shall refer the development application to the appropriate referral agencies. Referral agencies shall have twenty-one (21) days from the date of mailing to submit their comments to the Director. If a referral agency identifies concerns that require an investigation, the applicant, the County Commissioners, and the agency may agree to a thirty (30) day extension of this time limit. Failure of the reviewing agencies to respond within the specified time limit or within the time period of an extension shall be considered a favorable response for the purpose of the review. Following is a list of the potential reviewing agencies:

1. The appropriate school district;
2. Each county and/or municipality within three (3) miles of the boundary of the proposed development;
3. All utility districts, associations, or companies providing service in the immediate vicinity of the proposed development;
4. All local improvement and service districts in the immediate vicinity of the proposed development;
5. All appropriate ditch companies;
6. The Colorado State Forest Service;
7. The Director of Public Works and Colorado Department of Transportation;
8. The Natural Resources Conservation Service (Soil Conservation District Board) for explicit review and recommendations regarding soil suitability, floodwater problems and watershed protection;
9. The U. S. Army Corps of Engineers;
10. The Colorado Division of Wildlife;
11. The Adams County Department of Parks and Community Resources;

12. The Tri-County and State Departments of Health for a review of those aspects of a proposed development that have the potential for immediate or long-term environmental health impacts, including, but not limited to, the on-lot sewage disposal reports, for the review of the adequacy of existing or proposed sewage treatment works to handle estimated effluent, for a report on the water quality of the proposed water supply to serve the proposed development, noise, odors, and pollution prevention;
13. The State Board of Land Commissioners when the proposed development is adjacent to state school land;
14. The State Engineer for an opinion regarding material injury likely to occur to decreed water rights by virtue of the diversion water necessary to serve the proposed development and adequacy of the proposed water supply to meet the needs of the proposed development;
15. The Colorado Geologic Survey for an evaluation of those geologic factors, which would have a significant impact on the proposed development;
16. The Director of Public Works;
17. The Sheriff's Office; or
18. Any public or private agency, company, or corporation, which has existing or proposed infrastructure in the immediate vicinity of the proposed development, which, in the opinion of the Director, may be affected by the proposed development.

Each referral agency shall be asked to send a copy of their comments to the applicant, but the applicant should contact the Director to ensure all comments are received.

Following receipt of the referral agency comments or at the end of the review period, the Director shall review the development application and prepare a staff report.

The staff report shall be made available for inspection and copying by the applicant and the public at least fourteen (14) days prior to the scheduled public hearing on the development application. The staff report shall indicate whether, in the opinion of the staff, the development application complies with all applicable standards of these standards and regulations. Conditions for approval may also be recommended to eliminate any areas of non-compliance or to mitigate any adverse effects of the development proposal.

2-01-06 STEP 6: NOTICE

Notice of the public hearing shall be provided by the Director in accordance with the following procedures.

2-01-06-01 WRITTEN NOTICE

The Director shall give written notice to the residents and owners of record of all real property located within a minimum of five hundred (500') feet (exclusive of public rights-of-way, public facilities, parks, or public open space) of the property lines of the parcel of land for which the development is planned. The Director may require the applicant to further expand the notification area. Designated representatives of neighborhood groups and homeowner's associations within the area of notification shall also receive written notice from the Director.

The written notices shall be mailed at least fifteen (15) days prior to the first public hearing date concerning the application. The written notice shall state the date, time, place, and purpose of the public hearing(s). Failure to mail such notice shall not affect the validity of any hearing or determination by the Planning Commission, Board of Adjustment, or Board of County Commissioners.

2-01-06-02 POSTED NOTICE

The real property proposed to be developed shall be posted with a sign, giving notice to the public of the proposed development. The signs shall be posted by the County on the subject property in a manner and at a location to afford the best notice to the public. The property shall be posted at least ten (10) days prior to the first public hearing date.

The sign shall be a minimum of two (2) square feet and shall state the date, time, place, and purpose of the public hearing(s) and phone number and address of the case manager. Failure of the sign to remain posted prior to the hearing date shall not affect the validity of any hearing or determination by the Planning Commission, Board of Adjustment, or Board of County Commissioners.

2-01-06-03 PUBLISHED NOTICE

The Director shall publish notice of the public hearing. Notice of the time, date, and place of the public hearing(s) on the development application shall be published in the official County newspaper at least thirty (30) days prior to any hearing before the Board of County Commissioners. Failure of the Director to publish the required notice shall necessitate the delay of the hearing.

2-01-07 STEP 7: PUBLIC HEARING

2-01-07-01 CONDUCT OF PUBLIC HEARING

2-01-07-01-01 *RIGHTS OF ALL PERSONS*

Any person may appear at a public hearing and submit evidence, either individually or as a representative of a person or an organization. Each person who appears at a public hearing shall state their name, address and, if appearing on behalf of a person or organization, the name and mailing address of the person or organization being represented.

2-01-07-01-02 *EXCLUSION OF TESTIMONY*

The Planning Commission, Board of Adjustment, or Board of County Commissioners may exclude testimony or evidence it finds to be irrelevant, immaterial or unduly repetitious.

2-01-07-01-03 *CONTINUANCE OF PUBLIC HEARING*

The Planning Commission, Board of Adjustment, or Board of County Commissioners may, by motion or at the request of any person, continue any public hearing to a fixed date, time, and place. All continuances shall be granted at the discretion of the Planning Commission, Board of Adjustment, or Board of County Commissioners. The date and time of the continuance shall be announced at the hearing. The applicant may be required to agree to any continuance in writing.

The applicant's agreement to a continuance shall eliminate any statutory or regulatory requirement for the Planning Commission, Board of Adjustment, or Board of County Commissioners to act on an application within any specific time period. If the applicant requests a continuance, the applicant may be required to pay a continuance fee.

2-01-07-01-04 *ORDER OF PROCEEDINGS AT PUBLIC HEARING*

The order of the proceedings at the public hearing shall be as follows:

1. Staff Report Presented: The staff shall present a narrative and/or graphic description of the development application. The staff shall present a report that includes a written recommendation.
2. Applicant Presentation: The applicant shall present any relevant information the applicant deems appropriate. Copies of all writings or

other exhibits the applicant wishes the Planning Commission, Board of Adjustment, or Board of County Commissioners to consider must be submitted to the Director no less than five (5) working days before the public hearing.

3. Public Testimony: Relevant public testimony shall be heard.
4. Applicant Response: The applicant may respond to any testimony or evidence presented by the public at the direction of the Board or Commission holding the hearing.
5. Staff Response: The staff may respond to any statement made or evidence presented by the applicant or the public at the direction of the Board or Commission holding the hearing.

2-01-07-02 DECISION AND FINDINGS

2-01-07-02-01 DECISION

After consideration of the development application, the staff report, and the evidence from the public hearing, the chairman shall close the public hearing and, unless the case is continued, the Board or Commission shall approve, approve with conditions, or deny the development application based on its compliance with these standards and regulations. In the case of the Planning Commission, the approval, approval with condition(s), or denial shall be considered only as a recommendation to the Board of County Commissioners.

2-01-07-02-02 FINDINGS

All decisions shall include at least the following elements:

1. A statement of specific findings or other factors considered, whichever is appropriate, and a statement of the basis upon which the facts were determined, with specific reference to the relevant standards set forth in these standards and regulations; and
2. A statement of approval, approval with conditions, or denial, whichever is appropriate.

2-01-07-02-03 NOTIFICATION TO APPLICANT

Notification of the Planning Commission's, Board of Adjustment's, or Board of County Commissioners' decision shall be mailed by the Director to the applicant within seven (7) days after the decision. A copy of the decision shall

also be made available to the public by the Director of Community and Economic Development within seven (7) days after the decision.

2-01-07-03 RECORD OF PROCEEDINGS

The Planning Commission's, Board of Adjustment's, or Board of County Commissioners' public hearing may be recorded by any appropriate means. A copy of the public hearing record may be acquired or viewed by any person upon application to the Director and payment of a fee to defray the cost of duplication of the record. The record shall consist of the following:

1. All exhibits, including, without limitation, all writings, drawings, maps, charts, graphs, photographs, and other tangible items received or viewed by the Planning Commission, Board of Adjustment, or Board of County Commissioners at the proceedings;
2. All minutes of the proceedings; and
3. If available, a videotape or audiotape recording of the proceedings before the Planning Commission, Board of Adjustment, or Board of County Commissioners.

2-01-07-04 RECORDING OF DECISIONS AND PLATS

Once approved, the decision of the Planning Commission, Board of Adjustment, or Board of County Commissioners shall be filed with the Office of the Adams County Clerk and Recorder. In the case of a final plat, once the final construction plans and final plat are approved, the subdivision improvements agreement is executed and any other conditions of approval have been met, the final plat shall be recorded in the Office of the Adams County Clerk and Recorder.

2-01-08 STEP 8: STANDARDS

Before approving a development application, the Planning Commission, Board of Adjustment, or Board of County Commissioners must find that the development application has met the requirements of these standards and regulations and complies with the required criteria for approval.

2-01-09 STEP 9: CONDITIONS OF APPROVAL

The Planning Commission, Board of Adjustment, or Board of County Commissioners may impose such conditions on approval of the development application as are

necessary to accomplish the purposes and intent of these standards and regulations. Such conditions must have a reasonable nexus to potential impacts of the proposed development and should be roughly proportional, both in nature and extent, to the impacts of the proposed development or shall be mutually agreed upon by Adams County and the applicant. (See Section 1-08 for further limitations on conditions.)

2-01-10 STEP 10: AMENDMENTS

2-01-10-01 MINOR AMENDMENTS

Minor amendments to any approved development plan may be approved, approved with conditions, or denied administratively by the Director and may be authorized without additional public hearings. Such minor amendments may be authorized by the Director as long as the development application, as amended, continues to comply with these standards and regulations, at least to the extent of its original compliance.

Minor amendments shall consist only of any or all of the following:

1. The amendment results in an increase or decrease by five percent (5%) or less in the approved number of dwelling units;
2. The amendment results in an increase or decrease in the amount of square footage of a non-residential land use or structure that does not change the character of the project;
3. The amendment results in a change in the housing mix or use mix ratio which complies with the requirements of the zone district and does not change the character of the project; or
4. The amendment does not result in a change in the character of the development.

The Director may refer a minor amendment to the Planning Commission. If so referred, the decision of the Planning Commission shall constitute a final decision, subject to appeal to the Board of County Commissioners.

A minor amendment to any preliminary plat or preliminary development plan may be processed through the application for final plat or final development process as determined by the CEDD Director.

2-01-10-02 MAJOR AMENDMENTS

Amendments to any approved development plan not determined by the Director to be a minor amendment under the criteria set forth in Section 2-01-10-01 shall be deemed a major amendment.

Major amendments to development plans shall be reviewed and processed in the same manner as the original development plan for which the amendment is sought. Any approved major amendments shall be recorded in accordance with the procedures for recording the original development plan approval.

Any partial or total abandonment of an approved development plan shall be considered a major amendment.

2-02 SPECIFIC DEVELOPMENT REVIEW STEPS FOR DEVELOPMENT APPLICATIONS

This section outlines the specific development review steps, which apply to each distinct development application or permit type.

The follow development application types are included:

1. General Construction and Development Permits and Registrations**a. Access and Right-of-Way Permit**

Generally, an access or right-of-way permit is required to construct a driveway which accesses a County road; place a culvert within a public right-of-way; place utilities within a public right-of-way; place landscaping within a public right-of-way; cut a County road; bore under a County road; or perform any work, excavation, filling, grading, or construction within a public right-of-way.

b. Building Permit

Generally, a building permit is required to construct a building or structure; place a building or structure; remodel a building or structure; construct an addition to a building or structure; modify a building or structure; construct, place, or modify a sign; excavate or fill land;; construct subdivision improvements including roads; construct a landfill; or modify the use of land or a structure.

c. Conservation Plan Permit

Generally, a conservation plan permit is required to till any fragile soils.

d. Contractor Registration

Generally, any contractor performing a business involving the construction, alteration, remodeling, repairing, or equipping of buildings or other structures shall be registered as a contractor.

e. Biosolids Application Permit

Generally, a domestic sewage sludge application permit is required for the discharge or disposal of restricted biosolids on agricultural lands.

f. Floodplain Use Permit

Generally, a floodplain use permit is required to locate or construct any structure or facility within a floodplain control overlay zone district; place any fill within a floodplain control overlay zone district; store or process any materials or equipment within a floodplain control overlay zone district; or change a channel of a watercourse within a floodplain control overlay zone district.

g. Stormwater Quality Permit *.

Generally, a stormwater quality permit is required for construction sites that disturb one acre or greater or are part of a larger common plan of development disturbing one acre or greater. There are no exemptions for this permit.

2. Zoning and Land Use Approvals

a. Conditional Use Permit

A conditional use permit is required for any use identified as a conditional use within a zone district or overlay zone district.

b. Planned Unit Development

An approval of any proposed planned unit development is required to amend the zone district map and the requirements controlling the development of a parcel of land. A planned unit development creates a new overlay zone district for the parcel of land upon approval.

c. Special Use Permit (Temporary Use Permit)

A special use permit is required for any temporary use of land where the use is not a permitted principal use within the zone district or overlay zone district where the use will be located. Some special use permits may be issued administratively.

d. Oil and Gas Facility Permit

An Oil and Gas Facility permit is required for any oil and gas facility in Adams County.

e. Text, Zoning Map Amendment (Rezoning), or Comprehensive Plan Amendment

An approval of any proposed change to the zone district map or text of these standards and regulations is required to change, modify, or amend any standard, regulation, dimensional requirement, or use restriction controlling any parcel of land.

f. Certificate of Designation

Generally, a certificate of designation is required to locate a facility which collects, stores, treats, utilizes, processes, and/or disposes of solid wastes; locate infectious waste treatment facilities; locate transfer stations; locate hazardous waste disposal sites; locate waste impoundment operations; locate commercial composting operations; locate construction and demolition landfills; or locate other sites or facilities not specifically mentioned herein as may be required by C.R.S. §§30-20-101, *et seq.*, C.R.S §§25-15-101, *et seq.*, and C.R.S. §§25-15-201, *et seq.*

g. Urban Renewal Plan

h. Administrative Review Permit

Generally, an administrative review permit is required for any use of land where the use is not a permitted principal use within the zone district or overlay zone district where the use will be located. Telecommunications towers are specifically permitted through this review.

3. Subdivisions, Divisions of Land, and Platting Approvals

a. Condominium Map Review

Approval is required to develop condominiums. Condominium maps may be approved by the Director of Community & Economic Development.

b. Exemption

An exemption approval is required to obtain a release from the requirements of platting by resolution of the Board of County Commissioners in accordance with the terms set forth in these standards and regulations.

c. Plat Correction; Replat of Lot, Easement or Building Envelope; Vacation of Recorded Plat, Right-of-Way or Easement; or Replat of Subdivision

Approval is required to correct a plat; replat a lot, easement, or building envelope; vacate a recorded plat, right-of-way, or easement; or replat a subdivision.

d. Rural Site Plan Review

Approval is required for divisions of land seeking to benefit from the bonus lots associated with dividing land in accordance with the rural site plan development standards.

e. Subdivisions, Major

Approval is required to develop a major subdivision. Generally, a major subdivision divides parcels of twenty (20) acres or more or divides parcels into five (5) or more lots.

f. Subdivisions, Minor

Approval is required to develop a minor subdivision. Generally, a minor subdivision divides parcels of less than twenty (20) acres into four (4) or fewer lots.

4. Variations and Appeals

a. Appeal

A person aggrieved by a decision of an administrative official may appeal the decision to the Board of Adjustment.

b. Floodplain Use Permit Variance

Approval of a variance from the floodplain use permit standards is required to effect any change to these standards and regulations with respect to their application to an individual parcel of land.

c. Variance, Major

Approval of a variance from these standards and regulations is required to effect any change to these standards and regulations with respect to their application to an individual parcel of land. A variance may only be approved from the dimensional requirements, performance standards, and other special physical requirements contained in these standards and regulations.

2-02-01 ACCESS AND RIGHT-OF-WAY PERMIT

2-02-01-01 PURPOSE

The purpose of this section is to provide processing requirements for access or right-of-way permits in order to review, consider, approve, approve with modifications, or deny a request for permission to access a County road, install utilities within a public right-of-way, landscape within a public right-of-way, install a mailbox within a public right-of-way, or otherwise work or construct within a County right-of-way.

2-02-01-02 APPLICABILITY

All access or right-of-way permits must be processed in accordance with this section. An access or right-of-way permit is the only authorization under which access to a County road may be installed or constructed or work within a public right-of-way may be performed including, but not limited to, construction, landscaping, utility placement, alteration, or repair of any existing facilities or utilities within a public right-of-way or County road.

2-02-01-03 WHO CAN INITIATE AN ACCESS PERMIT

An access or right-of-way permit may be requested by, without limitation, the owner(s) of the property to which access is to be extended, the owner of the

utility or mailbox, or any person(s) performing work within the public right-of-way or County road.

The applicant has the burden of proof to demonstrate the access or right-of-way permit fully complies with these standards and regulations and meets the criteria for approval.

2-02-01-04 ACCESS PERMIT REVIEW PROCEDURES

An access or right-of-way permit may be approved by the Director of Community and Economic Development.

The processing of an access or right-of-way permit shall be according to, in compliance with, and subject to the provisions contained in Steps 1 through 10 of the Common Development Review Procedures as follows:

1. Conceptual Review: Optional.
2. Neighborhood Meeting: Not applicable.
3. Development Application Submittal: Applicable. All items or documents required for an access or right-of-way permit as described in the application submittal requirements shall be submitted to the Director of Community and Economic Development.
4. Determination of Sufficiency: Applicable. No notification of adjacent property owners is required. No application shall be processed if any taxes due are not paid.
5. Staff Report: Not applicable.
6. Notice: Not applicable
7. Public Hearing: Not applicable. In substitution, an application for access or right-of-way permit shall be reviewed and approved, approved with modifications, or denied by the Director of Community and Economic Development based on its compliance with these standards and regulations.
8. Standards: Not applicable. In substitution, an application for access or right-of-way permit shall be reviewed for compliance with these standards and regulations.
9. Conditions of Approval: Applicable. The Director of Community and Economic Development may impose any conditions determined to be necessary to assure the safety of the general public, protect the County's infrastructure, adequately accommodate the type and volume of traffic during the work, and deal with anticipated traffic volumes and road improvements.

10. Amendments: Not applicable. In substitution, an amendment to an access or right-of-way permit may be authorized by the Director of Community and Economic Development provided the access or right-of-way permit remains in compliance with all applicable standards and regulations.

2-02-01-05 CRITERIA FOR APPROVAL

The Director of Community and Economic Development in issuing an access or right-of-way permit shall find:

1. The access or right-of-way permit is consistent and complies with the requirements of these standards and regulations for the type of work to be performed.
2. The access or work to be performed will be of such a standard and condition to safely and adequately accommodate the type and volume of traffic currently using the access, including emergency and fire equipment and vehicles, plus any increase in traffic that may be added by the use accessing the road.
3. Adequate controls have been established to ensure compliance and safety during the course of work.
4. Adequate financial guarantees have been provided to ensure that any problems arising from the work to be performed can be reasonably remedied by the County, if necessary.

2-02-01-06 LAPSE OF APPROVAL

The access or right-of-way permit shall be valid for a period of six (6) months from the time such access or right-of-way permit is issued unless fully and properly acted upon and completed.

2-02-01-07 EXTENSION OF APPROVAL

One six (6) month extension may be granted by the Director of Community and Economic Development. In order to be eligible for an extension, the applicant shall file a request for extension with the Director of Community and Economic Development at least thirty (30) days prior to the date the access or right-of-way permit would lapse, unless waived by the Director of Community and Economic Development.

2-02-02 ADMINISTRATIVE REVIEW**2-02-02-01 PURPOSE**

The purpose of this section is to provide processing requirements for administrative review permits for development applications.

2-02-02-02 APPLICABILITY

All uses that require administrative review must be processed in accordance with this section. The Director of Community and Economic Development is the permit issuing authority for administrative review permits. The designation of a use requiring administrative review does not constitute an authorization or assurance that such use will be approved.

2-02-02-03 WHO CAN INITIATE AN ADMINISTRATIVE REVIEW REQUEST?

An administrative review permit may be requested by, without limitation, any owner of, or person having interest in the property on which the use requiring administrative review is proposed to be located. The applicant has the burden of proof to demonstrate the use fully complies with these standards and regulations and meets the criteria for approval.

2-02-02-04 ADMINISTRATIVE REVIEW PROCEDURES

An administrative review permit may be approved by the Director of Community and Economic Development (see Steps 1 through 10 below). The Director of Community and Economic Development shall approve, approve with conditions, or deny an administrative review permit based on compliance with the criteria for approval.

The processing of an administrative review permit shall be according to, in compliance with, and subject to the provisions contained in Steps 1 through 10 of the Common Development Review Procedures as follows:

1. Conceptual Review: Optional.
2. Neighborhood Meeting: Optional, unless the Director of Community and Economic Development determines the development proposal could have significant neighborhood impacts.
3. Development Application Submittal: All items or documents required for the administrative review permit as described in the development

- application submittal requirements shall be submitted to the Director of Community and Economic Development.
4. Determination of Sufficiency: Applicable. The Director of Community and Economic Development shall inform the applicant of the sufficiency of the application within 30 days of submittal. No application shall be processed if taxes due are not paid.
 5. Staff Report: Not applicable.
 6. Notice: Not applicable.
 7. Public Hearing: Not applicable.
 8. Standards: Applicable.
 9. Conditions of Approval: Applicable. The Director of Community and Economic Development in approving an administrative review permit may attach conditions necessary to implement the Adams County Comprehensive Plan and to ensure compatibility with adjacent uses. In addition to other conditions, the Director of Community and Economic Development may specify a term of the use.
 10. Amendments: Applicable.

2-02-02-05 CRITERIA FOR APPROVAL

The Director of Community and Economic Development in issuing an administrative review permit shall find:

1. ~~1.~~—The use is consistent with the purposes of these standards and regulations.
2. ~~2.~~—The use will comply with the requirements of these standards and regulations including, but not limited to, all applicable performance standards.
3. ~~3.~~—The use is compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the immediate area, not detrimental to the future development of the area, and not detrimental to the health, safety, or welfare of the inhabitants of the area and the County.
4. ~~4.~~—The use has addressed all off-site impacts.
5. ~~5.~~—The site is suitable for the use including adequate usable space, adequate access, and absence of environmental constraints.
6. ~~6.~~—The site plan for the proposed use will provide adequate fencing, screening, and landscaping.
7. The use and site plan are in general conformity with the Adams County Comprehensive Plan and any applicable area plans.

2-02-03 BUILDING PERMIT**2-02-03-01 PURPOSE**

The purpose of this section is to provide processing requirements for building permits in order to review, consider, approve, approve with modifications, or deny a request for permission to erect, move, place, or alter a structure, sign, temporary structure, or to excavate or fill land.

2-02-03-02 APPLICABILITY

All building permits must be processed in accordance with this section. A building permit is the only authorization under which a structure may be constructed, moved, placed, or altered; a sign may be placed, altered, moved, constructed, or replaced; land may be filled or excavated; temporary buildings may be placed; or utilities may be installed. All structures shall comply with the requirements of these standards and regulations even if the building permit requirement is waived by the Chief Building Official.

2-02-03-03 WHO CAN INITIATE A BUILDING PERMIT

A building permit application may be requested by, without limitation, the owner(s) of the property on which the structure, sign, temporary building, or utility is to be erected, moved, placed, altered, excavated, or filled. Upon issuance of building permit, when required, contractor information shall be provided to the County.

The applicant has the burden of proof to demonstrate the building permit fully complies with these standards and regulations and meets the criteria for approval.

2-02-03-04 BUILDING PERMIT REVIEW PROCEDURES

A building permit may be approved by the Chief Building Official.

The processing of a building permit shall be according to, in compliance with, and subject to the provisions contained in Steps 1 through 10 of the Common Development Review Procedures as follows:

1. Conceptual Review: Optional.
2. Neighborhood Meeting: Not applicable.
3. Development Application Submittal: Applicable. All items or documents required for a building permit as described in the application submittal

requirements shall be submitted to the Director of Community and Economic Development.

4. Determination of Sufficiency: Applicable. No notification of adjacent property owners is required. No application shall be processed if any taxes due are not paid.
5. Staff Report: Not applicable.
6. Notice: Not applicable.
7. Public Hearing: Not applicable. In substitution, an application for a building permit shall be reviewed and approved, approved with modifications, or denied by the Chief Building Official based on its compliance with any development plan, these standards and regulations, and the building code adopted by the County by reference or otherwise, as amended.
8. Standards: Not applicable. In substitution, an application for a building permit shall be reviewed for compliance with any development plan, these standards and regulations, and all building code regulations adopted by the County.
9. Conditions of Approval: Applicable.
10. Amendments: Not applicable. In substitution, an amendment to a building permit may be authorized by the Chief Building Official provided the building permit remains in compliance with all applicable standards and regulations.

2-02-03-05 CRITERIA FOR APPROVAL

The Director of Community and Economic Development in issuing a building permit shall find:

1. The building permit is consistent with and complies with the requirements of these standards and regulations and any applicable development plans or conditional use permits.
2. Legal access exists to the property for which the building permit has been requested.
3. The building permit complies with all requirements of the building code in effect at the time of issuance of the permit.

2-02-03-06 LAPSE OF APPROVAL

The building permit application shall be valid for a period of six (6) months from the time such building permit is applied for unless fully issued by the Community & Economic Development Department.

The building permit shall be valid for a period of six (6) months from the time such building permit is issued unless fully and properly acted upon and completed.

2-02-03-07 EXTENSION OF APPROVAL

One extension may be granted by the Chief Building Official not to exceed one hundred eighty (180) days. In order to be eligible for an extension, the applicant shall file a written request for extension with the Chief Building Official a minimum of thirty (30) days prior to the date the application or building permit would expire, unless waived by the Chief Building Official.

2-02-04 CERTIFICATE OF DESIGNATION

2-02-04-01 PURPOSE

The purpose of this section is to detail the steps for obtaining a certificate of designation. Certificates of designation are required for those solid waste and hazardous waste disposal sites and/or processing facilities, which are presumptively incompatible with other land uses, authorized or permitted in a zone district and may have long-term ramifications to the use of surrounding lands. In addition to meeting applicable performance standards, certificates of designation may require the imposition of conditions in order to ensure the number of solid waste and hazardous waste disposal sites and/or processing facilities and their location, design, configuration, and operation are appropriate at a particular location.

2-02-04-02 APPLICABILITY

All uses that require a certificate of designation must be processed in accordance with this section. A certificate of designation shall be required for all solid waste and hazardous waste disposal sites and/or processing facilities that may include, but not be limited to:

1. Sites and facilities where the collection, storage, treatment, utilization, processing, and/or final disposal of solid waste occurs except as specifically exempted;
2. Infectious waste treatment facilities;
3. Hazardous waste disposal sites;
4. Waste impoundment operations;

5. Commercial composting operations when meeting the Colorado Department of Public Health and Environment Regulations 6CCR 1007-2, Section 14;
6. Inert fill landfills when meeting the criteria for a certificate of designation;
7. Construction and demolition landfills;
8. Scrap tire recycling facilities with an inventory of over ten thousand (10,000) processed and unprocessed scrap tires; or
9. Other sites or facilities not specifically mentioned herein as may be required by C.R.S. §§30-20-101, *et seq.*, C.R.S. §§25-15-101, *et seq.*, and C.R.S. §§25-15-201, *et seq.*

Only the Board of County Commissioners may, after recommendation of the Planning Commission, adopt a resolution approving a certificate of designation to locate in accordance with these standards and regulations. Only those uses that are authorized as permitted principal uses or conditional uses in a zone district may be approved. The designation of a use as a permitted principal use or conditional use does not constitute an authorization or an assurance that such a use will be approved.

2-02-04-03 WHO CAN INITIATE A CERTIFICATE OF DESIGNATION REQUEST

A certificate of designation may be requested by, without limitation, any owner or person having an interest in the property on which the facility requiring the certificate of designation is proposed to be located. The applicant has the burden of proof to demonstrate the use fully complies with these standards and regulations and meets the criteria for approval.

2-02-04-04 CERTIFICATE OF DESIGNATION REVIEW PROCEDURES

A certificate of designation may be approved by the Board of County Commissioners by resolution. Any proposed certificate of designation shall be processed through two (2) public hearings before the Planning Commission, which shall provide a recommendation to the Board of County Commissioners (See Steps 1 through 10 below). Upon completion of each hearing by the Planning Commission, the application for a certificate of designation and the recommendation of the Planning Commission shall be forwarded to the Board of County Commissioners. The Board of County Commissioners shall, after receiving a recommendation from the Planning Commission, hold a public hearing. The Board of County Commissioners shall then approve, approve with conditions, or deny the certificate of designation based on its consideration of the staff report, the Planning Commission's recommendation and findings, the evidence from the

public hearings, and the certificate of designation's compliance with the criteria for approval.

2-02-04-05 CERTIFICATE OF DESIGNATION REVIEW STEPS

The processing of a proposed certificate of designation shall be according to, in compliance with, and subject to the provisions contained in Steps 1 through 10 of the Common Development Review Procedures as follows:

1. Conceptual Review: Applicable.
2. Neighborhood Meeting: Optional, unless the Director of Community and Economic Development determines the development proposal could have significant neighborhood impacts. A neighborhood meeting may be required prior to accepting an application for a certificate of designation at either or both stages of the review process including the initial application and upon submittal of the operations plan and technical report following review and approval, denial, or approval with conditions of the initial application.
3. Development Application Submittal: In the case of a certificate of designation, there shall be two (2) submittals. The first submittal shall be to determine preliminary findings of fact regarding use compatibility and siting impact issues. Following the determination of findings of fact regarding land use compatibility and siting impact issues, a second set of submittals shall be made to allow the review of the operations plan and technical report and approval or disapproval of the certificate of designation.
 - a. All items or documents required for a certificate of designation as described in the development application submittal requirements shall be submitted to the Director of Community and Economic Development at least fifty (50) days prior to the first unfilled Planning Commission public hearing agenda for the first submittal.
 - b. All items or documents required for a certificate of designation as described in the development application submittal requirements shall be submitted to the Director of Community and Economic Development at least two hundred thirty (230) days prior to the first unfilled Planning Commission public hearing agenda for the second submittal.
4. Determination of Sufficiency: Applicable. No application shall be processed if any taxes due are not paid. Upon receipt of a written recommendation for approval from the Colorado Department of Health, public hearings on the operations plan and technical report shall be set before the Planning Commission and Board of County Commissioners. No hearings shall be set if the Colorado Department of Public Health and

Environment recommends disapproval pursuant to C. R. S. 30-20-104, Section 3.

5. Staff Report: Applicable.
6. Notice: Applicable, except notice shall be sent to all property owners within fifteen hundred (1,500') feet in urban areas and one (1) mile in agricultural areas at a minimum, or greater, as determined by the Director of Community and Economic Development.
7. Public Hearing: Applicable. Two (2) sets of public hearings shall be held before both the Planning Commission and Board of County Commissioners. A hearing shall be held to review the certificate of designation's compatibility with land use and to make preliminary findings. A hearing shall also be held to review the operations plan and technical report.

The Director of Community and Economic Development may waive the public hearings to determine preliminary findings of fact regarding land use compatibility and siting impact issues of a proposal upon request of the applicant or with the applicant's concurrence, if the following determination is made:

- a. That due to the nature of the proposed operation, issues related to land use compatibility and siting impact cannot be separated from the information required in the operations plan and technical report; or
 - b. That due to the nature of the proposed operation, the operation plan and technical report is minor in nature and no public purpose would be served by separating the two (2) components of the request.
8. Standards: Applicable. At the first hearing concerning a certificate of designation, the Planning Commission shall conduct a preliminary fact finding and consider all relevant evidence regarding land use compatibility and site impacts concerning the application. This hearing shall include, but not be limited to, information of the impact on the surrounding land uses, access and traffic impact, conformance with requirements of these standards and regulations, and conformance with policies of the Adams County Comprehensive Plan. At such hearing, the Planning Commission shall forward a recommendation in the form of recommended findings of fact to the Board of County Commissioners as to whether or not the proposed land use is in accordance with the criteria. The Board of County Commissioners shall then conduct a preliminary fact-finding public hearing and consider all relevant evidence regarding land use compatibility and site impacts concerning the application. If the Board of County Commissioners finds the proposed land use is not in accordance with the criteria, it shall make a finding of fact, and such findings may be the basis of a denial at future hearings should the applicant wish to proceed with the remainder of the permitting process.

After receiving the operations plan and technical report submittal and completing Steps 1 through 7, the Planning Commission shall forward a recommendation of disapproval, approval, or approval subject to conditions, to the Board of County Commissioners of the certificate of designation. The Board of County Commissioners shall then conduct a public hearing. The Board of County Commissioners may approve the request, in whole or in part, with or without modifications and requirements, or deny the request. Approval, if given, shall not be in conflict with the Colorado Department of Health’s recommendation, but the Board of County Commissioners may impose any additional requirements or conditions it deems necessary to meet the purpose and intent of these standards and regulations.

9. Conditions of Approval: Applicable. The Board of County Commissioners in approving a certificate of designation may attach any conditions necessary to implement the Adams County Comprehensive Plan and ensure compatibility with adjacent uses or protect the environment. The Board of County Commissioners in approving a certificate of designation may impose any additional requirements or conditions it deems necessary to meet the purpose and intent of these regulations, which may include, but are not limited to, the following:
 - a. A requirement to ensure the facility development proceeds in accordance with a specific site plan and/or development schedule;
 - b. A requirement of public dedication of rights-of-way for roads, alleys, public ways, drainage and public facilities, and the installation of off-site improvements as are reasonably required by or related to the effect of the facility; or
 - c. A requirement to ensure design and mitigation measures be put in place including, but not limited to, limits on the hours of operation and traffic generating uses; improvements to on-site and off-site vehicular circulation; alternative access or site and open space provisions to address site capacity and resource protection issues; controls on noise, light, odors, and other pollutants; construction of fencing and planting of landscaping; restrictions on signage and outdoor lighting; restrictions concerning the building bulk, height, setback, location, and external appearance; stipulations concerning adequate storm drainage or utilities; and limits on the duration of the certificate of designation.
10. Amendments: Applicable. In addition, the following shall be considered in determining if the change is a minor or major amendment:
 - a. Amendments and Changes to Solid Waste Disposal Sites and/or Processing Facilities.
 - (1) State Review of Type of Change:

- (a) A determination as to the type of the change under State regulations shall be made. The proposed change shall be referred to the Colorado Department of Health for a finding of fact as to whether or not the proposed change constitutes a significant change with regard to State regulations.
- (b) The State will be afforded a twenty (20) working day period in which to respond. Upon receipt of a determination from the State as to the type of the change, the applicant will be advised of the determination and whether additional information is needed to complete the technical review of the change.
- (c) If the State does not respond with a determination as to whether the change is significant or not within twenty (20) working days, the County may proceed based upon its own determination.

(2) County Review of Type of Change:

A determination shall be made as to the nature of the change with regard to County requirements as listed in the certificate of designation and with regard to potential impact on neighboring properties, the general public, or those intended to occupy or use the non-hazardous disposal site and/or processing facility. This determination shall be made by the Director of Community and Economic Development. The change shall fall into one (1) of the following categories:

- (a) Minor: A minor change from the permit (including approved plans) is one, which will have no discernible impact or will have limited impact on neighboring properties, the general public, or those intended to occupy or use the site and facility. No change which has been determined by the State to be a “significant change” under State regulations shall fall into this category. Minor changes are routine in nature. They may include, but are not limited to, corrections of typographical errors in the approved permit; equipment replacement or upgrading with functionally equivalent components; increased frequency in monitoring or maintenance activities; closure of the facility at an earlier than permitted date; changes in information listed in facility contacts or coordinators listed in the plan; replacement of a monitoring facility

which has been damaged or rendered inoperable without change in location, design, or depth; changes in the site plan which provide for more efficient operations on site but have no impact on operation methods or the surrounding area. A change to allow additional elements in the waste stream may be determined to be minor provided the waste is not specifically prohibited by the permit, is a common variation in the type and quantity of the waste managed under the facility permit, and does not require a change in methods of operation, additional monitoring to assure public health requirements are met, nor result in a change in reclamation of the site. These items are listed as illustrations and are not intended to be all-inclusive.

Another type of minor change is a change necessary to comply with new regulations, where these changes can be implemented without substantially changing design specifications or management practices in the permit.

- (b) Major: A major change from the permit (including approved plans) is one which has been determined to potentially have a significant impact on neighboring properties, the general public, or those intended to occupy or use the waste disposal site and facility. Changes which have been determined to be a “significant change” under State regulations shall fall into this category. They would include, but are not limited to, change in ownership of the facility, extension of the certificate’s duration, changes in the site plan which reduce or change the character of approved buffering, reduction in quantity or quality of monitoring (unless such change is mandated by regulatory requirements), or change in a specific condition, standard, or requirement of the Board of County Commissioners’ approval which would change the character of the facility or substantially increase the intensity of use. A change which allows additional elements in the waste stream which are

prohibited by the permit, requires a change in the operations plan or the approved reclamation plan, or allows a waste which is not a common variation in the type and quantity of the waste managed under the facility permit, is a major change. These items are listed as illustrations and are not intended to be all-inclusive.

- (3) State Review of the Substance of the Request:
If the State recommends:
 - (a) Approval of a significant change: See Section 4 (below).
 - (b) Disapproval of a significant change: If the Colorado Department of Health recommends disapproval of the requested significant change, no public hearings shall be set. The request shall be denied.
 - (c) Approval of a non-significant change: See Section 4 (below).
 - (d) Disapproval of a non-significant change: If the Colorado Department of Health recommends disapproval of the requested non-substantial change, the request shall be denied.
 - (e) No comment within the review period on a non-significant change: If the State does not respond with a recommendation on the requested change as to whether the change is approved or not within sixty (60) calendar days, the County may proceed based upon its own determination. The applicant shall be advised that it is the operator's responsibility to ensure the minimum standards of the Solid Waste Disposal Sites and Facilities Act, C.R.S. §§30-20-101, *et seq.* have been met.
- (4) County Review of the Substance of the Request:
 - (a) If the Colorado Department of Health recommends approval of a non-significant change, and the change is a minor change as determined by the Director of Community and Economic Development, then the Director may approve the request with conditions determined necessary to assure the intent of these Regulations is met. If the Director of Community and Economic Development denies the request, the applicant may apply for a change in accordance with the procedure for a major change.

- (b) If the Colorado Department of Health recommends approval of a significant or non-significant change, and the change is a major change as determined by the Director of Community and Economic Development, the review procedure as established in the Review Step 7 to Review the Operations Plan and Technical Report shall be followed. The request shall be evaluated in accordance with the Criteria for Approval.
- b. Information Requirements for an Amendment (major change) to a Solid Waste Disposal Site and Facility:
- (1) Application form and a review fee in accordance with a schedule established by the Board of County Commissioners as provided for in C.R.S. §30-20-103, as amended.
 - (2) Plans and written narrative which clearly describe the changes requested and their effect on the operation of the facility and the surrounding area.
 - (3) Provision of any other relevant information required by the Director of Community and Economic Development in order to assure there is adequate information to review the amendment.
- c. Amendments or Substantial Changes and Modification to Hazardous Disposal Sites:
- (1) For hazardous waste disposal sites, an amendment to the certificate of designation is required for all changes except for changes in:
 - (a) On-site operations.
 - (b) On-site monitoring requirements.
 - (c) Changes as described above in (a) and (b) are subject to regulation by the Colorado Department of Health pursuant to C.R.S. §§25-15-301, *et seq.*, and are not subject to County review unless it is a substantial change. Substantial changes require County approval pursuant to C.R.S. §25-15-206.
 - (2) Procedures for Review of Amendments to a Certificate of Designation for Hazardous Waste Disposal Sites:
 - (a) The proposed amendment or substantial change shall be referred to the Colorado Department of Health for a finding of fact as to whether or not the proposed amendment constitutes a substantial change, as defined in the rules and regulations promulgated by the Colorado Department of Health. The State will be afforded a twenty (20) working day period in which to respond. Upon receipt of a determination from the State as to the type of the change, the applicant will be advised of the determination and whether additional information is needed to complete the technical review of the change. If the State does not respond with a determination as to whether the

change is substantial or not within twenty (20) working days, the County may proceed based upon its own determination.

- (b) After receipt of the Colorado Department of Health’s finding of fact or upon determination of staff that the required State review period has expired, a public hearing shall be set. Staff shall appear before the Board of County Commissioners during a public hearing and present relevant testimony concerning whether or not any proposed changes constitute a substantial change.

The Board of County Commissioners shall make a finding of fact based upon staff’s testimony and recommendations of the Department of Health.

If the Board of County Commissioners finds that the proposed amendment constitutes a substantial change, public hearings shall be set in accordance with the procedures defined in Step 7 and the findings required by the Criteria for Approval.

If the Board of County Commissioners finds that the proposed amendment does not constitute a substantial change, no public hearings shall be set. A decision on changes determined to not be substantial is made by the Colorado Department of Health in accordance with State regulatory requirements and applicable State statutes.

- (c) If the recommendation of the Colorado Department of Health is denial, no public hearing shall be set, and the request shall no longer be considered.
- d. Information Requirements for an Amendment or Substantial Change to a Hazardous Waste Disposal Site:
 - (1) Application form and a fee of ten thousand dollars (\$10,000);
 - (2) Plans and written narrative which clearly describe the changes requested and their effect on the operation of the facility and the surrounding area; and
 - (3) Provision of any other relevant information required by the Director of Community and Economic Development in order to assure there is adequate information to review the amendment.

2-02-04-06 CRITERIA FOR APPROVAL

The Planning Commission, in making their recommendation, and the Board of County Commissioners, in approving a certificate of designation for a solid waste disposal facility, shall find:

1. ~~1.~~—The proposed use is an acceptable use in the applicable zone district.
2. ~~2.~~—The certificate of designation is consistent with the purposes of these standards and regulations and meets the intent of the Adams County Comprehensive Plan.
3. ~~3.~~—The certificate of designation will comply with the requirements of these standards and regulations including, but not limited to, all applicable performance standards.
4. ~~4.~~—The certificate of designation is compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the immediate area, not detrimental to the future development of the area, and not detrimental to the health, safety, or welfare of the inhabitants of the area and the County. In making this determination, the Planning Commission and the Board of County Commissioners shall find, at a minimum, that the certificate of designation will not result in excessive traffic generation, noise, vibration, dust, glare, heat, smoke, fumes, gas, odors, or inappropriate hours of operation.
5. ~~5.~~—The certificate of designation has addressed all off-site impacts.
6. ~~6.~~—The site is suitable for the certificate of designation, including adequate usable space, adequate access, and absence of environmental constraints.
7. ~~7.~~—There is a need for the facility in the County.
8. ~~8.~~—The applicant has documented his ability to comply with the health standards and operating procedures as provided by the Colorado Department of Health, the Tri-County Health Department, and other relevant agencies.
9. ~~9.~~—The site is accessible to Adams County residents and other potential users.
10. ~~10.~~—The proposed facility will comply with all applicable laws and regulations relating to air pollution, water pollution, and noise. When standards do not exist for regulating emissions from a particular type of facility, the County will consider whether the facility may impact health and welfare of the community based upon specific facility design and operating procedures.
11. 11.—The site conforms to siting standards for the type of facility being proposed.
12. The use and site plan are in general conformity with the Adams County Comprehensive Plan and any applicable area plans.

The Planning Commission, in making their recommendation, and the Board of County Commissioners, in approving a certificate of designation for a hazardous material facility, shall find:

1. ~~1.~~—The proposed use is an acceptable use in the applicable zone district;
2. ~~2.~~—The certificate of designation is consistent with the purposes of these standards and regulations and meets the intent of the Adams County Comprehensive Plan;
3. ~~3.~~—The certificate of designation will comply with the requirements of these standards and regulations including, but not limited to, all applicable performance standards;
4. ~~4.~~—The certificate of designation is compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the immediate area, not detrimental to the future development of the area, and not detrimental to the health, safety, or welfare of the inhabitants of the area and the County. In making this determination, the Planning Commission and the Board of County Commissioners shall find, at a minimum, that the certificate of designation will not result in excessive traffic generation, noise, vibration, dust, glare, heat, smoke, fumes, gas, odors, or inappropriate hours of operation;
5. ~~5.~~—The certificate of designation has addressed all off-site impacts;
6. ~~6.~~—The site is suitable for the certificate of designation, including adequate usable space, adequate access, and absence of environmental constraints;
7. ~~7.~~—There is a need for the facility in the County;
8. ~~8.~~—The applicant has documented his ability to comply with the health standards and operating procedures as provided by the Colorado Department of Health, the Tri-County Health Department, and other relevant agencies;
9. ~~9.~~—The site is accessible to Adams County residents and other potential users;
10. ~~10.~~—The proposed facility will comply with all applicable laws and regulations relating to air pollution, water pollution, and noise. When standards do not exist for regulating emissions from a particular type of facility, the County will consider whether the facility may impact health and welfare of the community based upon specific facility design and operating procedures;
11. ~~11.~~—The site conforms to siting standards for the type of facility being proposed; and
- 11.12. The certificate of designation complies with the requirements of C.R.S. §25-15-203.

13. The use and site plan are in general conformity with the Adams County Comprehensive Plan and any applicable area plans.

2-02-04-07 ACTION BY THE DIRECTOR OF COMMUNITY AND ECONOMIC DEVELOPMENT FOLLOWING APPROVAL

Upon final approval and fulfillment of all requirements of the Board of County Commissioners, the Board of County Commissioners shall issue a certificate of designation in conformance with the decision of the Board of County Commissioners and shall notify the Colorado Department of Health of the approval within five (5) days. The certificate of designation shall describe in detail the use allowed by the certificate, include all specific conditions applied by the Board of County Commissioners, and be accompanied by an official site plan and building elevations modified by the applicant to reflect the conditions of the certificate.

2-02-04-08 EFFECT OF APPROVAL

Issuance of a certificate of designation shall be deemed to authorize only the particular use and development plan for which it is issued. The applicant shall be subject to all other permits required by these standards and regulations to develop the land.

All conditions contained in the certificate of designation shall be binding upon the applicant, and any successors and assigns. The certificate of designation and its conditions shall limit and control the issuance and validity of certificates of occupancy, and shall restrict and limit the construction, location, use, and maintenance of all land and structures within the development. The Board of County Commissioners shall be required to sign the certificate of designation and have it recorded in the Office of the Adams County Clerk and Recorder.

2-02-05 CONSERVATION PLAN PERMIT

2-02-05-01 PURPOSE

The purpose of this section is to provide processing requirements for conservation plan permits in order to review, consider, approve, approve with modifications, or deny a request for permission to till fragile soils.

2-02-05-02 APPLICABILITY

All conservation plan permits must be processed in accordance with this section. A conservation plan permit is the only authorization under which fragile soils may be tilled.

2-02-05-03 WHO CAN INITIATE A CONSERVATION PLAN PERMIT

A conservation plan permit may be requested by, without limitation, the owner(s) of the property which is proposed to be tilled.

The applicant has the burden of proof to demonstrate the conservation plan permit fully complies with these standards and regulations and meets the criteria for approval.

2-02-05-04 CONSERVATION PLAN PERMIT REVIEW PROCEDURES

A conservation plan permit may be approved by the Director of Community and Economic Development.

The processing of a conservation plan permit shall be according to, in compliance with, and subject to the provisions contained in Steps 1 through 10 of the Common Development Review Procedures as follows:

1. Conceptual Review: Optional.
2. Neighborhood Meeting: Not applicable.
3. Development Application Submittal: Applicable. All items or documents required for a conservation plan permit as described in the application submittal requirements shall be submitted to the Director of Community and Economic Development. The submittal shall include a recommendation from the appropriate Soil Conservation District Board obtained by the applicant after a hearing held by the appropriate Conservation District Board and after each owner abutting the property to be tilled was sent notice of the hearing at least ten (10) days prior to the scheduled hearing before the District Board.
4. Determination of Sufficiency: Applicable. No application shall be processed if any taxes due are not paid.
5. Staff Report: Applicable.
6. Notice: Applicable.
7. Public Hearing: Not applicable.
8. Standards: Not applicable.
9. Conditions of Approval: Applicable.
10. Amendments: Applicable.

2-02-05-05 ACTION BY THE DIRECTOR OF COMMUNITY AND ECONOMIC DEVELOPMENT

The Director of Community and Economic Development shall either issue or deny the issuance of a conservation plan permit within seven (7) days of receipt of the recommendation. The applicant, adjacent property owners, and Soil Conservation District shall be notified by mail of the Director of Community and Economic Development's decision within seven (7) days of the decision. The conservation plan permit shall describe in detail the proposed tillage plan allowed by the permit, and include all specific conditions applied by the Director of Community and Economic Development.

2-02-05-06 CRITERIA FOR APPROVAL

The Director of Community and Economic Development in issuing a conservation plan permit shall find:

1. The applicant has complied with the requirements of these standards and regulations.
2. The proposed conservation plan ensures that the tillage of the land for which the conservation plan permit is requested adequately controls wind and water erosion and minimizes any adverse impacts on surrounding property.

2-02-05-07 RECORDING AND VALIDITY OF THE PERMIT

The conservation plan permit approved by the Director of Community and Economic Development shall be recorded by the applicant with the Office of the Adams County Clerk and Recorder. Upon recording, the permit will be deemed valid and the applicant may begin to implement the conservation plan.

2-02-05-08 LAPSE OF APPROVAL

The conservation plan permit shall be valid for a period of five (5) years from the time such conservation plan permit is issued by the Director of Community and Economic Development. The permit shall not be considered valid and no tillage shall be permitted until the permit has been recorded in the Office of the Adams County Clerk and Recorder.

2-02-05-09 RENEWAL AND REVISION OF APPROVAL

Renewal applications shall be processed in the same manner as an initial application. An application for renewal shall be submitted prior to the lapse of approval of the initial permit.

2-02-06 CONTRACTOR REGISTRATION

2-02-06-01 REGISTRATION REQUIRED

Any contractor operating a business involving the construction, alteration, remodeling, repairing, or equipping of buildings or other structures, shall be registered as a contractor with Adams County. Those contractors performing work involving installation of underground utilities or construction of roads and streets and storm drainage facilities in Adams County are exempt from this registration requirement. However, other applicable standards and permits required by the County shall apply.

2-02-06-02 REGISTRATION PROCEDURE

2-02-06-02-01 *APPLICATION AND CERTIFICATE OF INSURANCE TO BE SUBMITTED*

Applications for contractor registration shall be submitted on forms provided by the Chief Building Official. Each application shall be accompanied by a certificate of insurance indicating the applicant has liability insurance coverage in an amount of at least one hundred thousand dollars (\$100,000) covering the type of registration requested.

2-02-06-02-02 *EXAMINATION WAIVED*

The Chief Building Official may license or register, without examination, applicants who are duly licensed under the laws of the State of Colorado, the City and County of Denver, and other counties, or municipalities within the State of Colorado for the licensing and the regulating of the plumbing trade, mechanical trade, building trade, etc., deemed by the Chief Building Official to be equivalent to the requirements of the County building code.

2-02-06-02-03 *REGISTRATION OF ELECTRICAL CONTRACTORS*

Electrical contractors shall be licensed by the State of Colorado and registered with the Chief Building Official before performing any electrical work within

Adams County. Registrations shall be valid for three (3) years from the date of issuance.

2-02-06-02-04 *REGISTRATION OF PLUMBING CONTRACTORS*

Plumbing contractors shall be licensed by the State of Colorado and registered with the Chief Building Official before performing any plumbing work within Adams County. Registration shall be valid for three (3) years from the date of issuance.

2-02-06-02-05 *REGISTRATION OF ALL OTHER CONSTRUCTION CONTRACTORS*

All contractors performing work involving the construction, alteration, remodeling, repairing, or equipping of buildings or other structures in Adams County shall be licensed by the City and County of Denver, other counties, or municipalities within the State of Colorado or International Code Council. Registration shall be valid for one (1) year from the date of issuance.

2-02-06-03 *CLASSIFICATION OF REGISTRATIONS*

2-02-06-03-01 *CLASS A REGISTRATION*

To erect, add to, alter, or repair any building or structure, in all occupancy groups.

2-02-06-03-02 *CLASS B REGISTRATION*

To erect, add to, alter, or repair any building or structure not over three (3) stories in height, in group B, M, and R occupancies.

2-02-06-03-03 *CLASS C REGISTRATION*

To erect, add to, alter, or repair any building or structure of a non-structural nature, in group R and M occupancies.

2-02-06-03-04 *CLASS D REGISTRATION*

Any specialty contractor including, but not limited to, plumbing, electrical, siding, fences, glass and glazing, insulation, roofing, and heating.

2-02-06-04 EXPIRATION AND RENEWAL OF REGISTRATION

All license registrations shall expire one (1) year from the date of issuance, unless a certificate of insurance or reciprocal license precedes the one-year expiration. Application for renewal of registration shall follow the procedures for a new registration.

2-02-06-05 RESPONSIBILITY OF LICENSE REGISTRATION

All registered contractors shall be responsible for work requiring a permit under the provisions of the County building code without limitation to the items as herein listed:

1. To provide minimum safety measures and equipment to protect workers and the public as proscribed by the County building code.
2. To present a registration card when requested by the Chief Building Official or authorized representative.
3. To obtain a permit when required.
4. To construct faithfully without substantial departure from or disregard of drawings and specifications when such drawings and specifications have been filed and approved by the Department of Community and Economic Development.
5. To complete all work authorized on the permit issued under the authority of the County building code, unless good cause is shown.
6. To obtain inspection services when the same are required by the County building code.
7. To pay any fee assessed under the authority of the County building code.
8. To obey any order issued under the authority of the County building code.
9. To provide honest, factual and complete information on all applications for permits.

2-02-06-06 VALIDITY OF REGISTRATION

A change in name, business designation, or ownership of a registered contractor shall have the legal effect of operating without a valid registration. All such changes shall be reported by the registrant to the Department of Community and Economic Development within ten (10) days after such change occurs.

In the case where it is desired to change the name of a presently registered firm, partnership, or corporation where there is no change in ownership, a new license shall be issued under the new name, without charge, upon the surrender of the registration originally issued.

2-02-06-07 SUSPENSION OR REVOCATION OF REGISTRATION**2-02-06-07-01 AUTHORITY**

The Chief Building Official may suspend or revoke a registration when the registrant commits one (1) or more of the following acts or omissions:

1. Failure to comply with any of the registrant's responsibilities as set forth herein.
2. Knowingly combining or conspiring with a person, firm or corporation by permitting one's registration to be used by such other person, firm or corporation.
3. By acting as agent, partner, associate or in any other capacity with person, firms or corporations to evade the provisions of the County building code.
4. Willfully refusing to correct the registrant's violation of any provision of the County building code, these standards and regulations, or other County requirements including provisions of development agreements or subdivision improvements agreements.

2-02-06-07-02 PROCEDURE

When any act or omission as herein enumerated is committed by a contractor, and the Chief Building Official deems such registration shall be suspended, the procedure shall be as follows:

1. The registrant shall be notified, in writing, by Certified Mail or by personal service, at least seven (7) days prior to the effective date of the suspension or revocation.
2. Upon the receipt of the notice, the registrant may request a hearing. Such request shall be in writing to the Chief Building Official within seven (7) days of the receipt of the notice.
3. If a hearing is requested by the registrant, the Chief Building Official shall set a time, date, and place for the hearing and shall so notify the registrant.
4. When a hearing is conducted, the registrant and other interested parties may be in attendance. The hearing shall be conducted in accordance with the procedures and requirements outlined in the bylaws of the Building Code Board of Appeals. The hearing shall be conducted by the Board of Appeals:
 - a. At the hearing, the Building Code Board of Appeals shall consider all the evidence presented and shall determine whether the suspension or revocation of the registrant was justified.

- b. The burden of proof at said hearing shall be upon the Chief Building Official by a preponderance of the evidence.
- c. The Building Code Board of Appeals shall issue a written order within ten (10) business days from the hearing date. The order or a copy thereof shall be available to the registrant at the Department of Community and Economic Development. The date of such availability shall be deemed the date of the order. Failure to issue an order within ten (10) business days from the date of the hearing shall be deemed to be a final order reversing the decision of the Chief Building Official.
- d. If the registration is revoked, the contractor shall not be granted another registration for at least twelve (12) months after the date of revocation.

2-02-06-07-03 **TEMPORARY SUSPENSION**

A registrant shall not be permitted to perform any construction activities in Adams County after the effective date of the suspension or revocation by the Chief Building Official until the occurrence of one of the following circumstances:

1. The Board of Appeals rules the suspension or revocation was not justified;
2. The registrant posts a performance bond for the construction being performed, where applicable, or for five thousand dollars (\$5,000), whichever is the greater amount; or
3. The period of suspension expires.

2-02-06-08 **PENALTIES**

Any person, firm or corporation violates these regulations:

1. By performing in a business involving the construction, alteration, remodeling, repairing, or equipping of buildings or other structures or performing any other activity requiring the registration of contractors hereunder; and
2. Failing to register with the Chief Building Official of Adams County; or
3. Performing any of the activities requiring a registration while said registrant is suspended or revoked or without having first posted an adequate performance bond, when required under these regulations, is a misdemeanor and, upon conviction thereof, shall be punishable by a fine of not more than one hundred dollars (\$100), or by imprisonment in the County jail for not more than ten (10) days, or by both such fine and imprisonment. Each day during which such illegal erection, construction,

reconstruction, alteration, maintenance, or use continues shall be deemed a separate offense. In case any building or structure is or is proposed to be erected, constructed, reconstructed, altered, remodeled, used, or maintained in violation of these license registration regulations, the Board of County Commissioners, in addition to other remedies provided by law, may institute an appropriate action for injunction, mandamus, or abatement to prevent, enjoin, abate, or remove such unlawful erection, construction, reconstruction, alteration, remodeling, maintenance, or use.

2-02-07 BIOSOLIDS APPLICATION PERMIT (DOMESTIC SLUDGE)

2-02-07-01 PURPOSE

The purpose of this section is to provide processing requirements for biosolids application permits in order to review, consider, approve, approve with modifications, or deny a request for permission to discharge or dispose of biosolids through land application.

2-02-07-02 APPLICABILITY

All biosolids application permits must be processed in accordance with this section. A biosolids application permit is the only authorization under which biosolids may be discharged or applied to land for disposal. *Land applications of sewage, sewage sludge, or septage are prohibited.*

***Adopted by the BOCC on December 13, 2010**

2-02-07-03 WHO CAN INITIATE A BIOSOLIDS APPLICATION PERMIT

A biosolids application permit may be requested by, without limitation, the owner(s) of the property where the biosolids are proposed to be discharged or disposed.

The applicant has the burden of proof to demonstrate the biosolids application permit fully complies with these standards and regulations and meets the criteria for approval.

2-02-07-04 BIOSOLIDS APPLICATION PERMIT REVIEW PROCEDURES

A biosolids application permit may be approved by the Director of Community and Economic Development.

The processing of a biosolids application permit shall be according to, in compliance with, and subject to the provisions contained in Steps 1 through 10 of the Common Development Review Procedures as follows:

1. Conceptual Review: Optional.
2. Neighborhood Meeting: Applicable.
3. Development Application Submittal: Applicable. All items or documents required for a biosolids application permit as described in the application submittal requirements shall be submitted to the Director of Community and Economic Development. The application will be reviewed by the Soil Conservation District according to their rules and regulations regarding standards required for acceptable farming practices and in accordance with the time schedule for review.

Upon receipt of a recommendation from the Soil Conservation District, the Director of Community and Economic Development shall either approve, deny, or conditionally approve the request based upon the Soil Conservation District's recommendation and compliance with County regulations.

4. Determination of Sufficiency: Applicable. No application shall be processed if any taxes due are not paid. The applicant shall contact all property owners within one (1) mile from the boundaries of the site where sludge is to be placed as part of the information submitted to the Department of Community and Economic Development. The applicant shall survey residents to gauge their acceptance of biosolids being placed at the site.

In its review of the application materials the Director of Community and Economic Development shall:

- a. Contact the residents who responded negatively to the survey with a letter notifying the residents of the County's intent to issue a permit for the placing of biosolids.
 - b. Invite the residents to review the application and State rules and regulations in the County offices and provide comments with technical information relevant to the issuance of a biosolids permit.
 - c. Investigate and review comments of a technical nature, and if necessary, refer to the Colorado Department of Public Health and Environment for their review and determination.
5. Staff Report: Not applicable.
 6. Notice: Not applicable.
 7. Public Hearing: Not applicable.
 8. Standards: Applicable. The Director of Community and Economic Development shall make a determination of whether or not the application meets the criteria for approval.

9. Conditions of Approval: Applicable. Conditions mitigating nuisance conditions related to the land placement of biosolids may be placed on the permit.
10. Amendments: Applicable.

2-02-07-05 ACTION BY THE DIRECTOR OF COMMUNITY AND ECONOMIC DEVELOPMENT

Upon receipt of a complete application, the Director of Community and Economic Development shall either issue or deny the issuance of a biosolids application permit within forty-five (45) days of receipt of the complete application. The applicant shall be notified by mail of the Director of Community and Economic Development's decision within forty-five (45) days of the decision. The biosolids application permit shall describe in detail the proposed biosolids application allowed by the permit, including all specific conditions applied by the Director of Community and Economic Development. Applicants and residents may protest the decision of the Director of Community and Economic Development concerning the granting of a permit to apply biosolids before the Board of Adjustment as outlined in Section 2-02-16.

2-02-07-06 CRITERIA FOR APPROVAL

The Director of Community and Economic Development in issuing a biosolids application permit shall find:

- ~~12.1.~~ 1. —The applicant has complied with the requirements of these standards and regulations.
- ~~13.2.~~ 2. —The proposed biosolids application permit ensures the protection of ground and surface water quality and minimizes any adverse impacts on surrounding property.
- ~~14.3.~~ 3. —The application is compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the immediate area, not detrimental to the future development of the area, and not detrimental to health, safety, or welfare of the inhabitants of the area and the County.
- ~~15.4.~~ 4. —The application shall not result in excessive traffic, noise, vibration, dust, fumes, odors, or hours of operation after 10:00pm and before 6:00am on any day.
- ~~5.~~ 5. —The applicant has obtained a Notice of Authorization for the Use and Distribution of Biosolids from the Colorado Department of Public Health and Environment.
- ~~16.6.~~ The use and site plan are in general conformity with the Adams County Comprehensive Plan and any applicable area plans.

2-02-07-07 RECORDING AND VALIDITY OF THE PERMIT

The biosolids application permit approved by the Director of Community and Economic Development shall be recorded by the applicant with the Office of the Adams County Clerk and Recorder. Upon recording the application, the permit will be deemed valid and the applicant may begin to apply the biosolids as provided for by the permit.

2-02-07-08 LAPSE OF APPROVAL

The biosolids application permit shall be valid unless the State permit lapses. The permit shall not be considered valid and no application shall be permitted until the permit has been recorded in the Office of the Adams County Clerk and Recorder.

2-02-08 FLOODPLAIN USE PERMIT

2-02-08-01 PURPOSE

The purpose of this section is to provide processing requirements for floodplain use permits in order to review, consider, approve, approve with modifications, or deny a request for permission to erect, move, place, or alter a structure or facility within the flood control overlay zone district; place any fill within the flood control overlay zone district; store or process any materials or equipment within the flood control overlay zone district; or conduct certain land uses as described in Chapter 3 of these Standards and Regulations; or change a channel of a watercourse within the flood control overlay zone district.

2-02-08-02 APPLICABILITY

All floodplain use permits must be processed in accordance with this section. A floodplain use permit is the only authorization under which a structure may be erected, moved, placed, or altered within the flood control overlay zone district; fill may be placed within the flood control overlay zone district; materials or equipment may be stored or processed within the flood control overlay zone district; or a channel of a watercourse may be changed within the flood control overlay zone district.

2-02-08-03 WHO CAN INITIATE A FLOODPLAIN USE PERMIT

A floodplain use permit may be requested by, without limitation, the owner(s) of the property on which a structure is proposed to be erected, moved, placed, or altered within the flood control overlay zone district; fill is proposed to be placed within the flood control overlay zone district; materials or equipment are proposed to be stored or processed within the flood control overlay zone district; or a channel of a watercourse is proposed to be changed within the flood control overlay zone district.

The applicant has the burden of proof to demonstrate the floodplain use permit fully complies with these standards and regulations and meets the criteria for approval.

***Adopted by the BOCC on June 27, 2011.**

2-02-08-04 FLOODPLAIN USE PERMIT REVIEW PROCEDURES

A floodplain use permit may be approved by the Director of Community and Economic Development.

The processing of a floodplain use permit shall be according to, in compliance with, and subject to the provisions contained in Steps 1 through 10 of the Common Development Review Procedures as follows:

1. Conceptual Review: Optional.
2. Neighborhood Meeting: Not applicable.
3. Development Application Submittal: Applicable. All items or documents required for a floodplain use permit as described in the application submittal requirements shall be submitted to the Director of Community and Economic Development.
4. Determination of Sufficiency: Applicable. No notification of adjacent property owners is required. No application shall be processed if any taxes due are not paid.
5. Staff Report: Not applicable.
6. Notice: Not applicable.
7. Public Hearing: Not applicable. In substitution, an application for a floodplain use permit shall be reviewed and approved, approved with modifications, or denied by the Director of Community and Economic Development based on its compliance with any development plan and these standards and regulations.
8. Standards: Not applicable. In substitution, an application for a floodplain use permit shall be reviewed for compliance with any development plan, these standards and regulations, and all floodplain regulations adopted by the County.

9. Conditions of Approval: Applicable.
10. Amendments: Not applicable. In substitution, an amendment to a floodplain use permit may be authorized by the Director of Community and Economic Development provided the floodplain use permit remains in compliance with all applicable standards and regulations.

2-02-08-05 CRITERIA FOR APPROVAL

The Director of Community and Economic Development in issuing a floodplain use permit shall find:

1. The floodplain use permit is consistent and complies with the requirements of these standards and regulations and any applicable development plans or conditional use permits.

2-02-08-06 LAPSE OF APPROVAL

The floodplain use permit shall be valid for a period of six (6) months from the time such floodplain use permit is issued unless fully and properly acted upon and completed.

2-02-08-07 EXTENSION OF APPROVAL

One six (6) month extension may be granted by the Director of Community and Economic Development. In order to be eligible for an extension, the applicant shall file a request for extension with the Director of Community and Economic Development at least thirty (30) days prior to the date the floodplain use permit would lapse.

2-02-09 CONDITIONAL USE PERMIT

2-02-09-01 PURPOSE

The purpose of this section is to detail the steps for obtaining a conditional use permit. Conditional uses are those uses which are presumptively compatible with other land uses authorized or permitted in a zone district, but, if approved, which require more discretionary review than those uses which are authorized. In addition to meeting applicable performance standards, conditional uses may require the imposition of conditions in order to ensure the number and type of conditional uses and their location, design, and configuration are appropriate at a particular location.

2-02-09-02 APPLICABILITY

All uses that require a conditional use permit must be processed in accordance with this section. Only the Board of County Commissioners may, after recommendation of the Planning Commission, adopt a resolution approving a conditional use to locate in accordance with these standards and regulations. Only those uses that are authorized as conditional uses in a zone district may be approved. The designation of a use as a conditional use does not constitute an authorization or an assurance that such a use will be approved.

2-02-09-02-01 *INERT FILLS APPLICABILITY*

Inert material fills meeting the following criteria may obtain a conditional use permit issued in accordance with the procedures outlined in this chapter.

1. Total amount of inert fill material is over 500,000 cubic yards.
2. Time to completion of filling operation is greater than 365 days.
3. Fill material to be used meets the definition of either inert fill for grading or inert fill for landfilling, as defined in Chapter 11.
4. Site operator has sole discretion over the source of fill material.
5. Fill material is not likely to contaminate ground water.

2-02-09-03 WHO CAN INITIATE A CONDITIONAL USE PERMIT REQUEST

A conditional use permit may be requested by, without limitation, any owner or person having an interest in the property on which the conditional use is proposed to be located. The applicant has the burden of proof to demonstrate the use fully complies with these standards and regulations and meets the criteria for approval.

2-02-09-04 CONDITIONAL USE PERMIT REVIEW PROCEDURES

A conditional use permit may be approved by the Board of County Commissioners by resolution. Any proposed conditional use permit shall be processed through a public hearing before the Planning Commission, which shall provide a recommendation to the Board of County Commissioners (See Steps 1 through 10 below). Upon completion of a hearing by the Planning Commission, the application for a conditional use permit and the recommendation of the Planning Commission shall be forwarded to the Board of County Commissioners. The Board of County Commissioners shall, after receiving a recommendation from the Planning Commission, hold a public hearing. The Board of County Commissioners shall then approve, approve with conditions, or deny the conditional use permit based on consideration of the staff report, the Planning Commission's recommendation and findings, the evidence from the public

hearings, and the conditional use permit's compliance with the criteria for approval.

2-02-09-05 CONDITIONAL USE PERMIT REVIEW STEPS

The processing of a proposed conditional use permit shall be according to, in compliance with, and subject to the provisions contained in Steps 1 through 10 of the Common Development Review Procedures as follows:

1. Conceptual Review: Applicable.
2. Neighborhood Meeting: Optional, unless the Director of Community and Economic Development determines the development proposal could have significant neighborhood impacts.
3. Development Application Submittal: All items or documents required for conditional use permits as described in the development application submittal requirements shall be submitted to the Director of Community and Economic Development at least fifty (50) days prior to the first unfilled Planning Commission public hearing agenda.
4. Determination of Sufficiency: Applicable. No application shall be processed if any taxes due are not paid.
5. Staff Report: Applicable.
6. Notice: Applicable.
7. Public Hearing: Applicable. A public hearing shall be held before both the Planning Commission and Board of County Commissioners.
8. Standards: Applicable.
9. Conditions of Approval: Applicable. The Board of County Commissioners in approving a conditional use permit may attach any conditions necessary to implement the Adams County Comprehensive Plan and ensure compatibility with adjacent uses. The Board of County Commissioners in approving a conditional use permit may condition the approval on one or more of the following:
 - a. A requirement to ensure development proceeds in accordance with a specific site plan and/or development schedule.
 - b. A requirement of public dedication of rights-of-way for roads, alleys, public ways, drainage and public facilities, and the installation of off-site improvements as are reasonably required by or related to the effect of the conditional use permit.
 - c. A requirement to ensure design and mitigation measures be put in place including, but not limited to, limits on the hours of operation and traffic generating uses; improvements to on-site and off-site pedestrian, bicycle, and vehicular circulation; alternative access or open space provisions to address site capacity and resource protection issues; controls on noise, light, odors and other potential

nuisances; measures to protect and improve the aesthetic value of high traffic areas; requirements to protect air and water quality; construction of fencing and planting of landscaping; restrictions on signage and outdoor lighting; changes in off-street parking layout and design; restrictions concerning the building bulk, height, setback, location, and external appearance; stipulations concerning adequate storm drainage or utilities; and limits on the duration of the conditional use permit.

10. Amendments: Applicable.

2-02-09-06 CRITERIA FOR APPROVAL

The Planning Commission, in making their recommendation, and the Board of County Commissioners, in approving a conditional use permit, shall find:

1. ~~1.~~—The conditional use is permitted in the applicable zone district.
2. ~~2.~~—The conditional use is consistent with the purposes of these standards and regulations.
3. ~~3.~~—The conditional use will comply with the requirements of these standards and regulations including, but not limited to, all applicable performance standards.
4. ~~4.~~—The conditional use is compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the immediate area, not detrimental to the future development of the area, and not detrimental to the health, safety, or welfare of the inhabitants of the area and the County. In making this determination, the Planning Commission and the Board of County Commissioners shall find, at a minimum, that the conditional use will not result in excessive traffic generation, noise, vibration, dust, glare, heat, smoke, fumes, gas, odors, or inappropriate hours of operation.
5. ~~5.~~—The conditional use permit has addressed all off-site impacts.
6. ~~6.~~—The site is suitable for the conditional use including adequate usable space, adequate access, and absence of environmental constraints.
7. ~~7.~~—The site plan for the proposed conditional use will provide the most convenient and functional use of the lot including the parking scheme, traffic circulation, open space, fencing, screening, landscaping, signage, and lighting.
8. ~~8.~~—Sewer, water, storm water drainage, fire protection, police protection, and roads are to be available and adequate to serve the needs of the conditional use as designed and proposed.
9. The use and site plan are in general conformity with the Adams County Comprehensive Plan and any applicable area plans.

2-02-09-07 ADDITIONAL CRITERIA FOR APPROVAL

The Planning Commission, in making their recommendation, and the Board of County Commissioners, in approving a conditional use permit for solid waste transfer stations, solid waste composting facilities, scrap tire recycling facilities, inert fills, or outdoor storage, including accessory outdoor storage, shall find:

2-02-09-07-01 *SOLID WASTE TRANSFER STATION CRITERIA FOR APPROVAL*

1. There is a need for the facility for the benefit of Adams County.
2. The request is compatible with the Adams County Comprehensive Plan, complies with the minimum zoning requirements of the zone district in which the Conditional Use Permit is to be granted, and complies with all other applicable requirements of the Adams County Zoning and Subdivision Regulations.
3. The applicant has documented his ability to comply with the health standards and operating procedures as provided by the Colorado Department of Public Health and Environment, Tri-County Health Department, Fire District, and other relevant agencies.
4. The proposed facility will not cause significant traffic congestion or traffic hazards.
5. The request is compatible with the surrounding area.
6. The site is accessible to Adams County residents and other potential users.
7. The site will not impact health and welfare of the community based upon specific facility design and operating procedures.

2-02-09-07-02 *SOLID WASTE COMPOSTING FACILITIES CRITERIA FOR APPROVAL*

1. There is a need for the facility for the benefit of Adams County.
2. The request is compatible with the Adams County Comprehensive Plan, complies with the minimum zoning requirements of the zone district in which the Conditional Use Permit is to be granted, and complies with all other applicable requirements of the Adams County Zoning and Subdivision Regulations.
3. The applicant has documented his ability to comply with the health standards and operating procedures as provided by the Colorado Department of Public Health and Environment, Tri-County Health Department, Fire District, and other relevant agencies.
4. The proposed facility will not cause significant traffic congestion or traffic hazards.
5. The request is compatible with the surrounding area.
6. The site is accessible to Adams County residents and other potential users.

7. The site will not impact health and welfare of the community based upon specific facility design and operating procedures.

2-02-09-07-03

RECYCLING FACILITIES, INCLUDING SCRAP TIRE, CRITERIA FOR APPROVAL

1. There is a need for the tire recycling operation for the benefit of Adams County and the proposed end use of the recycled material is a viable marketable material.
2. The request is compatible with the Adams County Comprehensive Plan, complies with the minimum zoning requirements of the zone district in which the Conditional Use Permit is to be granted, and complies with all other applicable requirements of the Adams County Zoning and Subdivision Regulations.
3. The applicant has documented his ability to comply with the health standards and operating procedures as provided by the Colorado Department of Public Health and Environment, Tri-County Health Department, Fire District, and other relevant agencies.
4. The proposed facility will not cause significant traffic congestion or traffic hazards.
5. The request is compatible with the surrounding area.
6. The site will not impact health and welfare of the community based upon specific tire recycling facility design and operating procedures.

2-02-09-07-04

INERT FILLS CRITERIA FOR APPROVAL

1. There is a need for the inert filling operation for the benefit of Adams County.
2. The request is compatible with the Adams County Comprehensive Plan, complies with the minimum zoning requirements of the zone district in which the Conditional Use Permit is to be granted, and complies with all other applicable requirements of the Adams County Zoning and Subdivision Regulations.
3. The applicant has documented his ability to comply with the health standards and operating procedures as provided by the Colorado Department of Public Health and Environment, Tri-County Health Department, Fire District, and other relevant agencies.
4. The proposed inert fill will not cause significant traffic congestion or traffic hazards.
5. The request is compatible with the surrounding area.
6. The site will not impact health and welfare of the community based upon specific fill design and operating procedures.

2-02-09-07-05 ***OUTDOOR STORAGE AND ACCESSORY OUTDOOR STORAGE CRITERIA FOR APPROVAL***

1. There is a need for the outdoor storage operation for the benefit of Adams County.
2. The request is compatible with the Adams County Comprehensive Plan, complies with the minimum zoning requirements of the zone district in which the Conditional Use Permit is to be granted, and complies with all other applicable requirements of the Adams County Development Standards and Regulations.
3. The proposed outdoor storage is clearly subordinate to a principal use of the property.
4. Aesthetic concerns have been taken into consideration during the site design and placement of the outdoor storage.

2-02-09-07-06 ***SOLID WASTE RECYCLING FACILITIES CRITERIA FOR APPROVAL***

1. There is a need for the facility, and it will provide a benefit to Adams County.
2. The request is compatible with the Adams County Comprehensive Plan, complies with the minimum zoning requirements of the zone district in which the Conditional Use Permit is to be granted, and complies with all other applicable requirements of the Adams County Zoning and Subdivision Regulations.
3. The applicant has documented his ability to comply with the health standards and operating procedures as provided by the Colorado Department of Public Health and Environment, Tri-County Health Department, Fire District, and other relevant agencies.
4. The proposed facility will not cause significant traffic congestion or traffic hazards.
5. The request is compatible with the surrounding area.
6. The site is accessible to Adams County residents and other potential users.
7. The site will not adversely impact health and welfare of the community based upon specific design and operating procedures.

2-02-09-08 ***ACTION BY THE DIRECTOR OF COMMUNITY AND ECONOMIC DEVELOPMENT FOLLOWING APPROVAL***

Upon final approval and fulfillment of all requirements of the Board of County Commissioners, the Director of Community and Economic Development shall issue a conditional use permit in conformance with the decision of the Board of County Commissioners. The conditional use permit shall describe in detail the conditional use allowed by the permit, include all specific conditions applied by

the Board of County Commissioners, and be accompanied by an official site plan and building elevations modified by the applicant to reflect the conditions of the permit.

2-02-09-09 EFFECT OF APPROVAL

Issuance of a conditional use permit shall be deemed to authorize only the particular use and development plan for which it is issued. The conditional use permit shall run with the land. The applicant shall be subject to all other permits required by these standards and regulations to develop the land.

All conditions contained in the conditional use permit shall be binding upon the applicant, and any successors and assigns. The conditional use permit and its conditions shall limit and control the issuance and validity of certificates of occupancy, and shall restrict and limit the construction, location, use, and maintenance of all land and structures within the development. The applicant shall be required to sign the conditional use permit, and have it recorded in the Office of the Adams County the Clerk and Recorder.

If at the expiration of one (1) year, a building permit has not been issued for the use for which the conditional use permit was approved or the approved conditional use has not been established, the conditional use permit shall expire and the use of the property shall revert to its formerly allowed uses without action by the Board of County Commissioners.

2-02-09-10 EXTENSION OF APPROVAL

An extension of time to obtain a building permit for the approved conditional use or to establish the approved conditional use may be granted by the Planning Commission. In order to be eligible for an extension, the applicant shall file an application for extension with the Director of Community and Economic Development at least thirty (30) days prior to the end of the reversion period. A progress report and revised schedule shall be submitted with the request for extension. An extension may be granted only if the Planning Commission finds that:

1. The applicant has maintained a continuous good faith effort in commencing the activity including, but not limited to, preparing financing, securing state or federal permits, undertaking engineering and design, etc.; and
2. Conditions near the site, these standards and regulations, and the Adams County Comprehensive Plan have not changed in a way to render the original findings erroneous.

2-02-10 URBAN RENEWAL PLAN*

2-02-10-01 PURPOSE

The purpose of this section is to detail the steps to follow for the adoption of an urban renewal plan pursuant to Section 31-25-112.5, C.R.S., which allows a City and County to cooperate in the development and redevelopment of an area subject to the provisions of the Colorado Urban Renewal Law. An urban renewal plan, urban renewal project, or urban renewal area may include unincorporated territory that is outside the boundaries of a municipality but contiguous to a portion of the urban renewal area located within the municipality. No such territory shall be included in the plan, project, or area without the consent of the Board of County Commissioners and the consent of each owner of, and each holder of a recorded mortgage or deed of trust encumbering, real property within the unincorporated area proposed for inclusion

2-02-10-02 APPLICABILITY

All urban renewal plans approved for land within unincorporated Adams County must be processed in accordance with this section. The Board of County Commissioners may, after recommendation of the Planning Commission, adopt an urban renewal plan. This process shall be applicable to land within unincorporated areas only. Lands that have been annexed into municipalities shall only be subject to the applicable sections of the local municipal codes and Colorado state law.

2-02-10-03 WHO CAN INITIATE THE ADOPTION OF AN URBAN RENEWAL PLAN

The adoption of an urban renewal plan may be proposed, without limitation, by the Planning Commission, the Board of County Commissioners, or the owner(s) of the property to be included.

In addition, a municipality or urban renewal authority may propose an urban renewal plan.

No area that has been designated as an urban renewal area shall contain any agricultural land unless:

- The agricultural land is a brownfield site;
- Not less than one-half of the urban renewal area as a whole consists of parcels of land containing urban-level development that, at the time of the designation of such area, are determined to constitute a slum or blighted area, or a combination thereof, in accordance with

state statute and not less than two-thirds of the perimeter of the urban renewal area as a whole is contiguous with urban-level development as determined at the time of the designation of such area;

- The agricultural land is an enclave within the territorial boundaries of a municipality and the entire perimeter of the enclave has been contiguous with urban-level development for a period of not less than three years as determined at the time of the designation of the area;
- Each public body that levies an ad valorem property tax on the agricultural land agrees in writing to the inclusion of the agricultural land within the urban renewal area; or
- The agricultural land was included in an approved urban renewal plan prior to June 1, 2010.
- Or as otherwise allowed by state statute.

Where an authority intends to acquire private property by eminent domain within the urban renewal area to be subsequently transferred to a private party in accordance with the requirements of section 31-25-105.5 (2), the governing body, prior to the commencement of the acquisition of such property, shall first hold a public hearing on the use of eminent domain as a means to acquire such property after written notice of the time, date, place, and purpose of the hearing has been provided to each owner of property within the urban renewal area at least thirty days prior to the date of the hearing. In order to authorize the use of eminent domain as a means to acquire property, the Board of County Commissioners shall base its decision on such authorization on a finding of blighted or slum conditions without regard to the economic performance of the property to be acquired

2-02-10-04 URBAN RENEWAL PLAN PROCEDURES

An urban renewal plan may be approved by the Board of County Commissioners by resolution. Any proposed urban renewal plan shall be processed through a public hearing before the Planning Commission for a determination as to the conformity of the urban renewal plan with the Adams County Comprehensive Plan. The Planning Commission shall also provide a recommendation as to the adoption of the plan to the Board of County Commissioners (See Steps 1 through 10 below). Upon completion of a hearing by the Planning Commission, the urban renewal plan and recommendation of the Planning Commission shall be forwarded to the Board of County Commissioners. The Board of County Commissioners shall, after receiving a recommendation from the Planning Commission, hold a public hearing. The Board of County Commissioners shall then approve, approve with conditions, or deny the adoption of the urban

renewal plan based on consideration of the staff report, the Planning Commission’s recommendation and findings, the evidence from the public hearings, and the urban renewal plan’s compliance with the criteria for approval.

2-02-10-05 URBAN RENEWAL PLAN REVIEW STEPS

The processing of an urban renewal plan shall be according to, in compliance with, and subject to the provisions contained in Steps 1 through 10 of the Common Development Review Procedures as follows:

1. Conceptual Review: Applicable.
2. Neighborhood Meeting: Required.
3. Development Application Submittal: All items or documents required for the urban renewal plan as described in the development application submittal requirements shall be submitted to the Director of Community and Economic Development.
4. Determination of Sufficiency: Applicable. No application shall be processed if any taxes due are not paid.
5. Staff Report: Applicable.
6. Notice: Applicable. Notice shall comply with Section 31-25- 112.5 and Section 31-25-107, C.R.S., as well as the notice requirements within Section 2-01-06 of these regulations. The Board of County Commissioners shall hold a public hearing on an urban renewal plan or substantial modification of an approved urban renewal plan no less than thirty days after public notice thereof by publication in a newspaper having a general circulation in the County. The notice shall describe the time, date, place, and purpose of the hearing, shall generally identify the urban renewal area covered by the plan, and shall outline the general scope of the urban renewal plan under consideration.
7. Public Hearing: Applicable. A public hearing shall be held before both the Planning Commission and Board of County Commissioners.
8. Standards: Applicable.
9. Conditions of Approval: Applicable. The Board of County Commissioners in approving an urban renewal plan may attach conditions necessary to implement the Adams County Comprehensive Plan and ensure compatibility with adjacent uses.
10. Amendments: Applicable.

2-02-10-06 CRITERIA FOR APPROVAL

2-02-10-06-01 URBAN RENEWAL PLAN ADOPTION

The Planning Commission, in making their recommendation shall find:

1. The proposal is consistent with the goals and policies of the Adams County Comprehensive Plan and any applicable subarea plan.
2. The proposal is consistent and/or compatible with the land use, transportation, and open space maps in the Adams County Comprehensive Plan.
3. The proposal advances the health, safety, and welfare of the citizens and property owners of Adams County.
4. The land use designation within the Adams County Comprehensive Plan is consistent with the Urban Renewal Plan.

The Board of County Commissioners, in approving an urban renewal plan amendment shall find:

1. The Urban Redevelopment Area described in the Plan is found and declared to be a blighted area as defined in the Colorado Urban Renewal Law. This is a legislative finding by the Board of County Commissioners based upon the Blight Study and other evidence presented to Board of County Commissioners.
2. It is proper to include the unincorporated land located in Adams County and described as follows within the plan.
3. The Adams County Planning Commission has determined that the Plan conforms to the Adams County Comprehensive Plan, which is the general plan for development of Adams County as a whole and any applicable subarea plans.
4. The boundaries of the Urban Redevelopment Area have been drawn as narrowly as feasible to accomplish the planning and development objectives of the Plan.
5. The applicable school district has been permitted to participate in an advisory capacity with respect to the inclusion in the Plan of the tax allocation provisions authorized by Section 31-25-107(9) of the Colorado Urban Renewal Law, and the Authority will consult further with such school district as part of the financial planning for the activities and undertakings of the Authority pursuant to the Plan.
6. No relocation of individuals and families will be required in connection with the Plan; or a feasible method exists for the relocation of individuals and families who will be displaced by the urban renewal project in decent, safe, and sanitary dwelling accommodations within their means and without undue hardship to such individuals and families;
7. No relocation of business concerns will be required in connection with the Plan; or a feasible method exists for the relocation of business concerns that will be displaced by the urban renewal project in the urban renewal area or in other areas that are not generally less

desirable with respect to public utilities and public and commercial facilities.

8. The Authority has taken reasonable efforts to provide written notice of the public hearing prescribed by Section 31-25-107(3) of the Act to all property owners, residents and owners of business concerns in the proposed Urban Renewal Area at their last known addresses at least thirty days prior to the public hearing on the Plan.
9. The provisions of Section 31-25-107(9) of the Colorado Urban Renewal Law shall apply to the unincorporated territory of Adams County included in the Urban Renewal Area and the County Administrator is directed to arrange for the notification of the County Assessor as required by law.
10. Section 31-25-107(4)(d) of the Colorado Urban Renewal Law does not apply because no more than 120 days have passed since the commencement of the public hearing on the Plan.
11. Section 31-25-107(4)(e) of the Colorado Urban Renewal Law does not apply because there has been no previous failure to approve this Plan; or if the urban renewal plan contains property that was included in a previously submitted urban renewal plan that the governing body failed to approve pursuant to this section, at least twenty-four months shall have passed since the commencement of the prior public hearing concerning such property pursuant to subsection (3) of this section unless substantial changes have occurred since the commencement of such hearing that result in such property constituting a blighted area pursuant to section 31-25-103
12. The Plan will afford maximum opportunity, consistent with the sound needs of the County as a whole, for the rehabilitation or redevelopment of the Urban Renewal Area by private enterprise.
13. Agreements are in place to finance any additional County infrastructure and services required to serve development within the Urban Renewal Area for the period in which all or any portion of the property taxes levied by the County are paid to the Authority.
14. No land acquisition by eminent domain is contemplated by the Plan at this time; or all applicable requirements of state statute regarding the use of eminent domain have been satisfied.
15. The Urban Renewal Plan does not consist of any area of open land which is to be developed for residential uses; or a shortage of housing of sound standards and design which is decent, safe, and sanitary exists in the municipality; that the need for housing accommodations has been or will be increased as a result of the clearance of slums in other areas (including other portions of the urban renewal area); that the conditions of blight in the urban renewal area and the shortage of decent, safe, and sanitary housing cause or contribute to an increase

in and spread of disease and crime and constitute a menace to the public health, safety, morals, or welfare; and that the acquisition of the area for residential uses is an integral part of and essential to the program of the municipality.

16. To the extent that the Urban Renewal Area described in the Plan may consist of open land, the nonresidential uses under the Plan are necessary and appropriate to facilitate the proper growth and development of the community in accordance with sound planning standards and local community objectives.
17. The property owner(s) in the Urban Renewal Area have consented to inclusion of its land in the Urban Redevelopment Area.
18. The Urban Renewal Plan has been duly reviewed and considered and is hereby approved.

2-02-10-06-02

URBAN RENEWAL PLAN AMENDMENTS

An urban renewal plan may be modified at any time; but, if modified after the lease or sale by the authority of real property in the urban renewal project area, such modification shall be subject to such rights at law or in equity as a lessee or purchaser or his successor in interest may be entitled to assert.

Any proposed modification for lands within Unincorporated Adams County shall be submitted to the Board of County Commissioners, the applicable urban renewal authority, and the City Council of the applicable municipality for a resolution as to whether or not such modification will substantially change the urban renewal plan in land area, land use, design, building requirements, timing, or procedure, as previously approved, and, if it finds that there will be a substantial change, its approval of such modification shall be subject to the requirements of this section. . A modification shall be approved by the Board of County Commissioners, the City Council of the applicable municipality, and the applicable urban renewal authority.

2-02-10-07

ACTION BY THE DIRECTOR OF COMMUNITY AND ECONOMIC DEVELOPMENT FOLLOWING APPROVAL

Upon final approval and fulfillment of all requirements of the Board of County Commissioners, the Director of Community and Economic Development shall cause to have filed a copy of the Board of County Commissioners' resolution granting approval.

The County Administrator shall arrange for the notification of the County Assessor as required by law.

2-02-11 PLANNED UNIT DEVELOPMENT

2-02-11-01 PURPOSE / OBJECTIVES

The purpose of this section is to detail the steps for obtaining a Zoning Map amendment for a Planned Unit Development (P.U.D.) which may or may not involve a division of land. The Standard P.U.D. process requires a minimum of two (2) approvals prior to development of a site, a Preliminary Development Plan (PDP) and Final Development Plan (FDP).

In accordance with the Planned Unit Development Act of 1972, the objective of a Planned Unit Development is to establish an area of land, controlled by one or more landowners, to be developed under unified control or unified plan of development for a number of dwelling units, commercial, educational, recreational, or industrial uses, or any combination of the foregoing, the plan for which does not correspond in lot size, bulk, or type of use, density, lot coverage, open space, or other restriction to the existing land use regulations.

2-02-11-01-01 *PRELIMINARY DEVELOPMENT PLAN (PDP)*

The Preliminary Development Plan establishes vested rights to develop a property in accordance with the plan. Approval of a PDP does not allow for construction. Minor site preparation may be allowed as determined by the Director of Community and Economic Development. The PDP should include the proposed land uses, the layout of landscaping, circulation, architectural elevations, buildings and, if required, a preliminary plat.

2-02-11-01-02 *FINAL DEVELOPMENT PLAN (FDP)*

The Final Development Plan is the site-specific development plan which describes and establishes the type and intensity of uses for a specific parcel or parcels of land. The Final Development Plan includes a final subdivision plat, development agreement, and utility plan, as well as any detailed engineering that may be required. Approval of an FDP establishes a vested right to develop property in accordance with the plan.

2-02-11-01-03 *OVERALL DEVELOPMENT PLAN (ODP)*

For P.U.D. Zoning Map amendments involving two (2) or more separate Preliminary Development Plans, an Overall Development Plan is also required for review and approval prior to submittal of the first Preliminary Development Plan. The Overall Development Plan establishes general planning and development control parameters for projects developed in phases with multiple submittals

while allowing sufficient flexibility to permit detailed planning in subsequent submittals. Approval of an ODP does not establish any vested right to develop a property in accordance with the plan.

Each successive development application builds on the previously approved application by providing additional details and meeting additional restrictions and standards.

2-02-11-02 **OVERALL DEVELOPMENT PLAN (ODP)**

2-02-11-02-01 *PURPOSE*

The purpose of this section is to detail the steps for establishing general planning and development control parameters for projects developed in phases with multiple submittals while allowing sufficient flexibility to permit detailed planning in subsequent submittals. Approval of an Overall Development Plan (ODP) does not establish any vested right to develop property in accordance with the plan.

2-02-11-02-02 *APPLICABILITY*

An ODP shall be required for any property intended for development over time in two (2) or more separate preliminary Development Plan submittals.

2-02-11-02-03 *WHO CAN INITIATE AN OVERALL DEVELOPMENT PLAN (ODP)*

An ODP shall be proposed by, without limitation, the owner(s) of the property within the boundaries of the proposed ODP.

The applicant has the burden of proof to demonstrate the ODP fully complies with these standards and regulations and meets the criteria for approval.

2-02-11-02-04 *OVERALL DEVELOPMENT PLAN REVIEW PROCEDURES*

An ODP may be approved by the Board of County Commissioners by resolution. Any ODP shall be processed through a public hearing before the Planning Commission, which shall provide a recommendation to the Board of County Commissioners (See Steps 1 through 10 below). Upon completion of a hearing by the Planning Commission, the ODP and recommendation of the Planning Commission shall be forwarded to the Board of County Commissioners. The Board of County Commissioners shall, after receiving a recommendation from the Planning Commission, hold a public hearing. The Board of County Commissioners shall then approve, approve with conditions,

or deny the ODP based on consideration of the staff report, the Planning Commission’s recommendation and findings, the evidence from the public hearings, and the ODP compliance with the criteria for approval.

The processing of an ODP shall be according to, in compliance with, and subject to the provisions contained in Steps 1 through 10 of the Common Development Review Procedures as follows:

1. Conceptual Review: Applicable.
2. Neighborhood Meeting: Applicable. All P.U.D.s shall be subject to a neighborhood meeting.
3. Development Application Submittal: All items or documents required for an ODP as described in the development application submittal requirements shall be submitted to the Director of Community and Economic Development. Once the application has been determined to be complete, the application shall be scheduled for public hearing before the Board of County Commissioners within sixty (60) days of notice of public hearing. Written notices shall be mailed at least fifteen (15) days prior to the first public hearing date concerning the application. All other factors of the Common Development Review Procedures within Chapter 2 shall be followed.
4. Determination of Sufficiency: Applicable. No application shall be processed if any taxes due are not paid.
5. Staff Report: Applicable.
6. Notice: Applicable.
7. Public Hearing: Applicable. A public hearing shall be held before the Planning Commission and Board of County Commissioners.
8. Standards: Applicable.
9. Conditions of Approval: Applicable. The Board of County Commissioners in approving an ODP may attach conditions necessary to implement the Adams County Comprehensive Plan and ensure compatibility with adjacent uses.
10. Amendments: Applicable.

2-02-11-02-05

CRITERIA FOR APPROVAL

The Planning Commission in making their recommendation and the Board of County Commissioners in approving an ODP shall find:

1. The ODP is in general conformity with the Adams County Comprehensive Plan and any applicable area plan.
2. The ODP is consistent with the purpose of these standards and regulations.

3. The ODP is compatible or designed to mitigate externalities with the existing or allowed land uses adjacent to the proposed ODP.
4. The ODP conforms to the Adams County Transportation Plan and will not negatively impact utilities or traffic in the area or otherwise have a detrimental impact on property in sufficient proximity to the proposed development to be affected by it.
5. The ODP is consistent with any applicable drainage plans.
6. The ODP allows for the regulation of use and development of land and buildings where specific issues or concerns must be mitigated due to unusual and unique circumstances; or where alternative design concepts are desired; or are necessary to mitigate specific conditions.
7. The ODP is compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the immediate area, not detrimental to the future development of the area, and not detrimental to the health, safety, or welfare of the inhabitants of the area and the County.

2-02-11-02-06

ACTION BY THE DIRECTOR OF COMMUNITY AND ECONOMIC DEVELOPMENT FOLLOWING APPROVAL

Upon final approval and fulfillment of all requirements of the Board of County Commissioners, the Director of Community and Economic Development shall file a copy of the approved ODP in the office of the Department of Community and Economic Development. The Director of Community and Economic Development shall not change the official Zoning Map but shall note the date of approval and case number on the map to facilitate tracking.

2-02-11-02-07

LAPSE OF APPROVAL

The ODP approval shall lapse one (1) year from the date of approval if a preliminary Development Plan is not submitted.

2-02-11-02-08

EXTENSION OF APPROVAL

A ninety (90) day extension of the ODP to allow the applicant to submit the preliminary Development Plan may be granted by the Planning Commission. In order to be eligible for an extension, the applicant shall file an application for extension with the Director of Community and Economic Development at least thirty (30) days prior to the date the ODP would lapse. A progress report

and revised schedule shall be submitted with the request for extension. An extension may only be granted if the Planning Commission finds:

1. The applicant has maintained a continuous effort in good faith in preparing a preliminary Development Plan including, but not limited to, preparing financing, securing state or federal permits, undertaking engineering and design, etc.; and
2. Conditions near the site, these standards and regulations, and the Adams County Comprehensive Plan have not changed in a way to render the original findings erroneous.
3. An ODP shall be limited to one ninety (90)-day extension.

2-02-11-03 PRELIMINARY DEVELOPMENT PLAN (PDP)

2-02-11-03-01 *PURPOSE*

The purpose of this section is to detail the steps for establishing the requirements for approval of the proposed land uses, the layout of landscaping, circulation, architectural elevations, buildings and, if required, a preliminary plat within a Preliminary Development Plan (PDP). Approval of a PDP establishes vested rights to develop property in accordance with the plan.

2-02-11-03-02 *APPLICABILITY*

A PDP shall be required for any property that is intended to be developed as a Planned Unit Development. The PDP application shall be accompanied by an application to rezone the property to the PUD zone district.*

Amended by the BoCC on January 28, 2013

2-02-11-03-03 *WHO CAN INITIATE A PRELIMINARY DEVELOPMENT PLAN (PDP)*

A PDP may be proposed by, without limitation, the owner(s) of the property within the boundaries of the proposed PDP.

The applicant has the burden of proof to demonstrate the PDP fully complies with these standards and regulations and meets the criteria for approval.

2-02-11-03-04 *PRELIMINARY DEVELOPMENT PLAN REVIEW PROCEDURES*

A PDP shall be approved by the Board of County Commissioners by resolution. Any PDP shall be processed through a public hearing before the Planning Commission, which shall provide a recommendation to the Board of

County Commissioners (See Steps 1 through 10 below). Upon completion of a hearing by the Planning Commission, the PDP and recommendation of the Planning Commission shall be forwarded to the Board of County Commissioners. The Board of County Commissioners shall, after receiving a recommendation from the Planning Commission, hold a public hearing. The Board of County Commissioners shall then approve, approve with conditions, or deny the PDP based on consideration of the staff report, the Planning Commission's recommendation and findings, the evidence from the public hearings, and the PDP compliance with the criteria for approval.

The processing of a PDP shall be according to, in compliance with, and subject to the provisions contained in Steps 1 through 10 of the Common Development Review Procedures as follows:

1. Conceptual Review: Applicable.
2. Neighborhood Meeting: Applicable. All PDPs shall be subject to a neighborhood meeting.
3. Development Application Submittal: All items or documents required for a PDP as described in the development application submittal requirements shall be submitted to the Director of Community and Economic Development. An application for rezoning from the traditional zone district to the Planned Unit Development zone district shall also be submitted at this time. Once the application has been determined to be complete, the application shall be scheduled for public hearing before the Board of County Commissioners within sixty (60) days of notice of public hearing. Written notices shall be mailed at least fifteen (15) days prior to the first public hearing date concerning the application. All other factors of the Common Development Review Procedures within Chapter 2 shall be followed.
4. Determination of Sufficiency: Applicable. No application shall be processed if any taxes due are not paid.
5. Staff Report: Applicable.
6. Notice: Applicable.
7. Public Hearing: Applicable. A public hearing shall be held before the Planning Commission and Board of County Commissioners.
8. Standards: Applicable.
9. Conditions of Approval: Applicable. The Board of County Commissioners in approving a PDP may attach conditions necessary to implement the Adams County Comprehensive Plan and ensure compatibility with adjacent uses.
10. Amendments: Applicable.

2-02-11-03-05

CRITERIA FOR APPROVAL

The Planning Commission in making their recommendation and the Board of County Commissioners in approving a PDP shall find:

1. The PDP is in general conformity with the Adams County Comprehensive Plan and any applicable area plan.
2. The PDP is consistent with the purposes of these standards and regulations.
3. The PDP is compatible or designed to mitigate externalities with the existing or allowed land uses adjacent to the proposed PDP.
4. The PDP conforms to the Adams County Transportation Plan and will not negatively impact utilities or traffic in the area or otherwise have a detrimental impact on property in sufficient proximity to the proposed development to be affected by it.
5. The PDP is consistent with any applicable drainage plans.
6. The PDP allows for the regulation of use and development of land and buildings where specific issues or concerns must be mitigated due to unusual and unique circumstances; or where alternative design concepts are desired; or are necessary to mitigate specific conditions.
7. The PDP is consistent with any approved ODP for the property.
8. The PDP is compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the immediate area, not detrimental to the future development of the area, and not detrimental to the health, safety, or welfare of the inhabitants of the area and the County. The proposed development has established an adequate level of compatibility by:
 - a. Incorporating natural physical features into the development design and providing sufficient open spaces considering the type and intensity of use;
 - b. Incorporating site planning techniques to foster the implementation of the County's plans, and encourage a land use pattern to support a balanced transportation system, including auto, bike, and pedestrian traffic, public or mass transit, and the cost-effective delivery of other services consistent with adopted plans, policies and regulations of the County;
 - c. Incorporating physical design features in the development to provide a transition between the project and adjacent land uses through the provision of an attractive entryway, edges along public streets, architectural design, and appropriate height and bulk restrictions on structures;

- d. Incorporating identified environmentally sensitive areas, including but not limited to, wetlands and wildlife corridors, into the project design;
- e. Incorporating public facilities or infrastructure, or cash-in-lieu, reasonably related to the proposed development so the proposed development will not negatively impact the levels of service of the County services and facilities; and
- f. Incorporating an overall plan for the design of the streetscape within the project, including landscaping, auto parking, bicycle and pedestrian circulation, architecture, placement of buildings, and street furniture.

2-02-11-03-06

ACTION BY THE DIRECTOR OF COMMUNITY AND ECONOMIC DEVELOPMENT FOLLOWING APPROVAL

Upon final approval and fulfillment of all requirements of the Board of County Commissioners, the Director of Community and Economic Development shall file a copy of the approved PDP in the office of the Department of Community and Economic Development and shall make the approved changes to the Official County Zone District Maps indicating the change to the P.U.D. zone district. No construction activities shall be permitted, except for minor site preparation, as determined by the Director of Community and Economic Development, until the Final Development Plan is approved by the Board of County Commissioners.

2-02-11-03-07

LAPSE OF APPROVAL

The PDP approval shall lapse three (3) years from the date of approval if a Final Development Plan is not submitted. If the PDP approval lapses prior to the submittal of a Final Development Plan, future development of the property shall require rezoning in accordance with these regulations.*

Amended by the BoCC on January 28, 2013

2-02-11-03-08

EXTENSION OF APPROVAL

A one (1)-year extension may be granted by the Planning Commission. However, the Planning Commission may approve a shorter time period for the extension. In order to be eligible for an extension, the applicant shall file an application for extension with the Director of Community and Economic Development at least thirty (30) days prior to the date the PDP would lapse. A progress report and revised schedule shall be submitted with the request for extension. An extension may only be granted if the Planning Commission finds:

1. The applicant has maintained a continuous effort in good faith in preparing a Final Development Plan including, but not limited to, preparing financing, securing state or federal permits, undertaking engineering and design, etc.; and
2. Conditions near the site, these standards and regulations, and the Adams County Comprehensive Plan have not changed in a way to render the original findings erroneous.
3. A PDP shall be limited to a one (1)-year extension.

2-02-11-04 FINAL DEVELOPMENT PLAN (FDP)

2-02-11-04-01 PURPOSE

The purpose of this section is to provide processing requirements for the site-specific development plan which describes and establishes the type and intensity of uses for a specific parcel or parcels of land. The Final Development Plan (FDP) includes a final subdivision plat, development agreement, and utility plan, as well as any additional plans, studies, or reports the County may require. Approval of an FDP establishes a vested right to develop property in accordance with the Plan.

2-02-11-04-02 APPLICABILITY

An FDP shall be required for any property that is intended to be developed as a Planned Unit Development.

2-02-11-04-03 WHO CAN INITIATE A FINAL DEVELOPMENT PLAN (FDP)

An FDP may be proposed by, without limitation, the owner(s) of the property within the boundaries of the proposed FDP.

The applicant has the burden of proof to demonstrate the FDP fully complies with these standards and regulations and meets the criteria for approval.

2-02-11-04-04 FINAL DEVELOPMENT PLAN REVIEW PROCEDURES

An FDP shall be approved by the Board of County Commissioners by resolution. Any FDP shall be processed through a public hearing before the Board of County Commissioners (See Steps 1 through 10 below). The Board of County Commissioners shall then approve or deny the FDP based on consideration of the staff report, the evidence from the public hearing, and the FDP compliance with the criteria for approval.

The processing of an FDP shall be according to, in compliance with, and subject to the provisions contained in Steps 1 through 10 of the Common Development Review Procedures as follows:

1. Conceptual Review: Not applicable.
2. Neighborhood Meeting: Not applicable.
3. Development Application Submittal: All items or documents required for a FDP as described in the development application submittal requirements shall be submitted to the Director of Community and Economic Development Once the application has been determined to be complete, the application shall be scheduled for public hearing before the Board of County Commissioners within sixty (60) days of notice of public hearing. Written notices shall be mailed at least fifteen (15) days prior to the first public hearing date concerning the application. All other factors of the Common Development Review Procedures within Chapter 2 shall be followed.
4. Determination of Sufficiency: Applicable. No application shall be processed if any taxes due are not paid.
5. Staff Report: Applicable.
6. Notice: Applicable.
7. Public Hearing: Applicable. A public hearing shall be held before the Board of County Commissioners, where the application may be placed on the consent calendar.
8. Standards: Applicable.
9. Conditions of Approval: Applicable.
10. Amendments: Applicable.

2-02-11-04-05

CRITERIA FOR APPROVAL

The Board of County Commissioners in approving an FDP shall find:

1. The FDP is in general conformity with the Adams County Comprehensive Plan and any applicable area plan.
2. The FDP conforms to the P.U.D. standards.
3. The FDP is consistent with any approved PDP for the property.
4. The FDP construction plans meet the requirements of these standards and regulations and have been approved by the Director of Community and Economic Development, all infrastructure and utility providers, Tri-County Health Department, and all other referral agencies.

2-02-11-04-06 *ACTION BY THE DIRECTOR OF COMMUNITY AND ECONOMIC DEVELOPMENT FOLLOWING APPROVAL*

Upon final approval and fulfillment of all requirements of the Board of County Commissioners, the Director of Community and Economic Development shall make the approved changes to the Official County Zone District Maps indicating the P.U.D. approval. In addition, the FDP will be recorded with the Office of the Adams County Clerk and Recorder.

2-02-11-05 *EFFECT OF FINAL DEVELOPMENT PLAN APPROVAL*

2-02-11-05-01 *LIMITATIONS ON OTHER USES*

After obtaining Final Development Plan approval, the subject property may not be developed in any other fashion than in accordance with the Final Development Plan unless:

1. The property owner obtains approval of the Board of County Commissioners to abandon the right to develop the property in accordance with the approved Final Development Plan;
2. The property owner obtains approval of the Board of County Commissioners to amend the approved Final Development Plan in accordance with the amendment procedures; or
3. The right to develop the property in accordance with the Final Development Plan has expired.

2-02-11-05-02 *NON-CONFORMING USES*

Non-conforming uses and structures shall not be expanded, replaced, or changed.

2-02-11-05-03 *PROCESS*

Any owner seeking approval of the Board of County Commissioners to abandon or amend a Final Development Plan shall submit an application complying with the procedures for amendments.

2-02-11-05-04 *CRITERIA*

In considering whether to approve a request for amendment or abandonment of a Final Development Plan, the Board of County Commissioners shall be governed by the following:

1. The application shall not be approved when any portion of the property would remain developed or to be developed in accordance with the Final Development Plan if the remaining parcel would no longer qualify for Final Development Approval pursuant to the criteria for approval of a Final Development Plan.
2. The application shall not be approved if the County's ownership of or practical use of any road, easement, right-of-way, or other public area would be denied or diminished to the detriment of the public good.

2-02-11-05-05 DECISION

If the Board of County Commissioners finds the forgoing criteria have been satisfied, the Board of County Commissioners shall approve the amendment or abandonment of the Final Development Plan.

2-02-12 SPECIAL USE PERMIT**2-02-12-01 PURPOSE**

The purpose of this section is to detail the steps for obtaining a special use permit. Special uses are those uses which are non-permanent (less than five (5) years) and often support other land uses authorized or permitted in a zone district or public utilities or services, but which, because of their potential zone impacts require more discretionary review than those uses which are authorized. In addition to meeting applicable performance standards, special uses may require the imposition of conditions in order to ensure the number of special uses and their location, design, and configuration are appropriate at a particular location during the duration of operation or use in order to protect the health, safety and welfare of the County and inhabitants of the area.

2-02-12-02 APPLICABILITY

All uses that require a special use permit must be processed in accordance with this section. The Board of Adjustment is the permit issuing authority for Special Use Permits. The designation of a use as a special use does not constitute an authorization or an assurance that such a use will be approved.

2-02-12-03 WHO CAN INITIATE A SPECIAL USE PERMIT REQUEST

A special use permit may be requested by, without limitation, any owner of, or person having an interest in the property on which the special use is proposed to

be located. The applicant has the burden of proof to demonstrate the use fully complies with these standards and regulations and meets the criteria for approval.

2-02-12-04 SPECIAL USE PERMIT REVIEW PROCEDURES

A special use permit may be approved by the Board of Adjustment and requires a public hearing. (See Steps 1 through 10 below). The Board of Adjustment shall approve, approve with conditions, or deny the special use permit based on consideration of the staff report, the evidence from the public hearings, and compliance with the criteria for approval.

2-02-12-05 SPECIAL USE PERMIT REVIEW STEPS

The processing of a proposed special use permit shall be according to, in compliance with, and subject to the provisions contained in Steps 1 through 10 of the Common Development Review Procedures as follows:

1. Conceptual Review: Optional, unless the County Manager or his or her designee waives this requirement.
2. Neighborhood Meeting: Optional, unless the County Manager or his or her designee determines the development proposal could have significant neighborhood impacts.
3. Development Application Submittal: All items or documents required for special use permits requiring a public hearing as described in the development application submittal requirements shall be submitted to the County Manager or his or her designee at least thirty (30) days prior to the first unfilled Board of Adjustment public hearing agenda.
4. Determination of Sufficiency: Applicable. No application shall be processed if taxes due are not paid.
5. Staff Report: Applicable.
6. Notice: Applicable. However, published notice is not required.
7. Public Hearing: Applicable. A public hearing shall be held before the Board of Adjustment.
8. Standards: Applicable.
9. Conditions of Approval: Applicable. The Board of Adjustment in approving a special use permit may attach any conditions necessary to implement the Adams County Comprehensive Plan and to ensure compatibility with adjacent uses. In addition to other conditions the Board of Adjustment may place on a special use permit, the Board of Adjustment shall specify the term of the special use permit. The term of a special use permit shall be limited to the absolute minimum term necessary for the proposed use, but in no case shall any one special use permit exceed five (5) years. A

special use permit may be renewed following the same procedure used in granting the initial permit, but any specific special use shall not exceed five (5) years cumulatively. The Board of Adjustment in approving a special use permit may condition the approval on one (1) or more of the following:

- a. A requirement the development or activity proceeds in accordance with a specific site plan and/or development schedule.
- b. A requirement the design and mitigation measures be put in place including, but not limited to, limits on the hours of operation and traffic generating uses; improvements to on-site and off-site pedestrian, bicycle, and vehicular circulation; alternative access and open space provisions to address site capacity and resource protection issues; controls on noise, light, odors and other potential nuisances; measures to protect and improve the aesthetic value of high traffic areas; aesthetic value of high traffic areas; requirements to protect air and water quality; construction of fencing and planting of landscaping; restrictions on signage and outdoor lighting; changes in off-street parking layout and design; restrictions concerning the building bulk, height, setback, location, and external appearance; stipulations concerning adequate storm drainage or utilities; and other appropriate conditions in order to protect the health, safety and welfare of Adams County residents, and to provide for sound environmental practices.

10. Amendments: Applicable.

2-02-12-06 GENERAL CRITERIA FOR APPROVAL

The Board of Adjustment, in approving a special use permit, shall consider:

1. ~~1.~~—The special use is consistent with the purposes of these standards and regulations.
2. ~~2.~~—The special use will comply with the requirements of these standards and regulations including, but not limited to, all applicable performance standards.
3. ~~3.~~—The special use is compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the immediate area, not detrimental to the future development of the area, and not detrimental to the health, safety, or welfare of the inhabitants of the area and the County.
4. ~~4.~~—The Special Use Permit has addressed all off-site impacts.
5. ~~5.~~—The site is suitable for the special use including adequate usable space, adequate access, and absence of environmental constraints.

6. ~~6.~~—The site plan for the proposed special use will provide adequate parking, traffic circulation, open space, fencing, screening, and landscaping.
7. ~~7.~~—Sewer, water, storm water drainage, fire protection, police protection, and roads are to be available and adequate to serve the needs of the special use as designed and proposed.
8. The use and site plan are in general conformity with the Adams County Comprehensive Plan and any applicable area plans.

2-02-12-09 ACTION BY THE DIRECTOR OF COMMUNITY AND ECONOMIC DEVELOPMENT FOLLOWING APPROVAL

Upon final approval and fulfillment of all requirements of the Board of Adjustment, the Director of Community and Economic Development shall issue a special use permit in conformance with the decision of the permit issuing authority. The special use permit shall describe in detail the special use allowed by the permit, include all specific conditions applied by the permit issuing authority, and be accompanied by an official site plan modified by the applicant to reflect the conditions of the permit. The special use permit shall also state an explicit expiration date for when the approved special use that is being authorized by the permit shall lapse.

2-02-12-10 EFFECT OF APPROVAL

Issuance of a special use permit shall be deemed to authorize only the particular, non-permanent use and activity for which it is issued for a period no greater than five (5) years. The special use permit is nontransferable unless otherwise conditioned by the Board of Adjustment. The applicant shall be subject to all other permits required by these standards and regulations to use the land in accordance with the special use permit.

2-02-13 TEMPORARY USE PERMIT

2-02-13-01 PURPOSE

The purpose of this section is to detail the steps for obtaining a temporary use permit. Temporary uses are those uses which are non-permanent (less than ninety (90) days) and often support other land uses authorized or permitted in a zone district or public utilities or services, but which, because of their potential impacts require more discretionary review than those uses which are authorized.

In addition to meeting applicable performance standards, temporary uses may require the imposition of conditions in order to ensure the number of temporary uses and their location, design, and configuration are appropriate at a particular location during the duration of operation or use.

APPLICABILITY

All uses that require a temporary use permit must be processed in accordance with this section. The Director of Community and Economic Development is the permit issuing authority for Temporary Use Permits. The designation of a use as a temporary use does not constitute an authorization or an assurance that such a use will be approved.

2-02-13-02 WHO CAN INITIATE A TEMPORARY USE PERMIT REQUEST

A temporary use permit may be requested by, without limitation, any owner of, or person having an interest in the property on which the temporary use is proposed to be located. The applicant has the burden of proof to demonstrate the use fully complies with these standards and regulations and meets the criteria for approval.

2-02-13-03 TEMPORARY USE PERMIT REVIEW PROCEDURES

A temporary use permit may be approved by the Director of Community and Economic Development (See Steps 1 through 10 below). The Director of Community and Economic Development shall approve, approve with conditions, or deny the temporary use permit based on compliance with the criteria for approval.

2-02-13-04 TEMPORARY USE PERMIT REVIEW STEPS

The processing of a proposed temporary use permit shall be according to, in compliance with, and subject to the provisions contained in Steps 1 through 10 of the Common Development Review Procedures as follows:

1. Conceptual Review: Optional.
2. Neighborhood Meeting: Optional, unless the Director of Community and Economic Development determines the development proposal could have significant neighborhood impacts.
3. Development Application Submittal: All items or documents required for temporary use permits as described in the development application submittal requirements shall be submitted to the Director of Community

and Economic Development at least fourteen (14) days prior to the commencement date of the temporary use.

4. Determination of Sufficiency: Applicable. No application shall be processed if taxes due are not paid.
5. Staff Report: Not applicable.
6. Notice: Not applicable.
7. Public Hearing: Not applicable.
8. Standards: Applicable.
9. Conditions of Approval: Applicable. The Director of Community and Economic Development in approving a temporary use permit may attach any conditions necessary to implement the Adams County Comprehensive Plan and to ensure compatibility with adjacent uses. In addition to other conditions the Director of Community and Economic Development may place on a temporary use permit, the Director of Community and Economic Development shall specify the term of the temporary use permit. The term of a temporary use permit shall be limited to the absolute minimum term necessary for the proposed use, but in no case shall exceed ninety (90) days. Section 4-05 specifies the maximum time frame or expiration of specific temporary uses eligible for the temporary use permit. A temporary use permit may be issued annually for the same project. The Director of Community and Economic Development in approving a temporary use permit may condition the approval on one (1) or more of the following:
 - a. A requirement the development or activity proceeds in accordance with a specific site plan and/or development schedule.
 - b. A requirement the design and mitigation measures be put in place including, but not limited to, limits on the hours of operation and traffic generating uses; improvements to on-site and off-site pedestrian, bicycle, and vehicular circulation; alternative access and open space provisions to address site capacity and resource protection issues; controls on noise, light, odors and other potential nuisances; requirements to protect air and water quality; construction of fencing and planting of landscaping; restrictions on signage and outdoor lighting; changes in off-street parking layout and design; restrictions concerning the building bulk, height, setback, location, and external appearance; and stipulations concerning adequate storm drainage or utilities.
10. Amendments: Applicable.

2-02-13-05 CRITERIA FOR APPROVAL

The Director of Community and Economic Development, in approving a temporary use permit, shall consider:

1. ~~1.~~—The temporary use is consistent with the purposes of these standards and regulations.
2. ~~2.~~—The temporary use will comply with the requirements of these standards and regulations including, but not limited to, all applicable performance standards.
3. ~~3.~~—The temporary use is compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the immediate area, not detrimental to the future development of the area, and not detrimental to the health, safety, or welfare of the inhabitants of the area and the County.
4. ~~4.~~—The Temporary Use Permit has addressed all off-site impacts.
5. ~~5.~~—The site is suitable for the temporary use including adequate usable space, adequate access, and absence of environmental constraints.
6. ~~6.~~—The site plan for the proposed temporary use will provide adequate parking, traffic circulation, open space, fencing, screening, and landscaping.
7. 7.—Sewer, water, storm water drainage, fire protection, police protection, and roads are to be available and adequate to serve the needs of the temporary use as designed and proposed.
8. The use and site plan are in general conformity with the Adams County Comprehensive Plan and any applicable area plans.

2-02-13-05-01

***ADDITIONAL CRITERION FOR APPROVAL FOR PERMISSIBLE FIREWORKS
STAND/TENT***

The Director of Community and Economic Development, in approving a temporary use permit for permissible fireworks stand/tent, shall find:

1. The applicant has demonstrated the ability and, if applicable, a history of their ability to comply with these regulations.

2-02-13-06

**ACTION BY THE DIRECTOR OF COMMUNITY AND ECONOMIC
DEVELOPMENT FOLLOWING APPROVAL**

Upon final approval and fulfillment of all requirements of the Director of Community and Economic Development, the Director of Community and Economic Development shall issue a temporary use permit. The temporary use permit shall describe in detail the temporary use allowed by the permit, include all specific conditions applied by the permit issuing authority, and be accompanied by an official site plan modified by the applicant to reflect the conditions of the permit. The temporary use permit shall also state an explicit expiration date for when the approved temporary use that is being authorized by the permit shall lapse.

2-02-13-07 EFFECT OF APPROVAL

Issuance of a temporary use permit shall be deemed to authorize only the particular, non-permanent use and activity for which it is issued for a period no greater than ninety (90) days. The temporary use permit is nontransferable. The applicant shall be subject to all other permits required by these standards and regulations to use the land in accordance with the temporary use permit.

2-02-14 OIL AND GAS FACILITY (OGF) PERMIT

2-02-14-01 PURPOSE

The purpose of the Oil and Gas Facility regulation is to allow for reasonable development of oil and gas in unincorporated Adams County while ensuring that facilities are sited in appropriate areas and utilize best practices to protect public health, safety, welfare, the environment, and wildlife resources.

The purpose of an OGF Permit is to regulate the surface land use of oil and gas development in a manner that protects the public safety, health, welfare, the environment and wildlife of Adams County and its residents by ensuring that facilities are constructed and operated in accordance with best practices, to provide for sound environmental practices to protect the County's natural resources, to provide for the orderly siting and development of oil and gas operations, as well as to prevent damage to County roads and bridges.

The Colorado Oil and Gas Conservation Commission (COGCC), the Colorado Department of Public Health and the Environment (CDPHE) and the federal government have authority to regulate certain aspects of oil and gas mineral extraction. Requirements contained in this section shall not exempt the owner or operator of an Oil and Gas Facility from compliance with the requirements of the COGCC, CDPHE, or any other regulatory authority.

The provisions of these standards and regulations shall apply to the construction, installation, alteration, repair, erection, location, maintenance, operation, and abandonment of all new or substantially modified oil and gas facilities within the unincorporated areas of the County. Substantially modified for the purposes of this section means anything requiring a Major Amendment.

2-02-14-02 APPLICABILITY

All uses that require an OGF must be processed in accordance with this Section. The Director of Community and Economic Development (CED) is the permit issuing authority for OGF Permits that do not require any waiver from approval

criteria or performance standards. OGF Permits requiring waivers from approval criteria or performance standards must be approved by the Board of County Commissioners through the designated Waiver process.

2-02-14-03 WHO CAN INITIATE AN OGF PERMIT

An OGF Permit may be requested, without limitation, by any owner of, or person demonstrating a legal interest in property on which the OGF use is proposed to be located. The applicant has the burden of proof to demonstrate the use fully complies with these standards and regulations and meets the criteria for approval.

2-02-14-04 OGF PERMIT REVIEW PROCEDURES

An OGF permit may be approved by the Director of Community and Economic Development if the application does not require waiver or modification from any approval criteria or performance standards. An OGF permit requiring a waiver or modification from any of the approval criteria or performance standards, or as otherwise stated in these REGULATIONS, must be approved by the Board of County Commissioners, and requires a public hearing. The Director of Community and Economic Development or the Board of County Commissioners shall approve, approve with conditions, or deny the OGF permit based on consideration of the staff report, the evidence from the public hearing (if applicable), and compliance with the criteria for approval. OGF permit review steps

The processing of a proposed OGF permit shall be according to, in compliance with, and subject to the provisions contained in Steps 1 through 10 of the Common Development Review Procedures (although not necessarily conducted in the following order) as follows:

1. Conceptual Review. Applicable. Operator shall identify three (3) proposed locations for the Oil and Gas Facility for the Alternative Site Analysis process outlined below. For each location, Operator shall identify, and visually depict the same on a map, the following items that are located within a half-mile (1/2) radius of the parcel boundary of the proposed facility: existing or platted residences, occupied buildings, parks, open space, schools, future school facilities, state licensed daycares, known areas of environmental contamination such as superfund sites, hospitals, water bodies, floodplains, floodways, water supply facilities including wells, existing active and decommissioned wells, and roadways. Proposed access routes to the

site should also be provided. This information must be submitted to Community and Economic Development for review. Following that, a conceptual review meeting shall be held with the Operator. Operators are encouraged to schedule a conceptual review prior to entering into any surface use agreements.

- a. **Alternative Site Analysis:** Prior to submittal of Form 2, 2A, or Oil and Gas Development Plan to the COGCC and during the conceptual review, the applicant must consult with the County on an Alternative Site Analysis as outlined below:
 - (1) In General. The County seeks to site OGFs in areas that have the least off-site impact possible in order to protect the health, safety, and welfare of its residents and to protect the environment and wildlife. In order to determine whether proposed siting is appropriate, the Community and Economic Development Department must evaluate alternative sites.
 - (2) Description of potential sites. Applicant must submit descriptions of at least three (3) potential sites for the OGF that were considered by applicant. All potential site descriptions shall include Geographic Information System (GIS) data. The GIS data shall include, at a minimum, the outline edge of maximum disturbance and the access road for each proposed site. The description shall include an explanation of site locations considered, whether mineral extraction is possible and reasonable from those sites, the off-site impacts associated with those sites, and why a particular site is proposed, if any.
 - (a) Potential sites shall be: (1) a minimum of 500 feet away from each other but can be located on the same parcel; and (2) uniquely distinct from one another as determined by the Director of Community and Economic Development.
 - (3) Evaluation materials. the Community and Economic Development Department will evaluate the potential sites to determine which site is likely to have the least off-site impacts. The Director of Community and Economic Development will determine whether applicant is required to provide traffic impact studies, engineering studies, Environmental Impact Analysis as defined in these standards and regulations, or other evaluation tools in order to adequately evaluate site options. If not required by the Director of Community and Economic Development

as part of the alternative site analysis, these site-specific evaluation tools can be submitted by the applicant after site selection has occurred.

- (4) Evaluation criteria. In determining which sites are likely to have the least off-site impact, the Community and Economic Development Department may consider the following, at a minimum:
 - (a) Distance from existing or platted residences, schools, state licensed daycares, high occupancy buildings, active open spaces, environmentally sensitive areas, public drinking water supply areas, or other areas likely to be adversely impacted;
 - (b) Traffic impacts and impact to roads, bridges, and other infrastructure;
 - (c) Access to water and other operational necessities;
 - (d) Whether the site allows for utilization of impact mitigation, such as use of proximate pipelines;
 - (e) Noise impacts;
 - (f) The impact on the surrounding land;
 - (g) The impact on wildlife; and
 - (h) Impact on nearby environmental resources such as water bodies.
 - (5) Site Selection. The County shall review all proposed locations in order to determine which location(s) best protects public health, safety, welfare, the environment, and wildlife resources and will choose the location that best satisfies this goal. The Director of Community and Economic Development will determine if any proposed sites meet this goal. If no location satisfies this goal, Operator shall submit three new proposed locations. The County may recommend denial of the OGF Permit if it does not believe that any of the proposed sites meet the siting goal. Site Selection as part of the Alternative Site Analysis, as outlined above, does not constitute the approval of an OGF application.
 - (6) The County will make every effort to consult with the COGCC as part of the Alternative Site Analysis, as provided for in COGCC Rule 301.f.
2. Neighborhood Meeting: Applicable. At the neighborhood meeting, the applicant shall provide an overview of its proposed oil and gas operation and allow those in attendance to provide input as to the

proposed operation, including, but not limited to, issues that arise from application of these regulations to the proposed operation, and suggested mitigation to adequately ensure compliance with these regulations. Where Disproportionately Impacted Communities, as defined in COGCC rules, are located within one (1) mile of the proposed OGF, the Operator may be required to hold separate or additional neighborhood meetings to ensure adequate engagement and documentation of concerns, as determined by the Director of Community and Economic Development, based on primary and secondary languages, culturally sensitive methods of communication and, other socio-economic factors that impact public availability and participation in neighborhood meetings. If any additional neighborhood meetings are required, those meetings shall comply with the requirements of Section 4-11-02-03-03-03.

3. Development Application Submittal: Applicable. The Community and Economic Development Department has developed a checklist and development application guide for required submittals for OGF Permits that are subject to change (see Appendix A). Application submittals that do not include all items outlined in the checklist, do not conform to the development application guide, and do not conform to the following guidelines will not be reviewed.
 - a. Transportation, roads, access standards, and fees:
 1. The applicant’s transportation plan must be designed and implemented to ensure public safety and maintain quality of life for other users of the county transportation system, adjacent residents, and affected property owners.
 2. Where available, existing private roads shall be used to minimize land disturbance unless traffic safety, visual or noise concerns, or other adverse surface impacts clearly dictate otherwise.
 3. Access roads on the site and access points to public roads as identified in the application materials shall be reviewed by the Community and Economic Development Department and shall be built and maintained in accordance with the engineering specifications and access road standards defined in the Adams County Development Standards and Regulations (Chapter 8).
 4. Oil and gas operations must minimize impacts to the physical infrastructure of the county transportation system. Any costs to improve county transportation

system infrastructure necessitated by the proposed oil and gas operation shall be the responsibility of the Applicant. All transportation system infrastructure improvements and associated costs shall be determined by the Community and Economic Development Department. The County shall perform the work or arrange for it to be performed. If the Applicant disagrees with the infrastructure improvements or associated costs as assessed by the Community and Economic Development Department, it may request that the department approve a different route for its proposed oil and gas operation that avoids the need for such improvements. Alternatively, the Applicant may engage a licensed civil engineering firm to perform a traffic impact study in accordance with Chapter 8 of the Development Standards and Regulations to independently evaluate County transportation system infrastructure improvements necessitated by the proposed oil and gas operation.

4. Determination of Sufficiency: Applicable. No application shall be processed if taxes due on the requested property(ies) are not paid, if inspection fees are not paid, or if fines assessed against the applicant have not been paid.
5. Staff Report: Applicable.
 - b. Concurrent Referral and Review. County staff may refer the complete application review by the various County Departments and the County Attorney's Office, as deemed appropriate. An application may require review by outside experts or agencies such as the U.S. Army Corps of Engineers, if the project impacts a floodplain, life-safety providers, adjacent jurisdictions, local public health departments, and others as may be deemed appropriate. Operator shall reimburse the County for reasonable costs incurred in connection with the use of third-party expert reviewers.
6. Notice: Applicable, except notice shall be sent by the applicant to all property owners and current residents within one (1) mile of the proposed parcel where an application for an Oil and Gas Facility has been filed with the County, at a minimum, or greater, as determined by the Director of Community and Economic Development. The Notice shall meet the format prescribed by the County. The notice shall contain a statement informing the recipients of the notice that they may request written notification by the Applicant of the

commencement of construction and commencement of drilling operations. The applicant shall provide written notification by U.S. Mail, which shall include an offer to consult, to any municipality, special district, or County whose boundaries are within one-half (1/2) mile of the proposed parcel where an application for an Oil and Gas Facility has been filed with the County. Posted notice shall be required for all OGF Permits. The signs shall be posted by the County on the subject property in a manner and at a location to afford the best notice to the public. Posting for an OGF Permit shall take place no later than ten days after the Operator selects a site for the facility.

7. Public Hearing: Applicable if the OGF Permit requires non-administrative waiver from any approval criteria or performance standards. In cases requiring a waiver, a public hearing shall be held in front of the Board of County Commissioners.
8. Standards: Applicable.
9. Conditions of Approval: Applicable. The Director of Community and Economic Development in approving a permit for an OGF may attach any conditions necessary to implement the Adams County Comprehensive Plan, ensure the compatibility with adjacent uses, and are protective of public health, safety, welfare, the environment, and wildlife resources. Conditions may include a requirement of an Access Permit or Oversize Load Permit prior to development of the Oil and Gas Facility, a Floodplain Use Permit prior to any work within the floodplain, or a building permit prior to construction of certain structures within the Oil and Gas Facility.
 - c. Term: The approving authority shall specify the term of the OGF Permit as three (3) years. If, at the expiration of the three (3) year period, a well is not completed or has not commenced production operations as defined by the COGCC Rules and Regulations, the approval of that well shall lapse. For any wells for which approval has lapsed, the applicant shall be required to apply for a new OGF Permit in accordance with these regulations.
10. Amendments: Applicable. All amendments must be processed in accordance with Section 2-01-10, Amendments. Major Amendments for OGFs include, at a minimum, any amendments to a Form 2A with the COGCC. For purposes of an OGF Permit, anything not identified as a major amendment shall be processed as a Minor Amendment.

2-02-14-05 CRITERIA FOR APPROVAL

The Board of County Commissioners or Director of Community and Economic Development, in approving an OGF Permit, shall consider:

1. The OGF is consistent with the purposes of these standards and regulations.
2. The OGF will comply with the requirements of these standards and regulations including, but not limited to, all applicable performance standards, unless specifically waived or modified by the Board of County Commissioners after public hearing.
3. The siting of the OGF, after evaluation of alternative sites, is the most compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the immediate area, not detrimental to the future development of the area, and not detrimental to the health, safety, welfare, the environment and wildlife of the County.
4. The siting of the OGF does not create any site-specific conditions that present significant or material impacts to nearby land uses.
5. The OGF has addressed off-site impacts and complies with all applicable performance standards, unless specifically waived or modified by the Board of County Commissioners after public hearing.
6. The site is suitable for the use, including adequate usable space, adequate access, and adherence of environmental or wildlife stipulations.
7. The site plan for the proposed use will provide adequate parking, traffic circulation, fencing, screening, and landscaping.
8. Sewer, water, storm water drainage, fire protection, police protection, and roads are available and adequate to serve the needs of the OGF as designed and proposed.
9. Cultural and Historical Resources: the OGF does not cause significant degradation of cultural, historic, or archaeological sites eligible for County landmarking, or the National Historic Register.
10. Water Bodies and Water Quality: the OGF does not cause adverse impacts to surface or ground waters within Adams County. The Operator shall comply with all applicable water quality standards.
11. Emergency Preparedness and Response: the OGF does not cause unreasonable risks of emergency situations such as explosions, fires, gas, oil or water pipeline leaks, ruptures, hydrogen sulfide or other toxic gas or fluid emissions, and hazardous material vehicle accidents or spills.
12. Air Quality: The OGF meets all required air quality standards.

2-02-14-06 OIL AND GAS FACILITY PERMIT WAIVER

2-02-14-06-01 PURPOSE

The purpose of this section is to establish criteria and detail the steps whereby the Board of County Commissioners, at public meeting, may grant waivers or modifications from approval criteria or performance standards normally required for OGF Permits, allow the OGF use in an area not zoned for OGFs, or allow an applicant to develop an OGF site not selected by the Community and Economic Development Department.

2-02-14-06-02 APPLICABILITY

If the OGF permit application is denied based on noncompliance with the approval criteria or performance standards, if the applicant seeks to develop in an area not zoned for OGF development, or if an applicant seeks to develop on a site not approved by the Community and Economic Development Department, an applicant may apply for an Oil and Gas Facility Permit Waiver.

2-02-14-06-03 WHO CAN INITIATE A WAIVER

A waiver may be proposed by any applicant that may apply for an OGF. The applicant has the burden of proof to demonstrate that the waiver or proposed site selection meets the criteria for approval.

2-02-14-06-04 WAIVER REVIEW PROCEDURES

Any waiver shall be processed through a public hearing before the Board of County Commissioners (See Steps 1 through 10 below). Waiver applications will be heard by the Board of County Commissioners at a public hearing. At such public hearing, the Board of County Commissioners may waive or modify specific regulations or standards requested by the applicant and approve the application, may approve with conditions, or may deny the application.

Applicants may only seek a waiver after submitting a complete application for an OGF Permit and participating in a conceptual review meeting with Community and Economic Development staff. If applicant is unable to meet all approval criteria and comply with all performance standards required for an OGF Permit, applicant may choose to seek a waiver from the Board of County Commissioners. The processing of a waiver shall be according to, in compliance with, and subject to the provisions contained in Steps 1 through 10 of the Common Development Review Procedures as follows:

1. Conceptual Review: Must be completed prior to application for waiver as part of OGF Permit process.
2. Neighborhood Meeting: Director of Community and Economic Development will determine whether neighborhood meetings are required after evaluating steps taken as part of OGF process.
3. Development Application Submittal: In addition to all requirements for an OGF Permit, applicant must provide a request for waiver that articulates the specific waivers sought and explains why waivers are necessary.
4. Determination of Sufficiency: Applicable. No application shall be processed if taxes due on the requested property(ies) are not paid, if inspection fees are not paid, or if fines assessed against the applicant have not been paid.
5. Staff Report: Applicable.
6. Notice: Applicable.
7. Public Hearing: Applicable. A public hearing shall be held before the Board of County Commissioners. Any requested waiver shall be reviewed and acted upon by the Board of County Commissioners prior to issuance of an OGF Permit.
8. Standards: Applicable.
9. Conditions of Approval: Applicable. The Board of County Commissioners, in approving a waiver for an OGF Permit, may attach any conditions necessary to implement the Adams County Comprehensive Plan and to ensure the compatibility with adjacent uses.
10. Amendments: Applicable.

2-02-14-06-05

CRITERIA FOR APPROVAL

The Board of County Commissioners, in approving a waiver, shall find:

1. Extraordinary hardships or practical difficulties result from strict compliance with these standards and regulations
2. The purpose of these standards and regulations are served to a greater extent by the alternative proposal.
3. The waiver does not have the effect of nullifying the purpose of these standards and regulations.

2-02-14-06-06

ADDITIONAL CRITERIA FOR A ZONE DISTRICT WAIVER

The Board of County Commissioners, in approving zone district waiver, in addition to the criteria outlined above, shall find:

1. The proposed Oil and Gas Facility is consistent with the Adams County Comprehensive Plan.
2. The proposed Oil and Gas Facility is compatible with the surrounding area, harmonious with the character of the neighborhood, and not

detrimental to the immediate area, not detrimental to the future development of the area, and not detrimental to the health, safety, welfare or the environment of the inhabitants of the area and the County.

2-02-14-06-07 *ADDITIONAL CRITERIA FOR A SETBACK WAIVER*

The Board of County Commissioners, in approving a setback waiver, in addition to the criteria outlined above, shall find:

1. The Oil and Gas Facility provides substantially equivalent protections to public health, safety, welfare, the environment, and wildlife resources that are equal to or more effective to satisfy the criteria of approval. The criteria for determining substantially equivalent protections may include, but are not limited to:
 - i. The location of receptors and proximity of those receptors;
 - ii. The location, nature, and size of the facility;
 - iii. The duration and intensity of all phases of operation at the Oil and Gas Facility;
 - iv. The extent to which the Oil and Gas Facility design, any planned best management practices, best available control measures and technologies, and conditions of approval avoid, minimize, and mitigate adverse impacts;
 - v. The extent to which the Oil and Gas Facility is compatible with the surrounding area, not detrimental to the immediate area, not detrimental to the future development of the area, and not detrimental to the health, safety, or welfare of the inhabitants of the area and the County;
 - vi. The level of consent or waivers obtained from primary resident(s), landowners;
 - vii. The extent to which the Oil and Gas Facility will minimize, avoid, mitigate, and offset cumulative impacts.

2-02-15 *AMENDMENT TO TEXT OF THE STANDARDS AND REGULATIONS AND/OR ZONING MAP (REZONING) AND/OR COMPREHENSIVE PLAN*

2-02-15-01 *PURPOSE*

The purpose of this section is to detail the steps to follow for changing the text of these standards and regulations, or the boundaries of the zone districts shown on the Zoning Map (Rezoning), or the Comprehensive Plan.

2-02-15-02 APPLICABILITY

All amendments to the text of these standards and regulations and any changes to the Zoning Map or Comprehensive Plan must be processed in accordance with this section. Only the Board of County Commissioners may, after recommendation of the Planning Commission, adopt a resolution amending the text of these standards and regulations, or the Zoning Map, or the Comprehensive Plan.

2-02-15-03 WHO CAN INITIATE A TEXT, ZONING MAP, OR COMPREHENSIVE PLAN AMENDMENT**2-02-15-03-01 *AMENDMENT TO ZONING MAP (REZONING)***

An amendment to the Zoning Map may be proposed, without limitation, by the Planning Commission, the Board of County Commissioners, or the owner(s) of the property to be rezoned.

In addition, a municipality, airport authority, or other owner or operator of an aviation facility available for public use may propose an amendment to the Zoning Map to establish or amend an Aviation Zone or Influence Area Overlay District for the area including area surrounding an aviation facility.

2-02-15-03-02 *AMENDMENT TO COMPREHENSIVE PLAN*

An amendment to the Comprehensive Plan may be proposed, without limitation, by the Planning Commission, the Board of County Commissioners, the Director of Community and Economic Development or the owner(s) of the property to be amended on the plan.

2-02-15-03-03 *TEXT AMENDMENT*

An amendment to the text of these standards and regulations may be proposed by the Planning Commission, Board of County Commissioners, the Director of Community and Economic Development, the Director of Public Works, * any owner or person having an interest in land located within the unincorporated area of the County, or any resident of the County.

The applicant has the burden of proof to demonstrate a text or a Zoning Map amendment fully complies with these standards and regulations and meets the criteria for approval.

***Adopted by the BOCC on June 27, 2011.**

2-02-15-04 TEXT, ZONING MAP, AND COMPREHENSIVE PLAN AMENDMENT REVIEW PROCEDURES

An amendment to the text of these standards and regulations, an amendment to the Zoning Map, or an amendment to the Comprehensive Plan may be approved by the Board of County Commissioners by resolution. Any proposed amendment shall be processed through a public hearing before the Planning Commission, which shall provide a recommendation to the Board of County Commissioners (See Steps 1 through 10 below). Upon completion of a hearing by the Planning Commission, the amendment and recommendation of the Planning Commission shall be forwarded to the Board of County Commissioners. The Board of County Commissioners shall, after receiving a recommendation from the Planning Commission, hold a public hearing. The Board of County Commissioners shall then approve, approve with conditions, or deny the amendment based on consideration of the staff report, the Planning Commission’s recommendation and findings, the evidence from the public hearings, and the amendment’s compliance with the criteria for approval. In the case of a Comprehensive Plan amendment, the Planning Commission shall make a decision on the amendment and the matter will be referred to the Board of County Commissioners to ratify the decision at a public hearing.

2-02-15-05 TEXT, ZONING MAP, AND COMPREHENSIVE PLAN AMENDMENT REVIEW STEPS

The processing of a proposed text, Zoning Map, or Comprehensive Plan amendment shall be according to, in compliance with, and subject to the provisions contained in Steps 1 through 10 of the Common Development Review Procedures as follows:

1. Conceptual Review: Applicable.
2. Neighborhood Meeting: Optional, unless the Director of Community and Economic Development, or in the case of Comprehensive Plan Amendment the Director of Community and Economic Development, determines the development proposal could have significant neighborhood impacts.
3. Development Application Submittal: All items or documents required for amendment of the text of these standards and regulations and/or to the Zoning Map as described in the development application submittal requirements shall be submitted to the Director of Community and Economic Development at least fifty (50) days prior to the first unfilled Planning Commission public hearing agenda.
4. Determination of Sufficiency: Applicable. No application shall be processed if any taxes due are not paid.

5. Staff Report: Applicable.
6. Notice:
 - a. Text Amendments: Partially applicable. Publication in the official County newspaper is required. Written notice and posting are not required.
 - b. Zoning Map Amendments (Rezoning): Applicable.
7. Public Hearing: Applicable. A public hearing shall be held before both the Planning Commission and Board of County Commissioners.
8. Standards: Applicable.
9. Conditions of Approval: Applicable. The Board of County Commissioners in approving a Zoning Map amendment may attach conditions necessary to implement the Adams County Comprehensive Plan and ensure compatibility with adjacent uses.
10. Amendments: Applicable.

2-02-15-06 CRITERIA FOR APPROVAL

2-02-15-06-01 TEXT AMENDMENTS

The Planning Commission, in making their recommendation, and the Board of County Commissioners, in approving a text amendment, shall find:

1. The text amendment is consistent with the Adams County Comprehensive Plan and any applicable subarea plan.
2. The text amendment is consistent with the purposes of these standards and regulations.
3. The text amendment will not be detrimental to the majority of persons or property in the surrounding areas nor to the community in general.

2-02-15-06-02 ZONING MAP AMENDMENTS (REZONING)

The Planning Commission, in making their recommendation, and the Board of County Commissioners, in approving a Zoning Map amendment, shall find:

1. The Zoning Map amendment is consistent with the Adams County Comprehensive Plan and any applicable subarea plan.
2. The Zoning Map amendment is consistent with the purposes of these standards and regulations.
3. The Zoning Map amendment will comply with the requirements of these standards and regulations.
4. The Zoning Map amendment is compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the immediate area, not detrimental to the future development of

the area, and not detrimental to the health, safety, or welfare of the inhabitants of the area and the County.

2-02-15-06-03 *COMPREHENSIVE PLAN AMENDMENTS*

The Planning Commission, in making their decision, and the Board of County Commissioners in ratifying a Comprehensive Plan amendment, shall find:

1. The Comprehensive Plan amendment is consistent with the goals and policies of the Adams County Comprehensive Plan and any applicable subarea plans.
2. The Comprehensive Plan amendment is consistent and/or compatible with the land use, transportation, and open space maps in the Adams County Comprehensive Plan.
3. The Comprehensive Plan amendment advances the health, safety, and welfare of the citizens and property owners of Adams County.

2-02-15-07 ACTION BY THE DIRECTOR OF COMMUNITY AND ECONOMIC DEVELOPMENT FOLLOWING APPROVAL

Upon final approval and fulfillment of all requirements of the Board of County Commissioners, the Director of Community and Economic shall make the approved changes to the Official County Zoning Maps, Comprehensive Plan, or text of these standards and regulations.

2-02-16 EXEMPTION

2-02-16-01 PURPOSE

The purpose of this section is to establish criteria and detail the steps whereby the Board of County Commissioners may grant exemptions from the definitions of the terms “subdivision” and “subdivided land” for any division of land if the Board determines that such a division is not within the purpose of Article 28, Title 30 of the Colorado Revised Statutes.

2-02-16-02 APPLICABILITY

An exemption approval is required to obtain a release from the requirements of platting by resolution of the Board of County Commissioners in accordance with the terms set forth in these standards and regulations.

2-02-16-03 WHO CAN INITIATE A SUBDIVISION EXEMPTION

A Subdivision Exemption may be proposed by, without limitation, the owner(s) of, or person having an interest in the property to be divided.

The applicant has the burden of proof to demonstrate the Subdivision Exemption fully complies with these standards and regulations and meets the criteria for approval.

2-02-16-04 SUBDIVISION EXEMPTION REVIEW PROCEDURES

A Subdivision Exemption shall be approved by the Board of County Commissioners by resolution. Any Subdivision Exemption shall be processed through a public meeting before the Board of County Commissioners (See Steps 1 through 10 below). The Board of County Commissioners shall then approve or deny the Subdivision Exemption based on consideration of the staff report, the evidence from the public meeting, and the Subdivision Exemption's compliance with the criteria for approval.

The processing of a Subdivision Exemption shall be according to, in compliance with, and subject to the provisions contained in Steps 1 through 10 of the Common Development Review Procedures as follows:

1. Conceptual Review: Optional.
2. Neighborhood Meeting: Not applicable.
3. Development Application Submittal: All items or documents required for a Subdivision Exemption as described in the development application submittal requirements shall be submitted to the Director of Community and Economic Development at least thirty (30) days prior to the first unfilled Board of County Commissioners public meeting agenda.
4. Determination of Sufficiency: Applicable. No application shall be processed if any taxes due are not paid. No notification of the adjacent property owners is required.
5. Staff Report: Applicable. No notification of referral agencies is required.
6. Notice: Applicable.
7. Public Hearing: Applicable. A public hearing shall be held before the Board of County Commissioners. The Board of County Commissioners may take testimony from the public at the public meeting.
8. Standards: Applicable.
9. Conditions of Approval: Applicable.
10. Amendments: Applicable.

2-02-16-05 CRITERIA FOR APPROVAL

The Board of County Commissioners, in approving a Subdivision Exemption, shall find:

1. The Subdivision Exemption is consistent with and conforms to these standards and regulations.
2. The Subdivision Exemption is a division of land determined not to be within the purpose of Article 28, Title 30 of the Colorado Revised Statutes and is consistent with one (1) of the following criteria:
 - a. Boundary line adjustments where no additional parcels are created (unplatted land only).
 - b. Exemptions creating additional parcels shall be permitted for parcels with more than one (1) principal residence provided all of the following criteria are met:
 - (1) Each residence was constructed in conformance with the applicable County regulations in effect at the time the residence was constructed, and provided the structures were not previously considered uninhabitable or accessory to a principal residence (e.g., a guest house, resort or seasonal cabins used in conjunction with a lodge operation or housing for tenant labor);
 - (2) Each residence shall have a documented history of continuous use as a single-family dwelling; and
 - (3) Legal and physical access shall be provided to all parcels by public right-of-way or recorded easement, acceptable to the Adams County Director of Public Works in compliance with the Adams County Engineering Design and Construction Standards.
 - c. Other divisions of land affected by a deed recorded in the Office of the Adams County Clerk and Recorder that the Board of County Commissioners determines is not within the purposes of this resolution. If it is determined the applicant is using the exemption process to circumvent the subdivision regulations, the applicant shall be required to comply with the applicable sections of this resolution.
 - d. The property which is the subject of the Exemption may not be within any recorded subdivision plat.
 - e. The property which is the subject of the Exemption may not be zoned for commercial or industrial uses.

2-02-16-06 ACTION BY THE DIRECTOR OF COMMUNITY AND ECONOMIC DEVELOPMENT FOLLOWING APPROVAL

Upon final approval and fulfillment of all requirements of the Board of County Commissioners, the Director of Community and Economic Development shall cause to have filed in the Office of the Adams County Clerk and Recorder the

deeds, plan exhibit, required easements and maintenance agreements and a copy of the Board of County Commissioners' Resolution granting approval.

2-02-16-07 LAPSE OF APPROVAL

The Subdivision Exemption approval shall lapse one (1) year from the date of approval if the required deeds and other supporting materials are not submitted.

2-02-16-08 EXTENSION OF APPROVAL

A ninety (90)-day extension of the Subdivision Exemption approval may be granted by the Planning Commission. In order to be eligible for an extension, the applicant shall file an application for extension with the Director of Community and Economic Development at least thirty (30) days prior to the date the Subdivision Exemption approval would lapse. A progress report and revised schedule shall be submitted with the request for extension. An extension may only be granted if the Planning Commission finds:

1. The applicant has maintained a continuous good faith effort in preparing the Subdivision Exemption submittals including, but not limited to, preparing financing, securing state or federal permits, undertaking engineering and design, etc.; and
2. Conditions near the site, these standards and regulations, and the Adams County Comprehensive Plan have not changed in a way to render the original findings erroneous.

A Subdivision Exemption shall be limited to one ninety (90)-day extension.

2-02-17 WAIVER FROM SUBDIVISION DESIGN STANDARDS*

Adopted by the BoCC on January 28, 2013

2-02-17-01 PURPOSE

The purpose of this section is to establish criteria and detail the steps whereby the Board of County Commissioners may grant waivers from subdivision design and improvement standards.

2-02-17-02 APPLICABILITY

A waiver is required to obtain a release from the requirements of subdivision design by resolution of the Board of County Commissioners in accordance with the terms set forth in these standards and regulations.

2-02-17-03 WHO CAN INITIATE A WAIVER

A waiver may be proposed by, without limitation, the owner(s) of, or person having an interest in the property to be divided.

The applicant has the burden of proof to demonstrate that the waiver meets the criteria for approval.

2-02-17-04 WAIVER REVIEW PROCEDURES

A waiver shall be approved by the Board of County Commissioners by resolution. Any waiver shall be processed through a public meeting before the Board of County Commissioners (See Steps 1 through 10 below). The Board of County Commissioners shall then approve or deny the waiver based on consideration of the staff report, the evidence from the public meeting, and the waiver's compliance with the criteria for approval.

The processing of a waiver shall be according to, in compliance with, and subject to the provisions contained in Steps 1 through 10 of the Common Development Review Procedures as follows:

1. Conceptual Review: Optional.
2. Neighborhood Meeting: Not applicable.
3. Development Application Submittal: All items or documents required for a waiver as described in the development application submittal requirements shall be submitted to the Director of Community and Economic Development at least thirty (30) days prior to the first unfilled Board of County Commissioners public meeting agenda.
4. Determination of Sufficiency: Applicable. No application shall be processed if any taxes due are not paid. No notification of the adjacent property owners is required.
5. Staff Report: Applicable. No notification of referral agencies is required.
6. Notice: Applicable.
7. Public Hearing: Applicable. A public hearing shall be held before the Board of County Commissioners. Any requested waiver shall be reviewed and acted upon by the Board of County Commissioners prior to scheduling a final development plan (plat) hearing. The Board of County Commissioners may take testimony from the public at the public meeting.

8. Standards: Applicable.
9. Conditions of Approval: Applicable.
10. Amendments: Applicable.

2-02-17-05 CRITERIA FOR APPROVAL

The Board of County Commissioners, in approving a waiver, shall find:

1. Extraordinary hardships or practical difficulties result from strict compliance with these standards and regulations
2. The purpose of these standards and regulations are served to a greater extent by the alternative proposal.
3. The waiver does not have the effect of nullifying the purpose of these standards and regulations.

2-02-17-06 ACTION BY THE DIRECTOR OF COMMUNITY AND ECONOMIC DEVELOPMENT FOLLOWING APPROVAL

Upon final approval and fulfillment of all requirements of the Board of County Commissioners, the Director of Community and Economic Development shall cause to have filed in the Office of the Adams County Clerk and Recorder a copy of the Board of County Commissioners' Resolution granting approval.

2-02-17-07 LAPSE OF APPROVAL

The waiver approval shall lapse two (2) years from the date of approval if the final plat application is not submitted.

2-02-17-08 EXTENSION OF APPROVAL

A ninety (90)-day extension of the waiver approval may be granted by the Planning Commission. In order to be eligible for an extension, the applicant shall file an application for extension with the Director of Community and Economic Development at least thirty (30) days prior to the date the waiver approval would lapse. A progress report and revised schedule shall be submitted with the request for extension. An extension may only be granted if the Planning Commission finds:

1. The applicant has maintained a continuous good faith effort in preparing the final plat submittals including, but not limited to, preparing financing, securing state or federal permits, undertaking engineering and design, etc.; and

2. Conditions near the site, these standards and regulations, and the Adams County Comprehensive Plan have not changed in a way to render the original findings erroneous.

A Waiver shall be limited to one ninety (90)-day extension.

2-02-18 PLAT CORRECTION; REPLAT OF LOT, EASEMENT OR BUILDING ENVELOPE; VACATION OF RECORDED PLAT, RIGHT-OF-WAY OR EASEMENT; OR REPLAT OF SUBDIVISION

2-02-18-01 PURPOSE

The purpose of this section is to detail the steps for obtaining approval to correct a plat; replat a lot, easement or building envelope; vacate a recorded plat, right-of-way or easement; or replat a subdivision. The process is designed to ensure the intent of the original subdivision is not substantially altered.

The process varies according to the nature or the proposed amendment based on, but not limited to, the following: degree of change, design, size, impact to public facilities, services, roads, and overall impacts. The Director of Community and Economic Development has the discretionary authority to modify the application procedures upon the determination adequate public notice and input on the replat or vacation can be attained through a modified process and the modified process will not substantially impair the intent and purpose of these standards and regulations.

2-02-18-02 PLAT CORRECTION

2-02-18-02-01 PURPOSE

The purpose of this section is to detail the steps for making changes to recorded plats, due to errors and omissions, i.e. dimensions, road names and plat notes.

2-02-18-02-02 APPLICABILITY

An approved plat correction certificate shall be required to effect any change to a recorded subdivision plat.

2-02-18-02-03 *WHO CAN INITIATE A PLAT CORRECTION*

A plat correction may be proposed by, without limitation, the owner(s) of, or person having an interest in the subdivided property.

2-02-18-02-04 *PLAT CORRECTION REVIEW PROCEDURES*

A plat correction shall be approved by the Director of Community and Economic Development. Plat corrections shall be processed administratively (See Steps 1 through 10 below). Upon completion of a review of the submitted information, the Director of Community and Economic Development shall approve or deny the plat correction and shall forward a written administrative analysis concerning the decision and a copy of the plat correction certificate to the applicant and Office of the Adams County Clerk and Recorder. The Director of Community and Economic Development decision shall be based on the criteria for approval.

The processing of a plat correction shall be according to, in compliance with, and subject to the provisions contained in Steps 1 through 10 of the Common Development Review Procedures as follows:

1. Conceptual Review: Optional.
2. Neighborhood Meeting: Not applicable.
3. Development Application Submittal: All items or documents required for a plat correction as described in the application submittal requirements shall be submitted to the Director of Community and Economic Development.
4. Determination of Sufficiency: Applicable. No application shall be processed if any taxes due are not paid. No notice to adjacent property owners is required. However, when the plat correction involves a road name change, the applicant shall notify all affected property owners by certified mail, return receipt requested at least ten (10) days prior to application submittal. The return receipts shall be submitted to the Director of Community and Economic Development as part of the application submittals.
5. Staff Report: Applicable.
6. Notice: Not applicable.
7. Public Hearing: Not applicable.
8. Standards: Applicable. The Director of Community and Economic Development in approving a plat correction shall find the plat correction certificate meets the criteria for approval. Upon approval, the plat correction certificate shall be signed by the Director of Community and Economic Development and recorded in the Office of the Adams County Clerk and Recorder.

9. Conditions of Approval: Not applicable.
10. Amendments: Not applicable.

2-02-18-02-05 *CRITERIA FOR APPROVAL*

The Director of Community and Economic Development, in approving a plat correction, shall find:

1. The correction complies with these standards and regulations, and the original conditions of approval.
2. Nonconforming lots are not created, and in the case of nonconforming lots, the nonconformity is not increased.
3. The correction is in keeping with the purpose and intent of the subdivision regulations.
4. The approval will not adversely affect the public health, safety, and welfare.

2-02-18-02-06 *ACTION BY THE DIRECTOR OF COMMUNITY AND ECONOMIC DEVELOPMENT FOLLOWING APPROVAL*

Upon approval, the Director of Community and Economic shall sign the plat correction certificate and cause it to be recorded in the Office of the Adams County Clerk and Recorder.

2-02-18-02-07 *APPEAL*

A denial of a plat correction may be appealed to the Board of County Commissioners at a regular business meeting when a request for appeal is submitted, in writing, to the Director of Community and Economic Development within thirty (30) days of the denial.

2-02-18-03 *LOT LINE VACATION*

2-02-18-03-01 *PURPOSE*

The purpose of this section is to detail the steps for vacating a lot line, i.e. the combination of two (2) or more lots into one (1) lot.

2-02-18-03-02 *APPLICABILITY*

An approved vacation map, vacation approval certificate, and correction deed shall be required to vacate any lot line on a recorded subdivision plat.

2-02-18-03-03 WHO CAN INITIATE A LOT LINE VACATION

A lot line vacation may be proposed by, without limitation, the owner(s) of, or person having an interest in the affected property.

2-02-18-03-04 LOT LINE VACATION REVIEW PROCEDURES

A lot line vacation shall be approved by the Director of Community and Economic Development. Lot line vacations shall be processed administratively (See Steps 1 through 10 below). Upon completion of a review of the submitted information, the Director of Community and Economic Development shall approve or deny the lot line vacation and shall forward a written administrative analysis concerning the decision and a copy of the vacation map, vacation approval certificate, and correction deed, to the applicant and Office of the Adams County Clerk and Recorder. The Director of Community and Economic Development's decision shall be based on the criteria for approval.

The processing of a lot line vacation shall be according to, in compliance with, and subject to the provisions contained in Steps 1 through 10 of the Common Development Review Procedures as follows:

1. Conceptual Review: Optional.
2. Neighborhood Meeting: Not applicable.
3. Development Application Submittal: All items or documents required for a lot line vacation as described in the application submittal requirements shall be submitted to the Director of Community and Economic Development.
4. Determination of Sufficiency: Applicable. No application shall be processed if any taxes due are not paid. No notice to adjacent property owners is required.
5. Staff Report: Applicable. Referral agencies shall not be notified except all Special Districts and easement holders shall be notified to review the lot line vacation.
6. Notice: Not applicable.
7. Public Hearing: Not applicable.
8. Standards: Applicable. The Director of Community and Economic Development in approving a lot line vacation shall find the vacation map, vacation approval certificate, and correction deed meets the criteria for approval. Upon approval, the vacation approval certificate shall be signed by the Director of Community and Economic Development and the vacation map, vacation approval certificate, and correction deed shall be recorded in the Office of the Adams County Clerk and Recorder.

9. Conditions of Approval: Not applicable.
10. Amendments: Not applicable.

2-02-18-03-05 *CRITERIA FOR APPROVAL*

The Director of Community and Economic Development, in approving a lot line vacation, shall find:

1. The vacation complies with these standards and regulations and the original conditions of approval.
2. Nonconforming lots are not created, and in the case of nonconforming lots, the nonconformity is not increased.
3. The vacation is in keeping with the purpose and intent of the subdivision regulations.
4. The approval will not adversely affect the public health, safety, and welfare.

2-02-18-03-06 *ACTION BY THE DIRECTOR OF COMMUNITY AND ECONOMIC DEVELOPMENT FOLLOWING APPROVAL*

Upon approval, the Director of Community and Economic Development shall sign the vacation approval certificate and cause the vacation map, vacation approval certificate, and correction deed to be recorded in the Office of the Adams County Clerk and Recorder.

2-02-18-03-07 *APPEAL*

A denial of a lot line vacation may be appealed to the Board of County Commissioners at a regular business meeting when a request for appeal is submitted, in writing, to the Director of Community and Economic Development within thirty (30) days of the denial.

2-02-18-04 *LOT LINE/BUILDING ENVELOPE ADJUSTMENT*

2-02-18-04-01 *PURPOSE*

The purpose of this section is to detail the steps for a realignment of a lot line or building envelope, or replatting of several lots (e.g., three (3) lots into two (2)), in which the original subdivision is not substantially modified, and additional lots are not created. However, tracts may be created provided the intended use of the tract(s) does not include a structure.

2-02-18-04-02 *APPLICABILITY*

An approved lot line/building envelope adjustment map, lot line/building envelope adjustment approval certificate, and correction deeds shall be required to realign any lot lines or adjust a building envelope on a recorded subdivision plat.

2-02-18-04-03 *WHO CAN INITIATE A LOT LINE/BUILDING ENVELOPE ADJUSTMENT*

A lot line/building envelope adjustment may be proposed by, without limitation, the owner(s) of, or person having an interest in the affected property.

2-02-18-04-04 *LOT LINE/BUILDING ENVELOPE ADJUSTMENT REVIEW PROCEDURES*

A lot line/building envelope adjustment shall be approved by the Director of Community and Economic Development. Lot line/building envelope adjustments shall be processed administratively (See Steps 1 through 10 below). Upon completion of a review of the submitted information, the Director of Community and Economic Development shall approve or deny the lot line/building envelope adjustment and shall forward a written administrative analysis concerning the decision and a copy of the lot line/building envelope adjustment map, lot line/building envelope adjustment approval certificate, and correction deeds, to the applicant and the Office of the Adams County Clerk and Recorder. The Director of Community and Economic Development's decision shall be based on the criteria for approval.

The processing of a lot line/building envelope adjustment shall be according to, in compliance with, and subject to the provisions contained in Steps 1 through 10 of the Common Development Review Procedures as follows:

1. Conceptual Review: Optional.
2. Neighborhood Meeting: Not applicable.
3. Development Application Submittal: All items or documents required for a lot line/building envelope adjustment as described in the application submittal requirements shall be submitted to the Director of Community and Economic Development.
4. Determination of Sufficiency: Applicable. No application shall be processed if any taxes due are not paid. Notice to adjacent property owners is only required when a change in the building envelope is proposed.

5. Staff Report: Applicable. Referral agencies shall not be notified except all Special Districts and easement holders shall be notified to review the lot line vacation.
6. Notice: Not applicable.
7. Public Hearing: Not applicable.
8. Standards: Applicable. The Director of Community and Economic Development in approving a lot line/building envelope adjustment shall find the lot line/building envelope adjustment map, lot line/building envelope adjustment approval certificate, and correction deeds meet the criteria for approval. Upon approval, the lot line/building envelope adjustment approval certificate shall be signed by the Director of Community and Economic Development and the lot line/building envelope adjustment map, lot line/building envelope adjustment approval certificate, and correction deeds shall be recorded in the Office of the Adams County Clerk and Recorder.
9. Conditions of Approval: Not applicable.
10. Amendments: Not applicable.

2-02-18-04-05

CRITERIA FOR APPROVAL

The Director of Community and Economic Development, in approving a lot line/building envelope adjustment, shall find:

1. The lot line/building envelope adjustment complies with these standards and regulations, and the original conditions of approval.
2. Nonconforming lots are not created, and in the case of nonconforming lots, the nonconformity is not increased.
3. The lot line/building envelope adjustment is in keeping with the purpose and intent of the subdivision regulations.
4. The approval will not adversely affect the public health, safety, and welfare.

2-02-18-04-06

ACTION BY THE DIRECTOR OF COMMUNITY AND ECONOMIC DEVELOPMENT FOLLOWING APPROVAL

Upon approval, the Director of Community and Economic Development shall sign the lot line/building envelope adjustment approval certificate and cause the lot line/building envelope adjustment map, lot line/building envelope adjustment approval certificate, and correction deeds to be recorded in the Office of the Adams County Clerk and Recorder.

2-02-18-04-07

APPEAL

A denial of a lot line/building envelope adjustment may be appealed to the Board of County Commissioners at a regular business meeting when a request for appeal is submitted, in writing, to the Director of Community and Economic Development within thirty (30) days of the denial.

2-02-18-05

SUBDIVISION REPLAT

2-02-18-05-01

PURPOSE

The purpose of this section is to detail the steps for replatting a subdivision or several lots, in which the original subdivision is substantially modified and/or additional lots are created.

2-02-18-05-02

APPLICABILITY

An approved subdivision plat shall be required to substantially alter an existing recorded subdivision plat.

2-02-18-05-03

WHO CAN INITIATE A SUBDIVISION REPLAT

A subdivision replat may be proposed by, without limitation, the owner(s) of, or person having an interest in the affected properties.

2-02-18-05-04

SUBDIVISION REPLAT REVIEW PROCEDURES

A subdivision replat shall be approved by the Board of County Commissioners. The Director of Community and Economic Development shall determine whether the proposed subdivision replat is substantial or insubstantial based upon, but not limited to, the following factors: design, size, public concern, public facilities, services, access, and transportation network. If the Director determines the subdivision replat is insubstantial, the subdivision replat shall be processed as a minor subdivision. If the Director of Community and Economic Development determines the replat is substantial, the subdivision replat shall be processed as a major subdivision.

2-02-18-05-05

CRITERIA FOR APPROVAL

The Director of Community and Economic Development, in approving the sketch plan in the case where a replat is processed as a minor subdivision, the Planning Commission, in making their recommendation in the case where

a replat is processed as a major subdivision, and the Board of County Commissioners, in approving a replat, shall find:

1. The subdivision replat complies with these standards and regulations, and the original conditions of approval.
2. Nonconforming lots are not created, and in the case of nonconforming lots, the nonconformity is not increased.
3. The subdivision replat is in keeping with the purpose and intent of the subdivision regulations.
4. The approval will not adversely affect the public health, safety, and welfare.

2-02-18-05-06 *ACTION BY THE DIRECTOR OF COMMUNITY AND ECONOMIC DEVELOPMENT FOLLOWING APPROVAL*

Upon final approval and fulfillment of all requirements of the Board of County Commissioners, the Director of Community and Economic Development shall cause to have filed in the Office of the Adams County Clerk and Recorder the replat of the subdivision, correction deeds and any subdivision improvements agreement.

2-02-18-06 *PLAT VACATION-NO PUBLIC INFRASTRUCTURE OR DEDICATION*

2-02-18-06-01 *PURPOSE*

The purpose of this section is to detail the steps for vacation of a subdivision plat that has no public infrastructure or dedication.

2-02-18-06-02 *APPLICABILITY*

An approved vacation certificate shall be required to vacate any recorded subdivision plat.

2-02-18-06-03 *WHO CAN INITIATE A PLAT VACATION*

A plat vacation may be proposed by, without limitation, the owner(s) of, or person having an interest in the affected property.

2-02-18-06-04 *PLAT VACATION REVIEW PROCEDURES*

A plat vacation shall be approved by the Director of Community and Economic Development. Plat vacations shall be processed administratively (See Steps 1 through 10 below). Upon completion of a review of the

submitted information, the Director of Community and Economic Development shall approve or deny the plat vacation and shall forward a written administrative analysis concerning the decision and a copy of the plat vacation certificate, and correction deeds, to the applicant and the Office of the Adams County Clerk and Recorder. The Director of Community and Economic Development's decision shall be based on the criteria for approval.

The processing of a plat vacation shall be according to, in compliance with, and subject to the provisions contained in Steps 1 through 10 of the Common Development Review Procedures as follows:

1. Conceptual Review: Optional.
2. Neighborhood Meeting: Not applicable.
3. Development Application Submittal: All items or documents required for a plat vacation as described in the application submittal requirements shall be submitted to the Director of Community and Economic Development
4. Determination of Sufficiency: Applicable. No application shall be processed if any taxes due are not paid. No notification of adjacent property owners shall be required.
5. Staff Report: Applicable. No notification of referral agencies shall be required.
6. Notice: Not applicable.
7. Public Hearing: Not applicable.
8. Standards: Applicable. The Director of Community and Economic Development in approving a plat vacation shall find the plat vacation certificate, and correction deeds meet the criteria for approval. Upon approval, the plat vacation certificate shall be signed by the Director of Community and Economic Development and recorded in the Office of the Adams County Clerk and Recorder.
9. Conditions of Approval: Not applicable.
10. Amendments: Not applicable.

2-02-18-06-05

CRITERIA FOR APPROVAL

The Director of Community and Economic, in approving a plat vacation, shall find:

1. The plat vacation complies with these standards and regulations, and the original conditions of approval.
2. Nonconforming lots are not created, and in the case of nonconforming lots, the nonconformity is not increased.
3. The plat vacation is in keeping with the purpose and intent of the subdivision regulations.

4. The approval will not adversely affect the public health, safety, and welfare.

2-02-18-06-06 *ACTION BY THE DIRECTOR OF COMMUNITY AND ECONOMIC DEVELOPMENT FOLLOWING APPROVAL*

Upon approval, the Director of Community and Economic Development shall sign the plat vacation certificate and record the plat vacation certificate and correction deeds with the Office of the Adams County Clerk and Recorder.

2-02-18-06-07 *APPEAL*

A denial of a plat vacation may be appealed to the Board of County Commissioners at a regular business meeting when a request for appeal is submitted, in writing, to the Director of Community and Economic Development within thirty (30) days of the denial.

2-02-18-07 *PLAT VACATION- PUBLIC INFRASTRUCTURE OR DEDICATION*

2-02-18-07-01 *PURPOSE*

The purpose of this section is to detail the steps for vacation of a subdivision plat that has associated public infrastructure or dedication.

2-02-18-07-02 *APPLICABILITY*

An approved vacation resolution and vacation map shall be required to vacate any recorded subdivision plat that has associated public infrastructure or dedication.

2-02-18-07-03 *WHO CAN INITIATE A PLAT VACATION*

A plat vacation may be proposed by, without limitation, the owner(s) of, or person having an interest in the affected property.

2-02-18-07-04 *PLAT VACATION REVIEW PROCEDURES*

A plat vacation shall be approved by the Board of County Commissioners. Plat vacations shall be processed through a public hearing before the Board of County Commissioners (See Steps 1 through 10 below). The Board of County Commissioners shall then approve or deny the plat vacation based on consideration of the staff report, the evidence from the public hearing, and the plat vacation's compliance with the criteria for approval.

The processing of a plat vacation shall be according to, in compliance with, and subject to the provisions contained in Steps 1 through 10 of the Common Development Review Procedures as follows:

1. Conceptual Review: Applicable.
2. Neighborhood Meeting: Not applicable.
3. Development Application Submittal: All items or documents required for a plat vacation as described in the application submittal requirements shall be submitted to the Director of Community and Economic Development.
4. Determination of Sufficiency: Applicable. No application shall be processed if any taxes due are not paid.
5. Staff Report: Applicable.
6. Notice: Applicable.
7. Public Hearing: Applicable. A hearing shall be held before the Board of County Commissioners only.
8. Standards: Applicable.
9. Conditions of Approval: Applicable.
10. Amendments: Not applicable.

2-02-18-07-05

CRITERIA FOR APPROVAL

The Board of County Commissioners, in approving a plat vacation, shall find:

1. The plat vacation complies with these standards and regulations and the original conditions of approval.
2. Nonconforming lots are not created, and in the case of nonconforming lots, the nonconformity is not increased.
3. The plat vacation is in keeping with the purpose and intent of the subdivision regulations.
4. The approval will not adversely affect the public health, safety, and welfare.

2-02-18-07-06

ACTION BY THE DIRECTOR OF COMMUNITY AND ECONOMIC DEVELOPMENT FOLLOWING APPROVAL

Upon approval and fulfillment of all requirements of the Board of County Commissioners, the Director of Community and Economic development shall cause the vacation resolution, vacation map, and correction deeds to be recorded in the Office of the Adams County Clerk and Recorder.

2-02-18-08 **ROADWAY VACATION**

2-02-18-08-01 **PURPOSE**

The purpose of this section is to detail the steps for vacation of roadways, which include any public street, alley, lane, parkway, avenue, road, trail, or other public way designated or dedicated on a plat, conveyed by deed or recorded easement, or acquired by prescriptive use, whether or not it has ever been used as such. A street or road, established as part of a subdivision, but never constructed or used as such, may be vacated and replatted through the replat process.

2-02-18-08-02 **APPLICABILITY**

Any roadway dedicated to the County or public, may only be vacated through the following procedures, which have been adopted in accordance with C.R.S. §§43-2-101, *et seq.*

2-02-18-08-03 **WHO CAN INITIATE A ROADWAY VACATION**

A roadway vacation may be proposed by, without limitation, the owner(s) of, or person having an interest in the affected property or the Board of County Commissioners.

2-02-18-08-04 **ROADWAY VACATION REVIEW PROCEDURES**

A roadway vacation shall be approved by the Board of County Commissioners. Roadway vacations shall be processed through a public hearing before the Board of County Commissioners (See Steps 1 through 10 below). The Board of County Commissioners shall then approve or deny the roadway vacation based on consideration of the staff report, the evidence from the public hearing, and the roadway vacation's compliance with the criteria for approval.

The processing of a roadway vacation shall be according to, in compliance with, and subject to the provisions contained in Steps 1 through 10 of the Common Development Review Procedures as follows:

1. Conceptual Review: Applicable.
2. Neighborhood Meeting: Optional, unless the Director of Community and Economic Development determines the development proposal could have significant neighborhood impacts.
3. Development Application Submittal: All items or documents required for a roadway vacation as described in the application submittal

requirements shall be submitted to the Director of Community and Economic Development.

4. Determination of Sufficiency: Applicable. No application shall be processed if any taxes due are not paid.
5. Staff Report: Applicable.
6. Notice: Applicable. At least fourteen (14) days prior to the Board of County Commissioners hearing, a notice shall be mailed by first-class mail to the last known address of each abutting property owner.
7. Public Hearing: Applicable. A hearing shall be held before the Board of County Commissioners only.
8. Standards: Applicable.
9. Conditions of Approval: Applicable.
10. Amendments: Not applicable.

2-02-18-08-05

CRITERIA FOR APPROVAL

The Board of County Commissioners, in approving a roadway vacation, shall find:

1. The roadway vacation complies with these standards and regulations and the original conditions of approval.
2. Nonconforming lots are not created, and in the case of nonconforming lots, the nonconformity is not increased.
3. The roadway vacation is in keeping with the purpose and intent of the subdivision regulations.
4. The approval will not adversely affect the public health, safety, and welfare.
5. The vacation does not leave any land adjoining the roadway without an established public road or private access easement connecting said land with another established public road.
6. If the roadway is a state or federal highway, the vacation has been approved by the state transportation commission.

2-02-18-08-06

ACTION BY THE DIRECTOR OF COMMUNITY AND ECONOMIC DEVELOPMENT FOLLOWING APPROVAL

Upon approval and fulfillment of all requirements of the Board of County Commissioners, the Director of Community and Economic Development shall cause the vacation resolution, vacation/replat map, and correction deeds to be recorded in the Office of the Adams County Clerk and Recorder.

2-02-19 SUBDIVISION, MAJOR

2-02-19-01 PURPOSE

The purpose of this section is to detail the steps for obtaining approval to develop a major subdivision. All major subdivisions are required to obtain two (2) approvals prior to development of a site.

The first approval required is an approval of the preliminary plat. The preliminary plat provides an in-depth analysis of the proposed subdivision, including a refinement of the design considering the geologic hazards, environmentally sensitive areas, source of required services, vehicular/pedestrian circulation, and the relationship to surrounding land uses.

The second approval required is an approval of the final plat. The final plat provides a review of all final engineering plans, subdivision improvements agreements, and other legal requirements.

For more complicated subdivision proposals, the sketch plan approval may be obtained prior to submission of an application for preliminary plat. The sketch plan is a conceptual plan analysis of the feasibility of the subdivision including conceptual design, ability to obtain water/sanitation, location of geologic hazards, identification of environmentally sensitive areas, sources of required services, vehicular and pedestrian circulation, relationship to surrounding land uses, and conformance with zoning, design standards, and the Adams County Comprehensive Plan.

Each process involves the submittal of an application, an application fee, required plans and reports, referrals of the proposal to other agencies, staff analysis and meetings with staff or public hearings/meetings. Each successive application builds on the previously approved application by providing additional details and by meeting additional restrictions and standards. This progression relieves the applicant from major and potentially unnecessary expenses in situations that may require a redesign and therefore, a revision of expensive engineering or planning reports. Approval at any step in the process does not ensure approval at the next step.

The sketch plan shall be reviewed by the Director of Community and Economic Development and Director of Public Works with written staff analysis provided, prior to submittal of the preliminary plat. The preliminary plat shall be reviewed by the Planning Commission and the Board of County Commissioners at a public hearing. The final plat shall be reviewed by the Board of County Commissioners at a public meeting. The final plat may not be submitted prior to the preliminary plat approval.

2-02-19-02 SKETCH PLAN**2-02-19-02-01 PURPOSE**

The purpose of this section is to detail the steps for examining the feasibility of a subdivision of land including the review of conceptual design, ability to obtain water and sanitation, location of geologic hazards, identification of environmentally sensitive areas, sources of required services, vehicular and pedestrian circulation, relationship to surrounding land uses, and conformance with zoning, design standards, and the Adams County Comprehensive Plan. Approval of a sketch plan does not establish a vested right to develop property in accordance with the plan.

2-02-19-02-02 APPLICABILITY

A sketch plan approval is optional for all major subdivisions.

2-02-19-02-03 WHO CAN INITIATE A SKETCH PLAN

A sketch plan may be proposed by, without limitation, the owner(s) of, or person having an interest in the property to be subdivided.

The applicant has the burden of proof to demonstrate the sketch plan fully complies with these standards and regulations and meets the criteria for approval.

2-02-19-02-04 SKETCH PLAN REVIEW PROCEDURES

A sketch plan shall be approved by the Director of Community and Economic Development. Sketch plans shall be processed administratively (See Steps 1 through 10 below). Upon completion of a review of the submitted information, the Director of Community and Economic Development shall approve, approve with conditions, or deny the sketch plan and shall forward a written administrative analysis concerning the decision and application to the applicant. The Director of Community and Economic Development's decision shall be based on the criteria for approval.

The processing of a sketch plan shall be according to, in compliance with, and subject to the provisions contained in Steps 1 through 10 of the Common Development Review Procedures as follows:

1. Conceptual Review: Applicable.
2. Neighborhood Meeting: Applicable, unless the Director of Community and Economic Development determines the development proposal may not have significant neighborhood impacts.

3. Development Application Submittal: All items or documents required for a sketch plan as described in the development application submittal requirements shall be submitted to the Director of Community and Economic Development.
4. Determination of Sufficiency: Applicable. No application shall be processed if any taxes due are not paid.
5. Staff Report: Applicable.
6. Notice: Not applicable.
7. Public Hearing: Not applicable.
8. Standards: Applicable.
9. Conditions of Approval: Applicable. The Director of Community and Economic Development in approving a sketch plan may attach conditions necessary to implement the Adams County Comprehensive Plan and ensure compatibility with adjacent uses.
10. Amendments: Not applicable.

2-02-19-02-05

CRITERIA FOR APPROVAL

The Director of Community and Economic Development, in approving a sketch plan, shall find:

1. The sketch plan is consistent with the Adams County Comprehensive Plan and any applicable area plan.
2. The sketch plan is consistent with the purpose of these standards and regulations.
3. The sketch plan is in conformance with the subdivision design standards.
4. The applicant has provided reasonable evidence that a sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards.
5. The applicant has provided reasonable evidence that a public sewage disposal system has been established and, if other methods of sewage disposal are proposed, adequate evidence indicating that the system complies with state and local laws and regulations.
6. The applicant has provided reasonable evidence to show all areas of the proposed subdivision, which may involve soil or topographical conditions presenting hazards or requiring special precautions, have been identified by the applicant and the proposed uses of these areas are compatible with such conditions.
7. The applicant has provided reasonable evidence showing adequate drainage improvements can be provided.

8. Significant cultural, archaeological, natural/historical resources and unique landforms will be reasonably protected in accordance with resources inventory provisions of these standards and regulations.
9. Necessary services, including fire/police protection, schools, recreation, utilities, open space and transportation system, appear to be available to serve the proposed subdivision.
10. The sketch plan appears to be compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the immediate area, not detrimental to the future development of the area, and not detrimental to the health, safety, or welfare of the inhabitants of the area and the County.

2-02-19-02-06 *ACTION BY THE DIRECTOR OF COMMUNITY AND ECONOMIC DEVELOPMENT FOLLOWING APPROVAL*

Upon approval, the Director of Community and Economic Development shall file a copy of the approved sketch plan in the offices of the Department of Community and Economic Development.

2-02-19-02-07 *LAPSE OF APPROVAL*

The sketch plan approval shall lapse one (1) year from the date of approval if a preliminary plat is not submitted.

2-02-19-02-08 *EXTENSION OF APPROVAL*

A sketch plan approval may not be extended.

2-02-19-03 *PRELIMINARY PLAT*

2-02-19-03-01 *PURPOSE*

The purpose of this section is to detail the steps for an in-depth analysis of the proposed subdivision including a refinement of the design considering the geologic hazards, environmentally sensitive areas, source of required services, vehicular/pedestrian circulation, and the relationship to surrounding land uses. Approval of a preliminary plat establishes a vested right to develop property in accordance with the plat.

2-02-19-03-02 *APPLICABILITY*

A preliminary plat shall be required for any property intended for subdivision. A preliminary plat shall be approved prior to filing an application for final plat.

2-02-19-03-03 *WHO CAN INITIATE A PRELIMINARY PLAT*

A preliminary plat may be proposed by, without limitation, the owner(s) of, or person having an interest in the property to be subdivided.

The applicant has the burden of proof to demonstrate the preliminary plat fully complies with these standards and regulations and meets the criteria for approval.

2-02-19-03-04 *PRELIMINARY PLAT REVIEW PROCEDURES*

A preliminary plat shall be approved by the Board of County Commissioners. Any preliminary plat shall be processed through a public hearing before the Planning Commission, which shall provide a recommendation to the Board of County Commissioners (See Steps 1 through 10 below). Upon completion of a hearing by the Planning Commission, the preliminary plat and recommendation of the Planning Commission shall be forwarded to the Board of County Commissioners. The Board of County Commissioners shall, after receiving a recommendation from the Planning Commission, hold a public hearing. The Board of County Commissioners shall then approve, approve with conditions, or deny the preliminary plat based on consideration of the staff report, the Planning Commission’s recommendation and findings, the evidence from the public hearings, and the preliminary plat’s compliance with the criteria for approval.

The processing of a preliminary plat shall be according to, in compliance with, and subject to the provisions contained in Steps 1 through 10 of the Common Development Review Procedures as follows:

1. Conceptual Review: Applicable.
2. Neighborhood Meeting: Applicable, unless the Director of Community and Economic Development determines the development proposal may not have significant neighborhood impacts.
3. Development Application Submittal: All items or documents required for a preliminary plat as described in the development application submittal requirements shall be submitted to the Director of Community and Economic Development at least fifty (50) days prior to the first unfilled Planning Commission public hearing agenda.

4. Determination of Sufficiency: Applicable. No application shall be processed if any taxes due are not paid.
5. Staff Report: Applicable.
6. Notice: Applicable.
7. Public Hearing: Applicable. A public hearing shall be held before the Planning Commission and Board of County Commissioners.
8. Standards: Applicable.
9. Conditions of Approval: Applicable. The Board of County Commissioners in approving a preliminary plat may attach conditions necessary to implement the Adams County Comprehensive Plan and ensure compatibility with adjacent uses.
10. Amendments: Applicable.

2-02-19-03-05

CRITERIA FOR APPROVAL

The Planning Commission, in making their recommendation, and the Board of County Commissioners, in approving a preliminary plat, shall find:

1. The preliminary plat is consistent with the Adams County Comprehensive Plan and any available area plan.
2. The preliminary plat is consistent with the purposes of these standards and regulations.
3. The preliminary plat is in conformance with the subdivision design standards and any approved sketch plan.
4. The applicant has provided evidence that a sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards.
5. The applicant has provided evidence that a public sewage disposal system has been established and, if other methods of sewage disposal are proposed, adequate evidence indicating that such system complies with state and local laws and regulations.
6. The applicant has provided evidence to show all areas of the proposed subdivision, which may involve soil or topographical conditions presenting hazards or requiring special precautions, have been identified by the applicant and the proposed uses of these areas are compatible with such conditions.
7. The applicant has provided evidence that adequate drainage improvements comply with these standards and regulations.
8. The overall density of development within the proposed subdivision conforms to the zone district density allowances.
9. The proposed subdivision is compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the immediate area, not detrimental to the future development of

the area, and not detrimental to the health, safety, or welfare of the inhabitants of the area and the County. The proposed subdivision has established an adequate level of compatibility by:

- a. Incorporating natural physical features into the development design and providing sufficient open spaces considering the type and intensity of use;
- b. Incorporating site planning techniques to foster the implementation of the County’s plans, and encourage a land use pattern to support a balanced transportation system, including auto, bike, and pedestrian traffic, public or mass transit, and the cost-effective delivery of other services consistent with adopted plans, policies and regulations of the County;
- c. Incorporating physical design features in the subdivision to provide a transition between the project and adjacent land uses through the provision of an attractive entryway, edges along public streets, architectural design, and appropriate height and bulk restrictions on structures;
- d. Incorporating identified environmentally sensitive areas, including but not limited to, wetlands and wildlife corridors, into the project design; and
- e. Incorporating public facilities or infrastructure, or cash-in-lieu, reasonably related to the proposed subdivision so the proposed subdivision will not negatively impact the levels of service of the County services and facilities.

2-02-19-03-06 *ACTION BY THE DIRECTOR OF COMMUNITY AND ECONOMIC DEVELOPMENT*

Upon final approval and fulfillment of all requirements of the Board of County Commissioners, the Director of Community and Economic Development shall file a copy of the approved preliminary plat in the Community and Economic Development Department.

2-02-19-03-07 *LAPSE OF APPROVAL*

The preliminary plat approval shall lapse two (2) years from the date of approval if a final plat is not submitted.

2-02-19-03-08 *EXTENSION OF APPROVAL*

A ninety (90)-day extension of the preliminary plat approval may be granted by the Planning Commission. In order to be eligible for an extension, the applicant shall file an application for extension with the Director of Community and Economic Development at least thirty (30) days prior to the

date the preliminary plat would lapse. A progress report and revised schedule shall be submitted with the request for extension. An extension may only be granted if the Planning Commission finds:

1. The applicant has maintained a continuous good faith effort in preparing a final development plan including, but not limited to, preparing financing, securing state or federal permits, undertaking engineering and design, etc.; and
2. Conditions near the site, these standards and regulations, and the Adams County Comprehensive Plan have not changed in a way to render the original findings erroneous.

A preliminary plat shall be limited to one ninety (90)-day extension.

2-02-19-04 FINAL PLAT

2-02-19-04-01 PURPOSE

The purpose of this section is to detail the steps and requirements for a review of all final engineering plans, subdivision improvements agreements, and other legal requirements for platting a major subdivision. Approval of a final plat establishes a vested right to develop property in accordance with the plan.

2-02-19-04-02 APPLICABILITY

A final plat shall be required for any property intended to be subdivided.

2-02-19-04-03 WHO CAN INITIATE A FINAL PLAT

A final plat may be proposed by, without limitation, the owner(s) of, or person having an interest in the property to be subdivided. A final plat may only be submitted if a preliminary plat for the subject property has been approved. The final plat shall conform to the preliminary plat.

The applicant has the burden of proof to demonstrate the final plat fully complies with these standards and regulations and meets the criteria for approval.

2-02-19-04-04 FINAL PLAT REVIEW PROCEDURES

A final plat shall be approved by the Board of County Commissioners by resolution. Any final plat shall be processed through a public meeting before the Board of County Commissioners (See Steps 1 through 10 below). The

Board of County Commissioners shall then approve or deny the final plat based on its consideration of the staff report, the evidence from the public meeting, and the final plat’s compliance with the criteria for approval.

The processing of a final plat shall be according to, in compliance with, and subject to the provisions contained in Steps 1 through 10 of the Common Development Review Procedures as follows:

1. Conceptual Review: Not applicable.
2. Neighborhood Meeting: Not applicable.
3. Development Application Submittal: All items or documents required for a final plat as described in the development application submittal requirements shall be submitted to the Director of Community and Economic Development at least thirty (30) days prior to the first unfilled Board of County Commissioners public meeting agenda.
4. Determination of Sufficiency: Applicable. No application shall be processed if any taxes due are not paid.
5. Staff Report: Applicable.
6. Notice: Not applicable.
7. Public Hearing: Applicable. A public hearing shall be held before the Board of County Commissioners. This item would be listed on the consent calendar. However, the Board of County Commissioners may take testimony from the public at the public hearing.
8. Standards: Applicable.
9. Conditions of Approval: Applicable.
10. Amendments: Applicable.

2-02-19-04-05

CRITERIA FOR APPROVAL

The Board of County Commissioners, in approving a final plat, shall find:

1. ~~1.~~—The final plat is consistent and conforms to the approved preliminary plat.
2. ~~2.~~—The final plat is in conformance with the subdivision design standards.
- ~~2-3.~~ The final plat is consistent with the Adams County Comprehensive Plan and any applicable area plans.
- ~~3-4.~~ ~~3.~~—The applicant has provided evidence that a sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards.
- ~~4-5.~~ ~~4.~~—The applicant has provided evidence that a public sewage disposal system has been established and, if other methods of sewage disposal are proposed, adequate evidence indicating that the system complies with state and local laws and regulations.

~~5-6.~~ ~~5.~~—The applicant has provided evidence to show all areas of the proposed subdivision, which may involve soil or topographical conditions presenting hazards or requiring special precautions, have been identified by the applicant and the proposed uses of these areas are compatible with such conditions.

~~6-7.~~ ~~6.~~—The proposed or constructed drainage improvements are adequate and comply with these standards and regulations.

~~7-8.~~ ~~7.~~—Adequate public facilities or infrastructure, or cash-in-lieu, for impacts reasonably related to the proposed subdivision have been constructed or financially guaranteed through cash-in-lieu or a subdivision improvements agreement so the proposed subdivision will not negatively impact the levels of service of the County.

2-02-19-04-06

ACTION BY THE DIRECTOR OF COMMUNITY AND ECONOMIC DEVELOPMENT

Upon final approval and fulfillment of all requirements of the Board of County Commissioners, the Director of Community and Economic Development shall cause to have filed in the Office of the Adams County Clerk and Recorder the final plat and subdivision improvements agreement.

2-02-20 SUBDIVISION, MINOR**2-02-20-01 PURPOSE**

The purpose of this section is to detail the steps for obtaining approval to develop a minor subdivision. A minor subdivision shall only be used to divide parcels of less than twenty (20) acres into four (4) or fewer lots. All minor subdivisions are required to obtain two (2) approvals prior to development of a site.

The first required approval is an approval of the sketch plan. The sketch plan is a conceptual plan analysis of the feasibility of the subdivision including conceptual design, ability to obtain water/sanitation, location of geologic hazards, identification of environmentally sensitive areas, sources of required services, vehicular and pedestrian circulation, relationship to surrounding land uses, and conformance with zoning, design standards, and the Adams County Comprehensive Plan.

The second required approval is an approval of the final plat. The final plat provides a review of all final engineering plans, subdivision improvements agreements, and other legal requirements.

An Applicant may also choose to process a minor subdivision in the same manner as a major subdivision and the process shall follow Section 2-02-16-03. Each process involves the submittal of an application, an application fee, required plans and reports, referrals of the proposal to other agencies, staff analysis and meetings with staff or public hearings/meetings. The final plat application builds on the previously approved application by providing additional details and by meeting additional restrictions and standards. This progression relieves the applicant from major and potentially unnecessary expenses in situations which may require a redesign, and, therefore, a revision of expensive engineering or planning reports. Approval at any step in the process does not ensure approval at the next step.

The sketch plan shall be reviewed by the Director of Community and Economic Development with written staff analysis provided, prior to submittal of the final plat. The final plat shall be reviewed by the Planning Commission and Board of County Commissioners at a public hearing. The final plat may not be submitted prior to obtaining a sketch plan approval.

If significant issues are identified or disclosed during the sketch plan process, including, but not limited to, public opposition, the applicant may choose to have the minor subdivision processed as a major subdivision. Where issues appear to be significant or public opposition to a subdivision is substantial, the applicant is advised that by filing a preliminary plat, the applicant may avoid the unnecessary expense in completing final engineering where final plat approval is less certain. If the applicant chooses to have the proposed minor subdivision processed as a major subdivision, the applicant shall submit a preliminary plat in conformance with the requirements of the major subdivision process.

2-02-20-02 SKETCH PLAN

2-02-20-02-01 PURPOSE

The purpose of this section is to detail the steps for examining the feasibility of a subdivision of land including the review of conceptual design, ability to obtain water and sanitation, location of geologic hazards, identification of environmentally sensitive areas, sources of required services, vehicular and pedestrian circulation, relationship to surrounding land uses, and conformance with zoning, design standards, and the Adams County Comprehensive Plan. Approval of a sketch plan does not establish any vested right to develop property in accordance with the plan.

2-02-20-02-02 *APPLICABILITY*

A sketch plan approval shall be required for all minor subdivisions prior to submission of an application for final plat.

2-02-20-02-03 *WHO CAN INITIATE A SKETCH PLAN*

A sketch plan may be proposed by, without limitation, the owner(s) of, or person having an interest in the property to be subdivided.

The applicant has the burden of proof to demonstrate the sketch plan fully complies with these standards and regulations and meets the criteria for approval.

2-02-20-02-04 *SKETCH PLAN REVIEW PROCEDURES*

A sketch plan shall be approved by the Director of Community and Economic Development. Sketch plans shall be processed administratively (See Steps 1 through 10 below). Upon completion of a review of the submitted information, the Director of Community and Economic Development shall approve, approve with conditions, or deny the sketch plan and shall forward a written administrative analysis concerning the decision and application to the applicant. The Director of Community and Economic Development's decision shall be based on the criteria for approval.

The processing of a sketch plan shall be according to, in compliance with, and subject to the provisions contained in Steps 1 through 10 of the Common Development Review Procedures as follows:

1. Conceptual Review: Applicable.
2. Neighborhood Meeting: Optional, unless the Director of Community and Economic Development determines the development proposal could have significant neighborhood impacts.
3. Development Application Submittal: All items or documents required for a sketch plan as described in the development application submittal requirements shall be submitted to the Director of Community and Economic Development.
4. Determination of Sufficiency: Applicable. No application shall be processed if any taxes due are not paid.
5. Staff Report: Applicable.
6. Notice: Not applicable.
7. Public Hearing: Not applicable.
8. Standards: Applicable.
9. Conditions of Approval: Applicable. The Director of Community and Economic Development in approving a sketch plan may attach

conditions necessary to implement the Adams County Comprehensive Plan and ensure compatibility with adjacent uses.

10. Amendments: Not applicable.

2-02-20-02-05

CRITERIA FOR APPROVAL

The Director of Community and Economic Development, in approving a sketch plan, shall find:

1. The sketch plan appears to be consistent with the Adams County Comprehensive Plan and any applicable area plan.
2. The sketch plan appears to be consistent with the purpose of these standards and regulations.
3. The sketch plan appears to be in conformance with the subdivision design standards.
4. The applicant has provided reasonable evidence that a sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards.
5. The applicant has provided reasonable evidence that a public sewage disposal system has been established and, if other methods of sewage disposal are proposed, adequate evidence indicating that the system complies with state and local laws and regulations.
6. The applicant has provided reasonable evidence to show all areas of the proposed subdivision, which may involve soil or topographical conditions presenting hazards or requiring special precautions, have been identified by the applicant and the proposed uses of these areas are compatible with such conditions.
7. The applicant has provided reasonable evidence adequate drainage improvements can be provided.
8. Significant cultural, archaeological, natural/historical resources and unique landforms will be reasonably protected in accordance with resource inventory provisions of these standards and regulations.
9. Necessary services, including fire/police protection, schools, recreation, utilities, open space and transportation system, appear to be available to serve the proposed subdivision.
10. The sketch plan appears to be compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the immediate area, not detrimental to the future development of the area, and not detrimental to the health, safety, or welfare of the inhabitants of the area and the County.

**2-02-20-02-06 ACTION BY THE DIRECTOR OF COMMUNITY AND ECONOMIC DEVELOPMENT
FOLLOWING APPROVAL**

Upon approval, the Director of Community and Economic Development shall file a copy of the approved sketch plan in the Community and Economic Development Office.

2-02-20-02-07 LAPSE OF APPROVAL

The sketch plan approval shall lapse one (1) year from the date of approval if a preliminary plat is not submitted.

2-02-20-02-08 EXTENSION OF APPROVAL

A sketch plan approval may not be extended.

2-02-20-03 FINAL PLAT**2-02-20-03-01 PURPOSE**

The purpose of this section is to detail the steps and requirements for a review of all final engineering plans, subdivision improvements agreements, and other legal requirements for platting a minor subdivision. Approval of a final plat establishes a vested right to develop property in accordance with the plan.

2-02-20-03-02 APPLICABILITY

A final plat shall be required for any property intended for subdivision.

2-02-20-03-03 WHO CAN INITIATE A FINAL PLAT

A final plat may be proposed by, without limitation, the owner(s) of, or person having an interest in the property to be subdivided. A final plat may only be submitted if a sketch plan for the subject property has been approved. The final plat shall conform to the sketch plan.

The applicant has the burden of proof to demonstrate the final plat fully complies with these standards and regulations and meets the criteria for approval.

2-02-20-03-04 FINAL PLAT REVIEW PROCEDURES

A final plat shall be approved by the Board of County Commissioners by resolution. Any final plat shall be processed through a public hearing before the Planning Commission, which shall provide a recommendation to the Board of County Commissioners (See Steps 1 through 10 below). Upon completion of a hearing by the Planning Commission, the final plat and recommendation of the Planning Commission shall be forwarded to the Board of County Commissioners. The Board of County Commissioners shall, after receiving a recommendation from the Planning Commission, hold a public hearing. The Board of County Commissioners shall then approve, approve with conditions, or deny the final plat based on consideration of the staff report, the Planning Commission’s recommendation and findings, the evidence from the public hearings, and the final plat’s compliance with the criteria for approval.

The processing of a final plat shall be according to, in compliance with, and subject to the provisions contained in Steps 1 through 10 of the Common Development Review Procedures as follows:

1. Conceptual Review: Not applicable.
2. Neighborhood Meeting: Not applicable.
3. Development Application Submittal: All items or documents required for a final plat as described in the development application submittal requirements shall be submitted to the Director of Community and Economic Development at least fifty (50) days prior to the first unfilled Planning Commission public meeting agenda.
4. Determination of Sufficiency: Applicable. No application shall be processed if any taxes due are not paid.
5. Staff Report: Applicable.
6. Notice: Applicable.
7. Public Hearing: Applicable. A public hearing shall be held before the Planning Commission and Board of County Commissioners.
8. Standards: Applicable.
9. Conditions of Approval: Not applicable.
10. Amendments: Applicable.

2-02-20-03-05 CRITERIA FOR APPROVAL

The Planning Commission, in making their recommendation, and the Board of County Commissioners, in approving a final plat, shall find:

1. ~~1.~~—The final plat is consistent and conforms to the approved sketch plan.

- ~~2.~~ 2.—The final plat is in conformance with the subdivision design standards.
- ~~2-3.~~ 3. The final plat is consistent with the Adams County Comprehensive Plan and any applicable area plan.
- ~~3-4.~~ 3.—The applicant has provided evidence that a sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards.
- ~~4-5.~~ 4.—The applicant has provided evidence that provision has been made for a public sewage disposal system and, if other methods of sewage disposal are proposed, adequate evidence indicating that the system complies with state and local laws and regulations.
- ~~5-6.~~ 5.—The applicant has provided evidence to show all areas of the proposed subdivision, which may involve soil or topographical conditions presenting hazards or requiring special precautions have been identified by the applicant and the proposed uses of these areas are compatible with such conditions.
- ~~6-7.~~ 6.—The proposed or constructed drainage improvements are adequate and comply with these standards and regulations.
- ~~7-8.~~ 7.—Adequate public facilities or infrastructure, or cash-in-lieu, for impacts reasonably related to the proposed subdivision have been constructed or financially guaranteed through cash-in-lieu or a subdivision improvements agreement so the proposed subdivision will not negatively impact the levels of service of the County.
- ~~8-9.~~ 8.—The final plat is consistent with the Adams County Comprehensive Plan and any available area plan.
- ~~9-10.~~ 9.—The final plat is consistent with the purposes of these standards and regulations.
- ~~10-11.~~ 10.—The overall density of development within the proposed subdivision conforms to the zone district density allowances.
- a. ~~11.~~—The proposed subdivision is compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the immediate area, not detrimental to the future development of the area, and not detrimental to the health, safety, or welfare of the inhabitants of the area and the County. The proposed subdivision has established an adequate level of compatibility by:
 - b. ~~a.~~—Incorporating natural physical features into the development design and providing sufficient open spaces considering the type and intensity of use;
 - c. ~~b.~~—Incorporating site planning techniques to foster the implementation of the County’s plans and encourage a land use pattern to support a balanced transportation system, including

auto, bike, and pedestrian traffic, public or mass transit, and the cost-effective delivery of other services consistent with adopted plans, policies and regulations of the County;

- d. ~~e.~~—Incorporating physical design features in the subdivision to provide a transition between the project and adjacent land uses through the provision of an attractive entryway, edges along public streets, architectural design, and appropriate height and bulk restrictions on structures; and
- e. ~~d.~~—Incorporating identified environmentally sensitive areas, including but not limited to, wetlands and wildlife corridors, into the project design.

2-02-20-03-06 *ACTION BY THE DIRECTOR OF COMMUNITY AND ECONOMIC DEVELOPMENT FOLLOWING APPROVAL*

Upon final approval and fulfillment of all requirements of the Board of County Commissioners, the Director of Community and Economic Development shall cause to have filed in the Office of the Adams County Clerk and Recorder the final plat and subdivision improvements agreement.

2-02-21 *APPEAL FROM ADMINISTRATIVE DECISION*

2-02-21-01 *PURPOSE*

The purpose of this section is to detail the steps and requirements for appeals from decisions of administrative officials to ensure these standards and regulations are administered properly and consistently with the policies adopted by the County.

2-02-21-02 *APPLICABILITY*

All appeals from an administrative decision must be processed in accordance with this section. The Board of Adjustment shall have the authority to hear and decide appeals by any aggrieved person, where it is alleged there is an error in any order, requirement, decision, or determination made by an administrative official in the enforcement of these standards and regulations. Only those provisions relating to the administration of these standards and regulations, the interpretation of performance and design standards, or zone district regulations and standards may be appealed to the Board of Adjustment. An alleged error in the interpretation and administration of any subdivision standards or regulations, or the administration and interpretation of any engineering design and

construction standards may not be appealed to the Board of Adjustment but must be appealed to the Board of County Commissioners.

2-02-21-03 WHO CAN INITIATE AN APPEAL

An appeal may be initiated by, without limitation, any person aggrieved by any decision of any administrative official of the County in the enforcement of these standards and regulations.

2-02-21-04 TIME LIMITATIONS

All appeals must be initiated within ten (10) calendar days of the date the order, requirement, decision, or determination was made or rendered by the administrative official. The Director Community and Economic Development may waive or extend this deadline only upon finding the person filing the appeal received no actual or constructive form of notice of the order, requirement, decision, or determination being appealed. Failure to file the appeal in a timely manner shall constitute a waiver of any rights to appeal under this section.

2-02-21-05 APPEAL REVIEW PROCEDURES

An appeal shall be decided by the Board of Adjustment. Any appeal shall be processed through an administrative hearing before the Board of Adjustment (See Steps 1 through 10 below). The Board of Adjustment shall grant the appeal, modify the administrative decision, or deny the appeal based on consideration of the staff report, the evidence from the public hearing, and compliance with the criteria for approval.

2-02-21-06 APPEAL REVIEW STEPS

The processing of an appeal shall be according to, in compliance with, and subject to the provisions contained in Steps 1 through 10 of the Common Development Review Procedures as follows:

1. Conceptual Review: Not applicable.
2. Neighborhood Meeting: Not applicable.
3. Development Application Submittal: All items or documents required for an appeal as described in the development application submittal requirements shall be submitted to the Director of Community and Economic Development at least thirty (30) days prior to the first unfilled Board of Adjustment public hearing agenda.

4. Determination of Sufficiency: Applicable. Upon a determination of sufficiency, the appeal shall stay any proceedings in furtherance of the contested action. The Director of Community and Economic Development may certify in writing to the Board of County Commissioners that a stay poses an imminent peril to life or property or would seriously interfere with the enforcement of these standards and regulations. The Board of County Commissioners shall review the certification and may override the stay of further proceedings.
5. Staff Report: Applicable. The administrative official whose action is being appealed shall transmit to the Director of Community and Economic Development all administrative papers, records, and other information regarding the subject being appealed within seven (7) days of being given notice of the appeal by the Director of Community and Economic Development. The Director of Community and Economic Development shall give notice in writing to the administrative official whose decision is being appealed. Copies of all written materials transmitted to the Director of Community and Economic Development shall be incorporated into the staff report.
6. Notice: Not applicable.
7. Public Hearing: Not applicable. An administrative hearing shall be held before the Board of Adjustment.
8. Standards: Applicable.
9. Conditions of Approval: Not applicable.
10. Amendments: Not applicable.

2-02-21-07 CRITERIA FOR APPROVAL

The Board of Adjustment, in granting an appeal or modifying an administrative decision, shall have all the powers of the administrative official from whom the appeal is taken and shall, in making its decision, find an error in the application of these standards and regulations on the part of the administrative official rendering the order, requirement, decision, or determination. The motion regarding the appeal shall state the reasons the Board of Adjustment used and the findings of fact the Board made in reaching its decision.

2-02-21-08 ACTION BY THE DIRECTOR OF COMMUNITY AND ECONOMIC DEVELOPMENT FOLLOWING THE GRANT OF AN APPEAL

Upon the granting of an appeal or modification of an administrative decision by the Board of Adjustment, the Director of Community and Economic Development shall send a letter of decision to the administrative officer whose decision was

overturned or modified and the appellant. The letter of decision shall describe in detail the grant of appeal approved by the Board of Adjustment.

2-02-21-09 EFFECT OF APPROVAL

The applicant shall be subject to all permits required by these standards and regulations. All orders, decisions, determinations, and interpretations made under those permit procedures shall be consistent with the reversal or modification granted to the appellant.

2-02-22 FLOODPLAIN USE PERMIT VARIANCE

2-02-22-01 PURPOSE

The purpose of this section is to detail the processing steps and requirements for a variance from the provisions of the Floodplain Overlay Zone District requirements. The variance is a means whereby the literal terms of the Floodplain Overlay Zone District standards and regulations need not be applied if there are practical difficulties or unnecessary hardships associated with their application. In granting a variance, the spirit of the Floodplain Overlay Zone District standards and regulations shall be observed, public safety and welfare secured, and substantial justice done.

2-02-22-02 APPLICABILITY

All Floodplain Overlay Zone District variance requests must be processed in accordance with this section. Only the Board of Adjustment may approve a variance from the Floodplain Overlay Zone District standards and regulations. Variances to the Floodplain Overlay Zone District requirements shall be limited as follows:

1. 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;
2. Variances shall not be issued within any designated floodway if any increase in flood levels would occur during the base flood discharge or if increases within the channel exceed those standards specified in the storm drainage design and technical criteria of these standards and regulations; * and
3. 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.

2-02-22-03 WHO CAN INITIATE A VARIANCE REQUEST

A variance may be requested by, without limitation, any owner of, or person having an interest in the affected property. The applicant has the burden of proof to demonstrate the variance meets the criteria for approval.

2-02-22-04 VARIANCE REVIEW PROCEDURES

A variance may be approved by the Board of Adjustment. Any request for variance shall be processed through a public hearing before the Board of Adjustment (See Steps 1 through 10 below). The Board of Adjustment shall approve, approve with conditions, or deny the variance based on consideration of the staff report, the evidence from the public hearing, and the variance's compliance with the criteria for approval.

2-02-22-05 VARIANCE REVIEW STEPS

The processing of a variance shall be according to, in compliance with, and subject to the provisions contained in Steps 1 through 10 of the Common Development Review Procedures as follows:

1. Conceptual Review: Applicable.
2. Neighborhood Meeting: Optional, unless the Director of Community and Economic Development determines the development proposal could have significant neighborhood impacts.
3. Development Application Submittal: All items or documents required for obtaining a variance as described in the development application submittal requirements shall be submitted to the Director of Community and Economic Development at least twenty (20) days prior to the first unfilled Board of Adjustment public hearing agenda.
4. Determination of Sufficiency: Applicable. No application shall be processed if any taxes due are not paid.
5. Staff Report: Applicable.
6. Notice: Applicable. However, published notice is not required.
7. Public Hearing: Applicable. A public hearing shall be held before the Board of Adjustment.
8. Standards: Applicable.
9. Conditions of Approval: Applicable. The Board of Adjustment in approving a variance may attach any conditions necessary to ensure the variance authorized shall not constitute a grant of special privilege inconsistent

with the limitations upon other properties in the vicinity and zone district in which the subject property is located and will protect the public health and safety.

10. Amendments: Applicable.

2-02-22-06 CRITERIA FOR APPROVAL

The Board of Adjustment in approving a variance shall find:

1. Special physical requirements or circumstances exist which are peculiar to the land, the lot, or some aspect inherent in the land causes the hardship and are not applicable to other lands in the same district.
2. The literal interpretation of the provisions of these standards and regulations would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of these standards and regulations.
3. Granting of the variance requested will not confer on the applicant any special privilege denied by these standards and regulations for other land in the same zone district.
4. Because of physical circumstances or conditions, the property cannot reasonably be developed in conformity with the provisions of the physical requirements of these standards and regulations.
5. The special circumstances applicable to the property have not been created by voluntary action or negligence by any person presently having an interest in the property.
6. The variance is the minimum necessary, considering the flood hazard, to afford relief.
7. The applicant has shown good and sufficient cause.
8. 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, conflict with State or Federal law or regulations or conflict with existing local laws, * regulations or ordinances. ***Adopted by the BOCC on June 27, 2011.**
9. The Board of Adjustment has considered all technical evaluations, all relevant factors, standards specified in other sections of these standards and regulations, and:
 - a. The danger that materials may be swept onto other lands to the injury of others.
 - b. The danger to life and property due to flooding or erosion damage.
 - c. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.
 - d. The importance of services provided by the proposed facility to the community.

- e. The necessity of the facility to the waterfront location, where applicable.
- f. The availability of alternative locations for the proposed use that are not subject to flooding or erosion damage.
- g. The compatibility of the proposed use with the existing and anticipated development.
- h. The relationship of the proposed use to the Comprehensive Plan and floodplain management program of Adams County.
- i. The safety of access to the property in time of flood for ordinary and emergency vehicles.
- j. The expected height, velocity, duration, rate of rise, and sediment transport of the flood water and the effects of wave action as described by a registered professional engineer, if applicable, expected at the site.
- k. 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, telephone, water systems, streets, and bridges.

2-02-22-07 ACTION BY THE DIRECTOR OF COMMUNITY AND ECONOMIC DEVELOPMENT FOLLOWING APPROVAL

Upon final approval and fulfillment of all conditions of the Board of Adjustment, the Director of Community and Economic Development shall file a variance decision letter with the Office of the Adams County Clerk and Recorder and the Federal Emergency Management Agency. The variance decision letter shall describe in detail the variance approved by the Board of Adjustment and include all specific conditions applied by the Board of Adjustment and be accompanied by an official site plan and building elevations modified by the applicant to reflect the conditions of the variance.

The Director of Community and Economic Development shall also notify the applicant in writing over his or her signature that (i) the issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage and (ii) such construction below the base flood level increases risks to life and property. Such notification shall be maintained with a record of all variance actions as required by this section. ***Adopted by the BOCC on June 27, 2011.**

2-02-22-08 EFFECT OF APPROVAL

Issuance of a variance shall be deemed to authorize only the particular variation from the Floodplain Overlay Zone District standards and regulations for which it is issued. The variance shall run with the land. The applicant shall be subject to all permits required by these standards and regulations to develop the land.

All conditions contained in the variance shall be binding upon the applicant, any successors, and assigns. The variance and its conditions shall limit and control the issuance and validity of certificates of occupancy and shall restrict and limit the construction, location, and maintenance of all land and structures within the boundaries of the property subject to the variance.

2-02-22-09 REVERSION OF APPROVAL

If at the expiration of one (1) year, a building permit has not been issued for the structure for which the variance was approved or the use associated with the variance has not been established, the variance shall expire and the use of the property shall be controlled by the Floodplain Overlay Zone District standards and regulations without action by the Board of Adjustment.

2-02-22-10 EXTENSION OF APPROVAL

An extension of the variance to allow for the application for a building permit or the establishment of the use or activity approved by the variance may be granted by the Board of Adjustment. In order to be eligible for an extension, the applicant shall file an application for extension with the Director of Community and Economic Development at least thirty (30) days prior to the end of the reversion period. A progress report and revised schedule shall be submitted with the request for extension. An extension may be granted only if the Board of Adjustment finds:

1. The applicant has maintained a continuous good faith effort in commencing the activity including, but not limited to, preparing financing, securing state or federal permits, undertaking engineering and design, etc.; and
2. Conditions near the site, these standards and regulations, and the Adams County Comprehensive Plan have not changed in a way to render the original findings erroneous.

2-02-23 VARIANCE

2-02-23-01 PURPOSE

The purpose of this section is to detail the processing steps and requirements for a variance. The variance is a means whereby the literal terms of these standards and regulations need not be applied if there are practical difficulties or unnecessary hardships associated with their application. In granting a variance, the spirit of these standards and regulations shall be observed, public safety and welfare secured, and substantial justice done.

2-02-23-02 APPLICABILITY

All variance requests must be processed in accordance with this section. The Board of Adjustment may approve a variance from these standards and regulations. A variance may only be approved from the dimensional requirements, performance standards, and other special physical requirements contained in these standards and regulations. The Board of Adjustment shall not have the authority to grant a variance to use of a property. In addition, the Board of Adjustment may not grant a variance from the noise and height restrictions within the Aviation Zone, the International Airport Clear Zone, or the Height and Noise Overlay Zone Districts.

2-02-23-03 WHO CAN INITIATE A VARIANCE REQUEST

A variance may be requested by, without limitation, any owner of, or person having an interest in the affected property. The applicant has the burden of proof to demonstrate the variance meets the criteria for approval.

2-02-23-04 VARIANCE REVIEW PROCEDURES

A variance may be approved by the Board of Adjustment. Any request for variance shall be processed through a public hearing before the Board of Adjustment (See Steps 1 through 10 below). The Board of Adjustment shall approve, approve with conditions, or deny the variance based on consideration of the staff report, the evidence from the public hearing, and the variance's compliance with the criteria for approval.

2-02-23-05 VARIANCE REVIEW STEPS

The processing of a variance shall be according to, in compliance with, and subject to the provisions contained in Steps 1 through 10 of the Common Development Review Procedures as follows:

1. Conceptual Review: Optional.
2. Neighborhood Meeting: Optional, unless the Director of Community and Economic Development determines the development proposal could have significant neighborhood impacts.
3. Development Application Submittal: All items or documents required for obtaining a variance as described in the development application submittal requirements shall be submitted to the Director of Community and Economic Development at least thirty (30) days prior to the first unfilled Board of Adjustment public hearing agenda.
4. Determination of Sufficiency: Applicable. No application shall be processed if any taxes due are not paid.
5. Staff Report: Applicable.
6. Notice: Applicable. However, published notice is not required.
7. Public Hearing: Applicable. A public hearing shall be held before the Board of Adjustment.
8. Standards: Applicable.
9. Conditions of Approval: Applicable. The Board of Adjustment in approving a variance may attach any conditions necessary to ensure the variance authorized shall not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone district in which the subject property is located. Conditions serving to prevent or minimize adverse impacts upon other properties in the neighborhood shall include, but not be limited to limitations on the size and location, hours of operation, requirements for landscaping and screening, lighting limitations, and access requirements.
10. Amendments: Applicable.

2-02-23-06 CRITERIA FOR APPROVAL

The Board of Adjustment in approving a variance shall consider:

1. Special physical requirements or circumstances exist which are peculiar to the land, the lot, or some aspect inherent in the land causes the hardship and are not applicable to other lands in the same district.
2. The literal interpretation of the provisions of these standards and regulations would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of these standards and regulations.

3. Granting of the variance requested will not confer on the applicant any special privilege denied by these standards and regulations for other land in the same zone district.
4. Because of physical circumstances or conditions, the property cannot reasonably be developed in conformity with the provisions of the physical requirements of these standards and regulations.
5. The special circumstances applicable to the property have not been created by voluntary action or negligence by any person presently having an interest in the property.
6. The granting of the variance will be in harmony with the general purpose and intent of these standards and regulations and with the Adams County Comprehensive Plan and any applicable subarea plan.
7. The granting of a variance from strict application of these standards and regulations will not cause substantial detriment to the public good or impair the intent of these standards and regulations.
8. The variance would not allow a use which (a) is not otherwise permitted in the zone district in which the property is located, (b) would result in the extension of a non-conforming use, or (c) would change the zone classification of any or all of the subject property.

2-02-23-07 ACTION BY THE DIRECTOR OF COMMUNITY AND ECONOMIC DEVELOPMENT FOLLOWING APPROVAL

Upon final approval and fulfillment of all conditions of the Board of Adjustment, the Director of Community and Economic Development shall file a variance decision letter with the Office of the Adams County Clerk and Recorder. The variance decision letter shall describe in detail the variance approved by the Board of Adjustment and include all specific conditions applied by the Board of Adjustment and be accompanied by an official site plan and building elevations modified by the applicant to reflect the conditions of the variance.

2-02-23-08 EFFECT OF APPROVAL

Issuance of a variance shall be deemed to authorize only the particular variation from these standards and regulations for which it is issued. The variance shall run with the land. The applicant shall be subject to all permits required by these standards and regulations to develop the land.

All conditions contained in the variance shall be binding upon the applicant, any successors and assigns. The variance and its conditions shall limit and control the issuance and validity of certificates of occupancy, and shall restrict and limit the construction, location, and maintenance of all land and structures within the boundaries of the property subject to the variance.

2-02-23-09 REVERSION OF APPROVAL

If at the expiration of one (1) year, a building permit has not been issued for the structure for which the variance was approved or the use associated with the variance has not been established, the variance shall expire and the use of the property shall be controlled by these standards and regulations without action by the Board of Adjustment.

2-02-23-10 EXTENSION OF APPROVAL

An extension of the variance to allow for the application for a building permit or the establishment of the use or activity approved by the variance may be granted by the Board of Adjustment. In order to be eligible for an extension, the applicant shall file an application for extension with the Director of Community and Economic Development at least thirty (30) days prior to the end of the reversion period. A progress report and revised schedule shall be submitted with the request for extension. An extension may be granted only if the Board of Adjustment finds that:

1. The applicant has maintained a continuous good faith effort in commencing the activity including, but not limited to, preparing financing, securing state or federal permits, undertaking engineering and design, etc.; and
2. Conditions near the site, these standards and regulations, and the Adams County Comprehensive Plan have not changed in a way to render the original findings erroneous.

2-02-24 CLEARING AND GRADING PERMIT**2-02-24-01 PURPOSE**

The purpose of this section is to provide processing requirements for clearing and grading permits in order to review, consider, approve, approve with modifications, or deny a request for permission to clear bush and/or vegetation, excavate or import soils, disturb land and/or, change the topography of land within unincorporated Adams County.

2-02-24-02 APPLICABILITY

All clearing and grading (GRD) permits must be processed in accordance with this section. A GRD permit is required if:

1. The total area of land disturbance is to be 3,000 square feet or greater, or
2. The cumulative fill and/or excavation exceeds 50-cubic yards.

A GRD permit is the mechanism to provide authorization under which land may be cleared of vegetation, excavated, receive imported soils, disturbed and/or, the topography of the land altered. In accordance with Section 5-02-02, properties that are the subject of an active Subdivision case cannot be issued a clearing and grading permit prior to the approval of the subdivision plat. Agricultural and farming activities are exempt from this requirement.

2-02-24-03 WHO CAN INITIATE A CLEARING AND GRADING PERMIT

A clearing and grading permit may be requested by, without limitation, the owner(s) of the property to which the clearing and grading work is to be performed, the owner of the utility, or any person(s) performing work within the County with legal right to perform such work. The applicant has the burden of proof to demonstrate the clearing and grading permit fully complies with these standards and regulations and meets the criteria for approval.

2-02-24-04 PERMIT APPLICATION

The applicant must submit to the County the following documentation to obtain a Clearing and Grading Permit:

1. A complete GRD Permit Application on the form prescribed by the County. The application shall be signed by a person responsible for compliance with the GRD permit throughout the duration of the permit's validity.
2. An Erosion and Sediment Control Plan (ESCP) that includes the narrative and civil Erosion Control (EC) Plan, according to Section 9-03-08 ESCP.
3. GRD Permit fee.
4. Other materials as deemed appropriate by the County to ensure compliance with this Regulation.

GRD permits are issued for a period of six (6) months, and solely for the specific applicant, scope of work, location and size of the proposed development. Any GRD permit renewal or modifications to the scope of work, location, or size of the permitted area (area within the

construction boundary line where land disturbing activities are allowed to take place) must be pre-approved in writing by the County. Amendments to the permit shall be filed by the Permittee with the County on a form prescribed by the County. GRD permits will not be approved until construction plans are approved. If there is no construction activity for a period longer than 6 months, then any GRD permit issued will be automatically terminated.

2-02-24-05 PERMIT FEES

GRD Permit fees shall be established from time to time in the annual fee schedule adopted by the Board of County Commissioners. The permit fees shall be paid at the time of submittal of the GRD Permit application. All applicable permit fees are non-refundable.

2-02-24-06 CLEARING AND GRADING PERMIT REVIEW PROCEDURES

A clearing and grading permit may be approved by the Director of Community and Economic Development. The processing of a clearing and grading permit shall be according to, in compliance with, and subject to the provisions contained in Steps 1 through 10 of the Common Development Review Procedures as follows:

1. Conceptual Review: Optional.
2. Neighborhood Meeting: Not applicable.
3. Development Application Submittal: Applicable. All items or documents required for a clearing and grading permit as described in the application submittal requirements shall be submitted to the Director of Community and Economic Development.
4. Determination of Sufficiency: Applicable. Notification of adjacent property owners may be required if the proposed development could have offsite impacts. No application shall be processed if any taxes due are not paid.
5. Staff Report: Not applicable.
6. Notice: Not applicable
7. Public Hearing: Not applicable. In substitution, an application for a clearing and grading permit shall be reviewed and approved, approved with modifications, or denied by the Director of Community and Economic Development based on its compliance with these standards and regulations.

8. Standards: Not applicable. In substitution, an application for clearing and grading permit shall be reviewed for compliance with these standards and regulations.
9. Conditions of Approval: Applicable. The Director of Community and Economic Development may impose any conditions determined to be necessary to assure the safety of the general public, protect the County's infrastructure, adequately accommodate the type and volume of traffic during the work, and deal with anticipated traffic volumes and road improvements.
10. Amendments: Not applicable. In substitution, an amendment to a clearing and grading permit may be authorized by the Director of Community and Economic Development provided the clearing and grading permit remains in compliance with all applicable standards and regulations.

2-02-24-07 CRITERIA FOR APPROVAL

The Director of Community and Economic Development in issuing a clearing and grading permit shall find:

1. The clearing and grading permit is consistent and complies with the requirements of these standards and regulations for the type of work to be performed.
2. The work to be performed will be of such a standard and condition as to prevent adverse effects to neighboring properties.
3. Adequate controls have been established to ensure compliance and safety during the course of work.
4. Adequate financial guarantees have been provided to ensure that any problems arising from the work to be performed can be reasonably remedied by the County, if necessary.

2-02-24-08 RIGHT OF ENTRY

Refer to Chapter 1 of these standards and regulations for the authority to enter onto private property within unincorporated Adams County for inspection purposes. Additionally, the landowner, developer, builder, or GRD Permittee must allow County staff the right-of-entry for the following:

1. To enter upon the construction project premises to investigate, within reason, any actual, suspected, or potential source of water pollution, or violation of these regulations. The investigation may include, but is not limited to, the following: sampling of any

discharge or process waters, the taking of photographs, interviewing associated personnel on alleged violations, and access to any and all facilities or areas within the project premises that may have any effect on the discharge, permit, or alleged violations.

2-02-24-09 EFFECT OF APPROVAL

The clearing and grading permit shall be valid for a period of six (6) months from the time such clearing and grading permit is issued unless fully and properly acted upon and completed.

2-02-24-10 EXTENSION OF APPROVAL

The Director of Community and Economic Development may grant extensions of up to six (6) months. In order to be eligible for an extension, the applicant shall file a request for extension with the Director of Community and Economic Development at least thirty (30) days prior to the date the clearing and grading permit would lapse, unless waived by the Director of Community and Economic Development.

2-02-24-11 FINAL CONSTRUCTION SITE STABILIZATION

The GRD permit shall remain active until Final Construction Site Stabilization has occurred. Final Construction Site Stabilization occurs when all ground disturbing activities are complete, and all disturbed areas have either been built on, paved over or a uniform vegetative cover has been established per conditionally accepted ESCP. Prior to GRD permit closeout, all items listed below must be completed in order for the construction site to be considered to have Final Construction Site Stabilization:

1. The site has a uniform vegetative cover with a density of at least seventy percent (70%) compared to the original undisturbed site. Vegetative cover shall be established with the approved seed mix, sod or a combination thereof.
2. If applicable, proper installation and maintenance of all approved permanent post-construction stormwater quality treatment BMPs.
3. Removal of all stockpiles of soil, construction material/debris, construction equipment, etc. from the construction site.
4. Streets, parking lots and other surrounding paved surfaces are clean and free of any sediment or debris.

5. Removal of sediment and debris within the private or adjacent public storm drainage system.
6. Restoration and stabilization of any damaged public infrastructure caused by the Permittee's construction activities.

Any acceptance of installed vegetative cover shall not be construed to relieve the property owner of the duty to warrant and maintain the installed vegetative measures as aforementioned.

2-02-24-12 PERMIT CLOSEOUT NOTIFICATION

The Permittee must contact the County to set up a Closeout Inspection. The purpose of the Closeout Inspection is to verify the site is adequately stabilized and/or covered with pavement or structures, per the County accepted plans. If the County needs to conduct more than one Closeout Inspection, an inspection fee may be assessed for each additional closeout inspection, as approved by Adams County Annual Fee Schedule adopted by the Board of County Commissioners.

2-02-24-13 AUTHORITY

Enforcement of the Adams County GRD Permit is the responsibility of the Department of Public Works. The Department of Public Works is hereby authorized to sign-off (or withhold the approval) of associated County permits (e.g. Building, Right-of-Way, Infrastructure, etc.) with a signature line once all GRD Permit conditions have been met.

The Department of Public Works is hereby authorized to sign off on the Certificate of Occupancy (C.O.) for buildings holding a GRD Permit. In order for the Department of Public Works to sign off on a C.O., the associated overall site shall be in compliance with the GRD Permit requirements. Sites that are under an enforcement action may not receive a sign off by the Department of Public Works.

2-02-24-14 ENFORCEMENT POLICIES

It is the policy of Adams County to encourage compliance with the approved GRD permit by working with the landowner, developer, builder, or GRD Permittee during construction. The County may allow the landowner, developer, builder, or GRD Permittee a reasonable amount of time to re-inspect the site to ensure necessary measures have been

completed to bring a construction site into compliance prior to formal enforcement. The County considers the owner of the land the ultimate responsible party for all construction activities. It is ultimately the responsibility of the landowner to take all necessary measures to ensure the site is in compliance with County, State and Federal statutes, regulations, ordinances and permits. The County has, to the maximum extent practicable, made its Clearing and Grading Regulations consistent with the requirements of the Adams County Stormwater Quality Permit and the State CDPS Stormwater Discharge Permit for Construction Activities. In the event of conflicting requirements, the most stringent or restrictive shall govern.

2-02-24-15 VIOLATIONS

The following items are considered, but not limited to, a violation of the Clearing and Grading Regulations and/or Clearing and Grading (GRD) Permit:

1. Conducting a permit covered activity without a County GRD Permit.
2. Failure to prepare an Erosion and Sediment Control Plan (ESCP).
3. Failure to prepare an Erosion Control (EC) Plan
4. Conducting a permit covered activity without Adams County review and conditional acceptance of the ESCP.
5. Conducting activity without a State CDPS Stormwater Discharge Permit for Construction Activities (when applicable).
6. Failure to renew the GRD Permit.
7. Deficient ESCP.
8. Failure to update the ESCP adequately to reflect current site conditions.
9. Failure to install, maintain or properly select stormwater pollution prevention Best Management Practices (BMP).
10. Failure to correct findings from Adams County Regulatory Inspections.

2-02-24-16 PENALTIES

In addition to penalties listed under Chapter 1 of these standards and regulations, the following penalties may apply to any person, landowner, developer, builder, or GRD Permittee if such person fails to adequately comply with the measures required by the ESCP, EC Plan, GRD Permit, Stormwater Quality Regulations or other written requirements by the County. The remedies listed below are not exclusive of any other remedies available under any applicable federal, state or local law, and it

is within the discretion of the County to seek alternative and/or cumulative remedies.

1. Verbal or Written Warning: Advice of non-compliance given by the County to the Permittee that indicates the Permittee is in violation with County Regulations and directing immediate resolution.
2. Notice of Violation (NOV): As defined in Chapter 1 of these standards and regulations. Additionally, the NOV shall include re-inspection dates in which the County returns to the site to ensure completion of corrective and preventative measures. Possible measures may include, but are not limited to; vacuum and jetting storm sewer structures, attending educational training, submitting standard operating procedures, posting signage, reimbursing the County for any additional inspection cost and/or spill material provided by the County, etc. When clean-up and repairs are not feasible, then alternative equivalent activities may be directed such as, but not limited to, storm drain stenciling, attendance to compliance workshops, and trash cleanup.
3. Suspension or Revocation of Permits: As defined in Chapter 1 of these standards and regulations. All fees for re-issuance of a new permit must be paid prior to re-issuance of the permit.
4. Permit Fee Increase: As established in the Annual Fee Schedule adopted by the Board of County Commissioners.
5. Certificate of Occupancy (C.O.) Withhold: As defined in Chapter 1 of these standards and regulations. In Addition, the County may withhold the Certificate of Occupancy (C.O.) sign off if the associated overall site is not in compliance with the GRD Permit requirements. Sites that are under an enforcement action will not receive a sign off by Public Works Department.
6. Cease and Desist Order: As defined in Chapter 1 of these standards and regulations.
7. Payment of additional Inspections: A person or landowner may be charged inspection fees for more than one regular follow-up regulatory inspection or any inspection triggered by a Notice of Violation as established in the Annual Fee Schedule adopted by the Board of County Commissioners.
8. Stringent Self-Inspection Frequency: Permittees may be required to conduct GRD self- inspections on a more stringent frequency if the Permittee is non-responsive after two NOV, or systematic/chronic violator.
9. Financial Surety Withdrawal: The County may, after notifying the GRD Permittee of the required maintenance and/or BMP removal,

and such person's failure to perform such maintenance and/or BMP removal within ten (10) business days thereafter, enter upon the property and perform or cause to be performed the required work and assess the reasonable costs and expenses of such work against such person. At such time, as any assessment for work performed by the County has not been paid by the GRD Permittee, the County shall withdraw from the GRD Permit Financial Surety;

10. Civil/Criminal Action: As defined in Chapter 1 of these standards and regulations.

CHAPTER 3—ZONE DISTRICT REGULATIONS

Table of Contents

3-01	GENERAL APPLICATION.....	1
3-02	ESTABLISHMENT OF ZONE DISTRICTS.....	2
3-03	ESTABLISHMENT OF OVERLAY ZONE DISTRICTS	4
3-04	INCORPORATION AND INTERPRETATION OF MAPS	4
3-04-01	Division of a Lot by a Zone District Boundary	5
3-04-02	Procedure for Obtaining a Boundary Interpretation	5
3-05	PERMITTED USES AND INTERPRETATIONS.....	6
3-05-01	Uses Permitted in Each Zone District or Overlay Zone District	6
3-05-02	Procedure for Obtaining an Interpretation of the Text of these Standards and Regulations.....	6
3-05-03	Limit of Interpretation	6
3-05-04	Relationship of Interpretation to Other Standards	7
3-06	USE CATEGORIES DEFINED.....	8
3-07	USE CHART AND DIMENSIONAL REQUIREMENTS.....	11
3-07-01	Use Chart	11
3-07-02	Summary of Dimensional Requirements	26
3-08	AGRICULTURAL-1 DISTRICT (A-1).....	38
3-08-01	Purpose.....	38
3-08-02	Permitted Principal and conditional Uses.....	38
3-08-03	Permitted Accessory Uses.....	38
3-08-04	Permitted Special/temporary Uses.....	38

<u>3-08-05</u>	<u>Prohibited Uses</u>	<u>38</u>
<u>3-08-06</u>	<u>Area and Height Standards</u>	<u>39</u>
<u>3-08-07</u>	<u>Relationship to Design Requirements and Performance Standards</u>	<u>42</u>
<u>3-09</u>	<u>AGRICULTURAL-2 DISTRICT (A-2)</u>	<u>43</u>
<u>3-09-01</u>	<u>Purpose</u>	<u>43</u>
<u>3-09-02</u>	<u>Permitted Principal and conditional Uses</u>	<u>43</u>
<u>3-09-03</u>	<u>Permitted Accessory Uses</u>	<u>43</u>
<u>3-09-04</u>	<u>Permitted Special/temporary Uses</u>	<u>43</u>
<u>3-09-05</u>	<u>Oil and Gas Facilities</u>	<u>43</u>
<u>3-09-06</u>	<u>Prohibited Uses</u>	<u>44</u>
<u>3-09-07</u>	<u>Area and Height Standards</u>	<u>44</u>
<u>3-09-08</u>	<u>Relationship to Design Requirements and Performance Standards</u>	<u>46</u>
<u>3-10</u>	<u>AGRICULTURAL-3 DISTRICT (A-3)</u>	<u>47</u>
<u>3-10-01</u>	<u>Purpose</u>	<u>47</u>
<u>3-10-02</u>	<u>Permitted Principal and conditional Uses</u>	<u>47</u>
<u>3-10-03</u>	<u>Permitted Accessory Uses</u>	<u>47</u>
<u>3-10-04</u>	<u>Oil and Gas Facilities</u>	<u>47</u>
<u>3-10-05</u>	<u>Prohibited Uses</u>	<u>47</u>
<u>3-10-06</u>	<u>Area and Height Standards</u>	<u>47</u>
<u>3-10-07</u>	<u>Relationship to Design Requirements and Performance Standards</u>	<u>50</u>
<u>3-11</u>	<u>RESIDENTIAL ESTATE DISTRICT (RE)</u>	<u>51</u>
<u>3-11-01</u>	<u>Purpose</u>	<u>51</u>
<u>3-11-02</u>	<u>Permitted Principal and conditional Uses</u>	<u>51</u>
<u>3-11-03</u>	<u>Permitted Accessory Uses</u>	<u>51</u>
<u>3-11-04</u>	<u>Permitted Special/temporary Uses</u>	<u>51</u>
<u>3-11-05</u>	<u>Prohibited Uses</u>	<u>51</u>
<u>3-11-06</u>	<u>Area and Height Standards</u>	<u>52</u>
<u>3-11-07</u>	<u>Relationship to Design Requirements and Performance Standards</u>	<u>54</u>

3-12	RESIDENTIAL-1-A DISTRICT (R-1-A)	55
3-13	RESIDENTIAL-1-C DISTRICT (R-1-C)	56
3-13-01	Purpose	56
3-13-02	Permitted Principal and conditional Uses	56
3-13-03	Permitted Accessory Uses	56
3-13-04	Permitted Special/temporary Uses	56
3-13-05	Prohibited Uses	56
3-13-06	Area and Height Standards	57
3-13-07	Relationship to Design Requirements and Performance Standards	59
3-14	RESIDENTIAL-2 DISTRICT (R-2)	60
3-14-01	Purpose	60
3-14-02	Permitted Principal and conditional Uses	60
3-14-03	Permitted Accessory Uses	60
3-14-04	Permitted Special/temporary Uses	60
3-14-05	Prohibited Uses	60
3-14-06	Area and Height Standards	61
3-14-07	Relationship to Design Requirements and Performance Standards	63
3-15	RESIDENTIAL-3 DISTRICT (R-3)	65
3-15-01	Purpose	65
3-15-02	Permitted Principal and conditional Uses	65
3-15-03	Permitted Accessory Uses	65
3-15-04	Permitted Special/temporary Uses	65
3-15-05	Prohibited Uses	65
3-15-06	Area and Height Standards	66
3-15-07	Relationship to Design Requirements and Performance Standards	69
3-16	RESIDENTIAL-4 DISTRICT (R-4)	70
3-16-01	Purpose	70
3-16-02	Permitted Principal and conditional Uses	70
3-16-03	Permitted Accessory Uses	70
3-16-04	Permitted Special/temporary Uses	70

<u>3-16-05</u>	<u>Prohibited Uses</u>	<u>70</u>
<u>3-16-06</u>	<u>Area and Height Standards</u>	<u>70</u>
<u>3-16-07</u>	<u>Relationship to Design Requirements and Performance Standards</u>	<u>73</u>
<u>3-17</u>	<u>MOBILE HOME DWELLING DISTRICT (MH)</u>	<u>74</u>
<u>3-17-01</u>	<u>Purpose</u>	<u>74</u>
<u>3-17-02</u>	<u>Permitted Principal and conditional Uses</u>	<u>74</u>
<u>3-17-03</u>	<u>Permitted Accessory Uses</u>	<u>74</u>
<u>3-17-04</u>	<u>Permitted Special/temporary Uses</u>	<u>74</u>
<u>3-17-05</u>	<u>Prohibited Uses</u>	<u>74</u>
<u>3-17-06</u>	<u>Area and Height Standards</u>	<u>75</u>
<u>3-17-07</u>	<u>Relationship to Design Requirements and Performance Standards</u>	<u>77</u>
<u>3-18</u>	<u>MIXED-USE DISTRICT (MU)</u>	<u>78</u>
<u>3-18-01</u>	<u>PURPOSE</u>	<u>78</u>
<u>3-18-02</u>	<u>PERMITTED PRINCIPAL AND CONDITIONAL USES</u>	<u>78</u>
<u>3-18-03</u>	<u>PERMITTED ACCESSORY USES</u>	<u>78</u>
<u>3-18-04</u>	<u>PERMITTED SPECIAL/TEMPORARY USES</u>	<u>78</u>
<u>3-18-05</u>	<u>PROHIBITED USES</u>	<u>79</u>
<u>3-18-06</u>	<u>AREA AND HEIGHT STANDARDS</u>	<u>79</u>
<u>3-19</u>	<u>COMMERCIAL-0 DISTRICT (C-0)</u>	<u>82</u>
<u>3-19-01</u>	<u>Purpose</u>	<u>82</u>
<u>3-19-02</u>	<u>Permitted Principal and Conditional Uses</u>	<u>82</u>
<u>3-19-03</u>	<u>Permitted Accessory Uses</u>	<u>82</u>
<u>3-19-04</u>	<u>Permitted Special/temporary Uses</u>	<u>82</u>
<u>3-19-05</u>	<u>Oil and Gas Facilities</u>	<u>82</u>
<u>3-19-06</u>	<u>Prohibited Uses</u>	<u>82</u>
<u>3-19-07</u>	<u>Area and Height Standards</u>	<u>83</u>
<u>3-19-08</u>	<u>Relationship to Design Requirements and Performance Standards</u>	<u>84</u>
<u>3-20</u>	<u>COMMERCIAL-1 DISTRICT (C-1)</u>	<u>85</u>
<u>3-20-01</u>	<u>Purpose</u>	<u>85</u>
<u>3-20-02</u>	<u>Permitted Principal and conditional Uses</u>	<u>85</u>
<u>3-20-03</u>	<u>Permitted Accessory Uses</u>	<u>85</u>

3-20-04	Permitted Special/temporary Uses	85
3-20-05	Oil and Gas Facilities	85
3-20-06	Prohibited Uses	85
3-20-07	Area and Height Standards	86
3-20-08	Relationship to Design Requirements and Performance Standards	87
3-21	COMMERCIAL-2 DISTRICT (C-2)	88
3-21-01	Purpose	88
3-21-02	Permitted Principal and conditional Uses	88
3-21-03	Permitted Accessory Uses	88
3-21-04	Permitted Special/temporary Uses	88
3-21-05	Oil and Gas Facilities	88
3-21-06	Prohibited Uses	88
3-21-07	Area and Height Standards	89
3-21-08	Relationship to Design Requirements and Performance Standards	90
3-22	COMMERCIAL-3 DISTRICT (C-3)	91
3-22-01	Purpose	91
3-22-02	Permitted Principal and Conditional Uses	91
3-22-03	Permitted Accessory Uses	91
3-22-04	Permitted Special/temporary Uses	91
3-22-05	Oil and Gas Facilities	91
3-22-06	Prohibited Uses	91
3-22-07	Area and Height Standards	92
3-22-08	Relationship to Design Requirements and Performance Standards	93
3-23	COMMERCIAL-4 DISTRICT (C-4)	94
3-23-01	Purpose	94
3-23-02	Permitted Principal and conditional Uses	94
3-23-03	Permitted Accessory Uses	94
3-23-04	Permitted Special/temporary Uses	94
3-23-05	Oil and Gas Facilities	94
3-23-06	Prohibited Uses	94
3-23-07	Area and Height Standards	95
3-23-08	Relationship to Design Requirements and Performance Standards	96

3-24	COMMERCIAL-5 DISTRICT (C-5)	97
3-24-01	Purpose	97
3-24-02	Permitted Principal and conditional Uses	97
3-24-03	Permitted Accessory Uses	97
3-24-04	Permitted Special/temporary Uses	97
3-24-05	Oil and Gas Facilities	97
3-24-06	Prohibited Uses	98
3-24-07	Area and Height Standards	98
3-24-08	Relationship to Design Requirements and Performance Standards	99
3-25	INDUSTRIAL-1 DISTRICT (I-1)	100
3-25-01	Purpose	100
3-25-02	Permitted Principal and conditional Uses	100
3-25-03	Permitted Accessory Uses	100
3-25-04	Permitted Special/temporary Uses	100
3-25-05	Oil and Gas Facilities	100
3-25-06	Prohibited Uses	100
3-25-07	Area and Height Standards	101
3-25-08	Relationship to Design Requirements and Performance Standards	102
3-26	INDUSTRIAL-2 DISTRICT (I-2)	103
3-26-01	Purpose	103
3-26-02	Permitted Principal and Conditional Uses	103
3-26-03	Permitted Accessory Uses	103
3-26-04	Permitted Special/temporary Uses	103
3-26-05	Oil and Gas Facilities	103
3-26-06	Prohibited Uses	103
3-26-07	Area and Height Standards	104
3-26-08	Relationship to Design Requirements and Performance Standards	105
3-27	INDUSTRIAL-3 DISTRICT (I-3)	106
3-27-01	Purpose	106
3-27-02	Permitted Principal and conditional Uses	106
3-27-03	Permitted Accessory Uses	106

3-27-04	Permitted Special/temporary Uses	106
3-27-05	Oil and Gas Facilities	106
3-27-06	Prohibited Uses	106
3-27-07	Area and Height Standards	107
3-27-08	Relationship to Design Requirements and Performance Standards.....	108
3-28	TRANSIT-ORIENTED DEVELOPMENT DISTRICT AND STANDARDS (TOD).....	109
3-28-01	Purpose.....	109
3-28-02	Applicability.....	109
3-28-03	Development Application and Review.....	109
3-28-04	Permitted Uses and Structures.....	109
3-28-05	Site Development and Use Mix Standards.....	112
3-28-06	Design and Development Standards	116
3-29	NEIGHBORHOOD PARK (NP)	149
3-29-01	Purpose.....	149
3-29-02	Permitted Principal and Conditional Uses	149
3-29-03	Permitted Accessory Uses	149
3-29-04	Permitted Special/temporary uses.....	149
3-29-05	Prohibited Uses	150
3-29-06	Area and Height Standards	151
3-29-07	Relationship to Design Requirements and Performance Standards.....	153
3-30	REGIONAL PARK (RP).....	154
3-30-01	Purpose.....	154
3-30-02	Permitted Principal and Conditional Uses	154
3-30-03	Permitted Accessory Uses.....	154
3-30-04	Permitted Special/temporary uses.....	154
3-30-05	Prohibited Uses	155
3-30-06	Area and Height Standards	155
3-30-07	RELATIONSHIP TO DESIGN REQUIREMENTS AND PERFORMANCE STANDARDS.....	158

3-31	NATURAL AREAS (NA)	158
3-31-01	Purpose	158
3-31-02	Permitted Principal and Conditional Uses	159
3-31-03	Permitted Accessory Uses	159
3-31-04	Permitted Special/temporary uses	159
3-31-05	Prohibited Uses	159
3-31-06	Area and Height Standards	160
3-31-07	RELATIONSHIP TO DESIGN REQUIREMENTS AND PERFORMANCE STANDARDS	162
3-32	CONSERVATION DISTRICT (CO)	163
3-32-01	Purpose	163
3-32-02	Permitted Accessory Uses	163
3-32-03	Area and Height Standards	163
3-32-04	Relationship to Performance Standards	164
3-33	PUBLIC LANDS, PARKS, OPEN SPACE, AND FACILITIES DISTRICT (PL)	165
3-33-01	Purpose	165
3-33-02	Permitted Accessory Uses	165
3-33-03	Area and Height Standards	165
3-33-04	Relationship to Performance Standards	166
3-34	PLANNED UNIT DEVELOPMENT (P.U.D.)	167
3-34-01	General Provisions	167
3-34-02	Minimum Requirements	167
3-34-03	General Site Design Standards	168
3-35	AVIATION (AV)	176
3-35-01	Purpose	176
3-35-02	Boundaries	176
3-35-03	Permitted Principal Uses	176
3-35-04	Prohibited Uses	177
3-35-05	Area and Height Standards	177

3-35-06	Relationship to Design Requirements and Performance Standards.....	179
3-36	DENVER INTERNATIONAL AIRPORT (DIA)	180
3-36-01	Purpose.....	180
3-36-02	Boundaries.....	180
3-36-03	Permitted Principal Uses.....	180
3-36-04	General Site Design and Performance Standards.....	180
3-37	AIRPORT HEIGHT OVERLAY (AHO).....	182
3-37-01	Purpose.....	182
3-37-02	Boundaries.....	182
3-37-03	Permitted Uses.....	182
3-37-04	General Site Design and Performance Standards.....	182
3-37-05	Relationship to Design Requirements and Performance Standards.....	184
3-38	AIRPORT INFLUENCE ZONE (AIZ)	185
3-38-01	Purpose.....	185
3-38-02	Boundaries.....	185
3-38-03	Permitted Uses.....	185
3-38-04	Prohibited Uses	185
3-38-05	General Site Design and Performance Standards.....	185
3-38-06	Relationship to Design Requirements and Performance Standards.....	186
3-39	AIRPORT NOISE OVERLAY (ANO).....	187
3-39-01	Purpose.....	187
3-39-02	Boundaries.....	187
3-39-03	Permitted Uses.....	187
3-39-04	Prohibited Uses	187
3-39-05	General Site Design and Performance Standards.....	187
3-39-06	Relationship to Design Requirements and Performance Standards.....	189
3-40	FLAMMABLE GAS OVERLAY (FGO).....	190
3-40-01	Purpose.....	190
3-40-02	Location and Boundaries of Known Flammable Gas Hazard Area (Solid Waste Disposal Sites).....	190

<u>3-40-03</u>	<u>Unknown Flammable Gas Hazard Areas (Solid Waste Disposal Sites)..</u>	<u>192</u>
<u>3-40-04</u>	<u>Referrals of Proposed Construction on Solid Waste Disposal Site.....</u>	<u>192</u>
<u>3-40-05</u>	<u>Review Responsibilities.....</u>	<u>192</u>
<u>3-40-06</u>	<u>Building Permits and Construction on or Within One Thousand (1,000)</u> <u>Feet of a Former Solid Waste Disposal Site</u>	<u>193</u>
<u>3-40-07</u>	<u>Additional Remedial Measures</u>	<u>196</u>
<u>3-40-08</u>	<u>Relationship to Design Requirements and Performance</u>	<u>197</u>
<u>3-41</u>	<u>FLOOD CONTROL OVERLAY (FCO).....</u>	<u>198</u>
<u>3-41-01</u>	<u>Purpose.....</u>	<u>198</u>
<u>3-41-02</u>	<u>Applicability.....</u>	<u>198</u>
<u>3-41-03</u>	<u>Boundaries.....</u>	<u>198</u>
<u>3-41-04</u>	<u>General Administration.....</u>	<u>202</u>
<u>3-41-05</u>	<u>Disclaimer of Liability.....</u>	<u>203</u>
<u>3-41-06</u>	<u>Relationship to Other Regulations</u>	<u>203</u>
<u>3-41-07</u>	<u>General Provisions</u>	<u>204</u>
<u>3-42</u>	<u>MINERAL CONSERVATION OVERLAY (MCO)</u>	<u>216</u>
<u>3-42-01</u>	<u>Purpose.....</u>	<u>216</u>
<u>3-42-02</u>	<u>Mineral Conservation Area</u>	<u>216</u>
<u>3-42-03</u>	<u>Areas Exempted from these Restrictions.....</u>	<u>216</u>
<u>3-42-04</u>	<u>Restriction on Uses.....</u>	<u>217</u>
<u>3-42-05</u>	<u>Excavation and Rehabilitation</u>	<u>217</u>
<u>3-42-06</u>	<u>Operation and Rehabilitation Standards for all Mining Operations.....</u>	<u>217</u>
<u>3-42-07</u>	<u>Appeal of Mineral Conservation District Boundaries</u>	<u>220</u>
<u>3-42-08</u>	<u>Relationship to Design Requirements and Performance Standards.....</u>	<u>220</u>
<u>3-43</u>	<u>NATURAL RESOURCES CONSERVATION OVERLAY (NRCO)</u> <u>DISTRICT.....</u>	<u>221</u>
<u>3-43-01</u>	<u>Purpose.....</u>	<u>221</u>
<u>3-43-02</u>	<u>NRCO District Created</u>	<u>221</u>
<u>3-43-03</u>	<u>NRCO District Map</u>	<u>221</u>
<u>3-43-04</u>	<u>Development Exemptions in the NRCO.....</u>	<u>221</u>
<u>3-43-05</u>	<u>Standards.....</u>	<u>222</u>

Chapter 3—ZONE DISTRICT REGULATIONS**3-01 GENERAL APPLICATION**

The requirements within each zone district shall be the minimum regulations and shall apply to both the use of land or structure within each zone district. No land shall be used or occupied and no structure or building shall be constructed, erected, altered, used, or occupied except in conformity with all standards and regulations specified for the zone district in which it is located, and in conformity with the County's building, subdivision, other standards and regulations, resolutions, and ordinances. All Variance requests are subject to Section 2-02-18 of the Adams County Standards and Regulations, excluding Marijuana Establishments and Sexually Oriented Businesses. These regulations shall be subject to limitations regarding the number of marijuana establishments and/or the type of establishments as set forth by the BOCC in resolution.

3-02 ESTABLISHMENT OF ZONE DISTRICTS

In order to regulate the use of land and buildings, regulate the location, height, bulk and size of buildings and other structures, and to provide for minimum separation between uses and structures, the unincorporated areas of Adams County are divided into the following underlying defined zone districts:

1. Agricultural-3 (A-3)
2. Agricultural-2 (A-2)
3. Agricultural-1 (A-1)
4. Residential Estate (RE)
5. Residential-1-A (R-1-A) Same as R-1-C
6. Residential-1-C (R-1-C)
7. Residential Two-Family (R-2)
8. Residential Moderate Density (R-3)
9. Residential High Density (R-4)
- 9.10. Mixed-Use (MU)
- 10.11. Mobile Home Dwelling (MH)
- 11.12. Commercial-0 (C-0)
- 12.13. Commercial-1 (C-1)
- 13.14. Commercial-2 (C-2)
- 14.15. Commercial-3 (C-3)
- 15.16. Commercial-4 (C-4)
- 16.17. Commercial-5 (C-5)
- 17.18. Industrial-1 (I-1)
- 18.19. Industrial-2 (I-2)
- 19.20. Industrial-3 (I-3)
21. Conservation (CO) Public Lands, Parks, Open Space, and Facilities (PL)
- ~~Conservation (CO)~~
- ~~Public Lands, Parks, Open Space, and Facilities (PL)~~
- 20.22. Planned Unit Development (P.U.D.)
- 21.23. Aviation (AV)
24. Denver International Airport (DIA)

3-03 ESTABLISHMENT OF OVERLAY ZONE DISTRICTS

In order to regulate the use and development of land and buildings where specific issues or concerns must be mitigated due to unusual and unique circumstances or where alternative design concepts are desired or are necessary to mitigate specific conditions, the following overlay zone districts are hereby created:

1. Airport Height Overlay (AHO)
2. Airport Influence Zone (AIZ)
3. Airport Noise Overlay (ANO)
4. Flammable Gas Overlay (FGO)
5. Flood Control Overlay (FCO)
6. Mineral Conservation Overlay (MCO)
7. Natural Resources Conservation Overlay (NRCO)

3-04 INCORPORATION AND INTERPRETATION OF MAPS

The location and boundaries of the zone and overlay zone districts established by these standards and regulations are shown on the zone district maps of Adams County (Adams County Zoning Maps), which are incorporated into these standards and regulations by reference.

If for any reason the location of any zone or overlay zone district boundary line is not readily determinable from the Official Adams County Zoning Maps, the location of the zone or overlay zone district boundary line shall be determined by the Director of Community and Economic Development in accordance with the following provisions. Where more than one of the following provisions are applicable in any given situation, the first enumerated applicable provision shall prevail over all other provisions:

1. Where a zone or overlay zone district boundary line is located with reference to a fixture, monument, or natural feature, the location of such fixture, monument, or natural feature shall control.
2. Where a zone or overlay zone district boundary line is given a position within or abutting a highway, road, street, or alley right-of-way which does not appear to be located within any zone or overlay zone district, the zone district boundary line shall be deemed to be in the center of the highway, road, street, or alley right-of-way.
3. Where a zone or overlay zone district boundary line is shown as approximately following subdivision plat lot lines, municipal boundary or County boundary lines, the lot lines, or municipal or County boundary lines shall control.
4. Where a zone or overlay zone district boundary line is shown by a specific dimension, such specific dimension shall control.
5. Where a zone or overlay zone district boundary line is shown by reference to property ownership, the location of the zone or overlay zone district boundary line shall be determined by scaling from the County Assessor's maps.

6. In all other circumstances, the location of the zone or overlay zone district boundary line shall be determined by scaling from the zone district maps.

3-04-01 DIVISION OF A LOT BY A ZONE DISTRICT BOUNDARY

Where a zone or overlay zone district boundary line divides a lot, and where the division makes impractical the reasonable use of the lot, the zone or overlay zone district boundary may be adjusted by the Director of Community and Economic Development in either direction not to exceed one hundred (100) feet beyond the district boundary line into the remaining portion of the lot.

3-04-02 PROCEDURE FOR OBTAINING A BOUNDARY INTERPRETATION

Before a boundary interpretation may be provided by the Director of Community and Economic Development, a request for interpretation must be submitted to the Community and Economic Development Department in a form established by the Director of Community and Economic Development. After the Director of Community and Economic Development receives the request of interpretation, the Director of Community and Economic Development shall determine whether the request is complete, specific, clear and ready for review. If the Director of Community and Economic Development determines the request is not complete, a written notice shall be sent to the applicant specifying the deficiencies. The Director of Community and Economic Development shall take no further action on the request until the deficiencies are remedied.

After the request has been determined to be sufficient, the Director of Community and Economic Development shall review and evaluate the request in light of the terms and provisions of these standards and regulations and the zoning map, and render a written interpretation. The Director of Community and Economic Development may consult the County Attorney and other departments before rendering an interpretation. The written interpretation shall be sent to the applicant by U.S. Mail. *Interpretations not in writing shall have no force or effect.* Written interpretations set no precedent and shall be limited to the property identified in the interpretation.

The Director of Community and Economic Development shall maintain an official record of all interpretations in the Community and Economic Development Department. Such official record shall be available for inspection.

3-05 PERMITTED USES AND INTERPRETATIONS

3-05-01 USES PERMITTED IN EACH ZONE DISTRICT OR OVERLAY ZONE DISTRICT

The uses permitted in each zone or overlay zone district are specifically designated in Section 3-07 through 3-37. No use not specifically permitted or conditionally permitted shall be allowed in a district unless the Director of Community and Economic Development determines the use is similar to an expressly permitted use.

3-05-02 PROCEDURE FOR OBTAINING AN INTERPRETATION OF THE TEXT OF THESE STANDARDS AND REGULATIONS

Before a text interpretation may be provided by the Director of Community and Economic Development, a request for interpretation must be submitted to the Community and Economic Development Department in a form established by the Director of Community and Economic Development. After the Director of Community and Economic Development receives the request of interpretation, the Director of Community and Economic Development shall determine whether the request is complete, specific, clear and ready for review. If the Director of Community and Economic Development determines the request is not complete, a written notice shall be sent to the applicant specifying the deficiencies. The Director of Community and Economic Development shall take no further action on the request until the deficiencies are remedied.

After the request has been determined to be sufficient, the Director of Community and Economic Development shall review and evaluate the request in light of the terms and provisions of these standards and regulations and the zoning map, and render a written interpretation. The Director of Community and Economic Development may consult the County Attorney and other departments before rendering an interpretation. The written interpretation shall be sent to the applicant by U.S. Mail or electronic mail. *Interpretations not in writing shall have no force or effect.* Written interpretations set no precedent and shall be limited to the property identified in the interpretation.

The Director of Community and Economic Development shall maintain an official record of all interpretations in the Community and Economic Development Department. Such official record shall be available for inspection.

3-05-03 LIMIT OF INTERPRETATION

No interpretation shall authorize any use in a zone or overlay zone district unless the Director of Community and Economic Development determines the use is

substantially similar to a permitted use or conditionally permitted use in the district. No interpretation shall permit the establishment of any use inconsistent with the statement of purpose for the district in question, and no interpretation shall have the effect of amending, abrogating, or waiving any other standard or requirement established in these standards and regulations.

3-05-04 RELATIONSHIP OF INTERPRETATION TO OTHER STANDARDS

The Director of Community and Economic Development may require any use determined to be substantially similar to a permitted use or conditionally permitted use in a district to comply with all other standards contained in these standards and regulations pertaining to the substantially similar use, including, but not limited to, dimensional requirements, parking requirements, design requirements, and performance standards.

3-06 USE CATEGORIES DEFINED

The categories of use defined by these standards and regulations are set forth below. These use categories are established as a means of detailing the permitted uses within each zone district and overlay zone district. The categories are also established to provide consistent review, permitting, design requirements, and performance standards among similar uses. The uses not enumerated in this Section are not necessarily excluded. Section 3-05-01 empowers the Director of Community and Economic Development to make interpretations of use. The Director of Community and Economic Development may use the most recent edition of the Standard Industrial Classification Manual published by the Executive Office of the President, Office of Management and Budget, or any other sources to help determine whether an unidentified use is substantially similar to an identified permitted or conditional use.

1. Agricultural Uses
 - a. Agricultural Business
 - b. Agricultural Support Businesses and Services
 - c. Farming
 - d. Nurseries
 - e. Ranching
2. Residential Uses
 - a. Group Living Facility
 - b. Manufactured Home Park
 - c. Mobile Home Park
 - d. Multi-Family Dwelling
 - e. Single-Family Dwelling
 - f. Two-Family Dwelling
3. Institutional Uses
 - a. Funeral Home/Mortuary *
 - b. Funeral Home/Mortuary to Include Cremation *
 - c. Halfway House *
 - d. Institutional Care
 - e. Jails and Prisons
 - f. Neighborhood Indoor Uses
 - g. Outdoor Public Uses
 - h. Places of Worship
 - i. Public Service
 - †j. Tiny Home Villages
 - j-k. Universities
4. Commercial Uses
 - a. Airports, Landing Strips and Heliports
 - b. Animal Hospitals
 - c. Automobile Service Stations

- d. Bed and Breakfast Establishments
- e. Campgrounds, Commercial
- f. Communications Towers, Commercial
- g. Commercial Retail
- h. Convenience Store
- i. Drive-In Establishments
- j. Golf Course/Driving Range, Commercial
- k. Heavy Retail and Heavy Services
- l. Indoor Commercial Recreation/Entertainment
- m. Kennel, Commercial
- n. Lodging, Commercial
- o. Massage Business
- p. Off-Premise Advertising Devices
- q. Office
- r. Outdoor Commercial Recreation
- s. Parking Lot, Commercial
- t. Racing Facilities
- u. Restaurants
- ~~u-v.~~ v. Safe Parking Sites
- ~~w.~~ w. Services
- ~~w-x.~~ w-x. Sexually-Oriented Business
- y. Trade Schools

5. Mixed Uses

~~x-a.~~ a. Commercial/Residential Mixed-Use

~~5-6.~~ 6. Industrial Uses

- a. Business Park Uses
- b. Extraction or Disposal Uses
- c. Heavy Industry
- d. Heavy Manufacturing or Processing
- e. Landscape Storage Yards *
- f. Light Industry
- g. Light Manufacturing or Processing
- h. Major Energy Facility
- i. Moderate Manufacturing or Processing
- j. Oil and Gas Facilities
- k. Accessory Outdoor Storage (up to 25% of the building area) *
- l. Accessory Outdoor Storage (in excess of 25% and up to 100% of the building area) *
- ~~m.~~ m. Outdoor Storage (in excess of 100% of the building area) *

~~6-7.~~ 7. Marijuana Establishmentsⁱ

- a. Medical Marijuana Store
- b. Retail Marijuana Store

(P) Permitted (C) Conditional (S) Special Use Permit (-) Prohibited
(O) Oil and Gas Facility Permit (A) Administrative Review Permit

- c. Medical Marijuana Product Manufacturing Facility
 - d. Retail Marijuana Product Manufacturing Facility
 - e. Medical Marijuana Cultivation Facility
 - a. Retail Marijuana Cultivation Facility
 - b. Retail Marijuana Testing Facility
 - c. Marijuana Hospitality Business
 - d. Retail Marijuana Hospitality and Sales Business
- * Adopted by the BOCC on December 13, 2010**

3-07 USE CHART AND DIMENSIONAL REQUIREMENTS**3-07-01 USE CHARTⁱⁱ**

The following tables summarize the permitted, conditionally permitted, and prohibited uses in each zone district. These tables are provided for ease of comparing allowed and prohibited uses between zone districts. Other standards or restrictions may apply within a specific zone district. The reader is advised to check the restrictions in the specific zone district section within these standards and regulations, Use Chart, review any restrictions within any overlay zone district which may further limit the permitted and conditional uses, and review any performance standards applicable to the use. If there is a conflict between the Use Chart and Dimensional Requirements (Chart) and the specific language in the zone district, then the language in the Chart shall prevail over the zone district.

3-07-02 **SUMMARY OF DIMENSIONAL REQUIREMENTS**

The following tables summarize the dimensional requirements in each zone district. These tables are provided for ease of comparing dimensional requirements between zone districts. Other standards or restrictions may apply within a specific zone district. The reader is advised to check the restrictions in the specific zone district section within these standards and regulations, review any restrictions within any overlay zone district which may further limit dimensional requirements, and review any performance standards applicable to the use.

USE CATEGORIES	A-1	A-2	A-3	RE	R-1-C	R-2	R-3	R-4	MH	MU	C-0	C-1	C-2	C-3	C-4	C-5	I-1	I-2	I-3	CO	P-L	NP	RP	NA
Agricultural Uses																								
Agricultural Businesses and Farming Operations	C	C	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-
Animal farms	P	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-
Animal Feeding Operation (AFO) and Concentrated Animal Feeding Operation (CAFO)	C	C	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-
Aquaculture facility	C	C	C	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	P	-	-	-	C	-
Crop farming, excluding Hemp	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P/C	P	P	P	-
Crop farming, including hemp	P	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P/C	P	-	P	-
Equestrian Arena, Commercial	C	C	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-
Equestrian Arena, Personal	P	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Agricultural Support Businesses and Services	C	C	C	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	P	-	-	-	P	-
Farm machinery sales and services	C	C	C	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	P	-	-	-	P	-
Farm supply sales	C	C	C	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	P	-	-	-	P	-
Grain mill	C	C	C	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	P	-	-	-	P	-
Grain elevators	C	C	C	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	P	-	-	-	P	-
Riding stables or academy	C	C	C	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	P	-	-	-	P	-
Agri-tourism	P	P	P	-	-	-	-	-	-	-	C	C	C	C	C	P	P	P	P	-	-	-	P	-
Nurseries	P	P	P	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P/C	P	-	P	-
Forestry and Silviculture	P	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-
Timbering and logging	P	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-
Residential Uses																								
Accessory Dwelling Unit	P	P	P	P	P	P	P	P	P	-	P	P	P	P	P	P	P	P	P	P	P	-	-	-
Group Home for the Developmentally Disabled	C	C	C	C	C	C	C	C	C	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Group Home for the Elderly	C	C	C	C	C	C	C	C	C	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Group Living Facility (1 to 5 persons)	P	P	P	P	P	P	P	P	C	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Group Living Facility (in excess of 5 persons)	C	C	C	C	C	C	C	C	C	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Group Living Facility (with more than 1 registered sex offender)	C	C	C	C	C	C	C	C	C	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Manufactured Home Park	-	-	-	-	C	C	C	C	C	-	C	C	-	-	-	-	-	-	-	-	-	-	-	-
Mobile Home Park	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Multi-Family Dwelling	-	-	-	-	-	-	P	P	C	-	C	C	-	-	-	-	-	-	-	-	-	-	-	-
Single-Family Dwelling	P	P	P	P	P	P	C	C	P	-	C	-	-	-	-	-	-	-	-	C	-	-	-	-
Two-Family Dwelling	C	C	C	-	-	P	C	C	C	-	C	-	-	-	-	-	-	-	-	-	-	-	-	-
Vacation Rental	P	P	P	P	P	P	P	P	P	-	P	P	P	P	P	P	P	P	-	-	-	-	-	-
Recreational Uses																								

Use Table

USE CATEGORIES	A-1	A-2	A-3	RE	R-1-C	R-2	R-3	R-4	MH	MU	C-0	C-1	C-2	C-3	C-4	C-5	I-1	I-2	I-3	CO	P-L	NP	RP	NA
Indoor Recreational Uses	C	C	C	C	C	C	C	C	C	C	P	P	P	P	P	P	P	P	P	-	P	P	P	-
Indoor racquet game courts (i.e. Handball, Racquetball, Tennis)	C	C	C	C	C	C	C	C	C	C	P	P	P	P	P	P	P	P	P	-	P	P	P	C
Indoor recreational centers	C	C	C	C	C	C	C	C	C	C	P	P	P	P	P	P	P	P	P	-	P	P	P	-
Indoor swimming pools	C	C	C	C	C	C	C	C	C	C	P	P	P	P	P	P	P	P	P	-	P	P	P	-
Neighborhood community or recreational centers	C	C	C	C	C	C	C	C	C	C	P	P	P	P	P	P	P	P	P	-	P	P	P	-
Outdoor Recreational Uses	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P/C	P	P	P	P
Arboretums	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P/C	P	P	P	C
Areas for hiking	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P/C	P	P	P	P
Garden plots	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P/C	P	P	P	P
Nature areas	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P/C	P	P	P	P
Picnic areas	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P/C	P	P	P	P
Public areas for active recreational activities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P/C	P	P	P	P
Recreation-oriented parks	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P/C	P	P	P	P
Playgrounds and Playfields	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P/C	P	P	P	-
Institutional Uses																								
Funeral Home/Mortuary*	P	P	P	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	-	-	-	-	-
Funeral Home/Mortuary to include Cremation*	C	C	C	-	-	-	-	-	-	-	-	-	C	C	C	P	P	P	-	-	-	-	-	
Halfway House*	-	-	C	-	-	-	-	-	-	-	-	-	-	-	-	C	C	C	C	-	C	-	-	-
Institutional Care	C	C	C	C	C	C	C	C	C	-	P	P	P	P	P	P	P	P	P	-	P	-	-	-
Boarding/rooming houses	C	C	C	C	C	C	C	C	C	-	P	P	P	P	P	P	P	P	P	-	P	-	-	-
Convalescent homes	C	C	C	C	C	C	C	C	C	-	P	P	P	P	P	P	P	P	P	-	P	-	-	-
Convents or monasteries	C	C	C	C	C	C	C	C	C	-	P	P	P	P	P	P	P	P	P	-	P	-	-	-
Foster homes	C	C	C	C	C	C	C	C	C	-	P	P	P	P	P	P	P	P	P	-	P	-	-	-
Hospitals/clinics	C	C	C	C	C	C	C	C	C	-	P	P	P	P	P	P	P	P	P	-	P	-	-	-
Nursing homes	C	C	C	C	C	C	C	C	C	-	P	P	P	P	P	P	P	P	P	-	P	-	-	-
Protective living facilities	C	C	C	C	C	C	C	C	C	-	P	P	P	P	P	P	P	P	P	-	P	-	-	-
Sanitariums	C	C	C	C	C	C	C	C	C	-	P	P	P	P	P	P	P	P	P	-	P	-	-	-
Sheltered care homes	C	C	C	C	C	C	C	C	C	-	P	P	P	P	P	P	P	P	P	-	P	-	-	-
Jails and Prisons	-	-	C	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	C	C	-	C	-	-
Jails	-	-	C	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	C	C	-	C	-	-
Penal institutions	-	-	C	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	C	C	-	C	-	-
Prisons	-	-	C	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	C	C	-	C	-	-
Neighborhood Indoor Uses	C	C	C	C	C	C	C	C	C	-	P	P	P	P	P	P	P	P	P	-	P			
Branch libraries	C	C	C	C	C	C	C	C	C	P	P	P	P	P	P	P	P	P	P	-	P	P	P	-
Day care centers (day or nursery schools) (Adult* or Child)	C	P	P	C	C	C	C	C	C	P	P	P	P	P	P	P	P	P	P	-	P	-	-	-
Gymnasiums	C	C	C	C	C	C	C	C	C	P	P	P	P	P	P	P	P	P	P	-	P	P	P	-
Indoor skating rinks (ice or roller)	C	C	C	C	C	C	C	C	C	P	P	P	P	P	P	P	P	P	P	-	P	P	P	-
Public or private primary and secondary schools (excluding trade schools)	C	C	C	C	C	C	C	C	C	P	P	P	P	P	P	P	P	P	P	-	P	-	-	-
Safe Parking	A	A	A	A	A	A	A	A	A	-	A	A	A	A	A	A	A	A	A	A	-	-	-	-

Use Table

Use Table

USE CATEGORIES	A-1	A-2	A-3	RE	R-1-C	R-2	R-3	R-4	MH	MU	C-0	C-1	C-2	C-3	C-4	C-5	I-1	I-2	I-3	CO	P-L	NP	RP	NA	
Tiny Home Village	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
Branch libraries	€	€	€	€	€	€	€	€	€		P	P	P	P	P	P	P	P	P	-	P				
Day care centers (day or nursery schools) (Adult* or Child)	€	P	P	€	€	€	€	€	€		P	P	P	P	P	P	P	P	P	-	P				
Gymnasiums	€	€	€	€	€	€	€	€	€		P	P	P	P	P	P	P	P	P	-	P				
Handball courts	€	€	€	€	€	€	€	€	€		P	P	P	P	P	P	P	P	P	-	P				
Indoor recreational centers	€	€	€	€	€	€	€	€	€		P	P	P	P	P	P	P	P	P	-	P				
Indoor skating rinks (ice or roller)	€	€	€	€	€	€	€	€	€		P	P	P	P	P	P	P	P	P	-	P				
Indoor swimming pools	€	€	€	€	€	€	€	€	€		P	P	P	P	P	P	P	P	P	-	P				
Neighborhood community or recreational centers	€	€	€	€	€	€	€	€	€		P	P	P	P	P	P	P	P	P	-	P				
Public or private primary and secondary schools (excluding trade schools)	€	€	€	€	€	€	€	€	€		P	P	P	P	P	P	P	P	P	-	P				
Racquetball	€	€	€	€	€	€	€	€	€		P	P	P	P	P	P	P	P	P	-	P				
Tennis	€	€	€	€	€	€	€	€	€		P	P	P	P	P	P	P	P	P	-	P				
Outdoor Public Uses	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P/C	P				
Animal rehabilitation center (large animals)	C	C	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Animal rehabilitation center (small animals)	C	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Aquarium	P	P	P	P	P	P	P	P	P	-	P	P	P	P	P	P	P	P	P	P/C	P	C	P	-	
Botanical Gardens	P	P	P	P	P	P	P	P	P	-	P	P	P	P	P	P	P	P	P	P/C	P	C	P	C	
Cemeteries, with or without caretaker residences*	C	C	P	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	-	-	-	-	-	
Fairgrounds	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	
Wildlife sanctuaries	P	P	P	P	P	P	P	P	P	-	P	P	P	P	P	P	P	P	P	P/C	P	C	P	-	
Zoo	P	P	P	P	P	P	P	P	P	-	P	P	P	P	P	P	P	P	P	P/C	P	C	P	-	
Arboretums	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	-P	P/C	P			
Areas for hiking	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P/C	P			
Cemeteries, with or without caretaker residences*	€	€	P	-	-	-	-	-	-		-	-	-	P	P	P	P	P	P	-	-				
Garden plots	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P/C	P			
Nature areas	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P/C	P			
Picnic areas	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P/C	P			
Public areas for active recreational activities	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P/C	P			
Recreation-oriented parks	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P/C	P			
Wildlife sanctuaries	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P/C	P			
Animal rehabilitation center (large animals)	€	€	€	-	-	-	-	-	-		-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Animal rehabilitation center (small animals)	€	P	P	-	-	-	-	-	-		-	-	-	-	-	-	-	-	-	-	-	-	P	P	P
Places of Worship	C	C	P	C	C	C	C	C	C	C	P	P	P	P	P	P	P	C	C	-	-	-	-	-	
Public Service	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	C	P	C

Use Table

Use Table

USE CATEGORIES	A-1	A-2	A-3	RE	R-1-C	R-2	R-3	R-4	MH	MU	C-0	C-1	C-2	C-3	C-4	C-5	I-1	I-2	I-3	CO	P-L	NP	RP	NA	
All government-owned facilities except landfills or mining facilities	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	C	P	C
Emergency service buildings or garages	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	C	P	C
Government offices	C	C	C	C	C	C	C	C	C	P	C	C	C	C	C	C	C	C	C	C	C	P	C	P	C
Museum	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	C	P	C
Utility substations or transmission and distribution facilities	C	C	C	C	C	C	C	C	C	-	C	C	C	C	C	C	C	C	C	C	C	P	C	P	C
Universities	C	C	C	C	C	C	-	-	-	-	C	C	C	C	C	C	C	C	C	C	-	P	C	P	C
Mixed-Uses																									
Commercial-Residential Mixed-Use Development	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Commercial Uses																									
Airports, Landing Strips and Heliports	C	C	C	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	C	-	C	-	-	-	-
Animal Hospitals	C	C	C	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-
Automobile Service Stations	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-
Car washes	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-
Convenience stores with fueling stations where vehicles are serviced with minor repairs, oil changes, etc.	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	-	-	-	-	-
Fueling stations	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-
Bed and Breakfast Establishments	P	P	P	C	C	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-
Campgrounds, Commercial	C	C	C	-	-	-	-	-	-	-	C	C	C	C	C	C	C	C	C	C	-	-	-	C	-
Camps	C	C	C	-	-	-	-	-	-	-	C	C	C	C	C	C	C	C	C	C	-	-	-	C	-
Campsites	C	C	C	-	-	-	-	-	-	-	C	C	C	C	C	C	C	C	C	C	-	-	-	C	-
Recreational vehicle parks	C	C	C	-	-	-	-	-	-	-	C	C	C	C	C	C	C	C	C	C	-	-	-	C	-
Tents	C	C	C	-	-	-	-	-	-	-	C	C	C	C	C	C	C	C	C	C	-	-	-	C	-
Trailer parks	C	C	C	-	-	-	-	-	-	-	C	C	C	C	C	C	C	C	C	C	-	-	-	-	-
Communications Towers, Commercial	C	C	C	-	-	-	-	-	-	-	C	C	C	C	C	C	C	C	C	C	-	-	-	-	-
Antenna arrays (satellite dishes)	C	C	C	-	-	-	-	-	-	-	C	C	C	C	C	C	C	C	C	C	-	-	-	-	-
Radio or TV broadcasting towers	C	C	C	-	-	-	-	-	-	-	C	C	C	C	C	C	C	C	C	C	-	-	-	-	-
Telecommunications towers	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Commercial Retail	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-

Use Table

Use Table

<i>USE CATEGORIES</i>	A-1	A-2	A-3	RE	R-1-C	R-2	R-3	R-4	MH	MU	C-0	C-1	C-2	C-3	C-4	C-5	I-1	I-2	I-3	CO	P-L	NP	RP	NA
Apparel and accessory stores	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-
Building supplies	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-
Cabinet sales	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-
Dry cleaners	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-
Engineering and management services	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-
Food stores	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-
Furniture and home furnishings stores	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-
General merchandise stores	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-
Greenhouses (retail) and greenhouses with garden supplies	C	C	C	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	-	-	C	P	-
Health services	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-
Legal services	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-
Membership organizations	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-
Miscellaneous retail except fuel dealers	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-
Miscellaneous services	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-
Social services except care facilities	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-
Convenience Retail Store	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	-	-	-	-	-
Drive-In Establishments	-	-	-	-	-	-	-	-	-	-	C	C	P	P	P	P	P	P	P	-	-	-	C	-
Golf Course/Driving Range, Commercial	C	C	C	C	C	C	C	C	C	-	C	C	P	P	P	P	P	P	P	-	-	C	P	-
Heavy Retail and Heavy Services	-	-	C	-	-	-	-	-	-	-	-	-	C	C	C	C	P	P	P	-	-	-	-	-
Auto/truck rental/leasing	-	-	C	-	-	-	-	-	-	-	-	-	C	C	C	C	P	P	P	-	-	-	-	-
Automobile dealers	-	-	C	-	-	-	-	-	-	-	C	C	P	P	P	P	P	P	P	-	-	-	-	-
Automotive repair except top, body, upholstery repair, paint, and tire retreading shops	-	-	C	-	-	-	-	-	-	-	-	-	C	C	P	P	P	P	P	-	-	-	-	-
Automotive services except wrecking or towing storage yards	-	-	C	-	-	-	-	-	-	-	-	-	C	C	C	C	P	P	P	-	-	-	-	-
Auto towing and storage yards	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	-	-	-	-	-
Cabinet manufacturing with sales	-	-	C	-	-	-	-	-	-	-	-	-	C	C	C	C	P	P	P	-	-	-	-	-
Cold storage	-	-	C	-	-	-	-	-	-	-	-	-	C	C	C	C	P	P	P	-	-	-	-	-
Firewood sales, storage, and splitting	-	-	C	-	-	-	-	-	-	-	-	-	C	C	C	C	P	P	P	-	-	-	P	-
Flea market	-	-	C	-	-	-	-	-	-	-	-	-	C	C	C	C	P	P	P	-	-	-	P	-
Mobile home and manufactured housing dealers with mobile home sales office	-	-	C	-	-	-	-	-	-	-	-	-	C	C	C	C	P	P	P	-	-	-	-	-
Pawn shops	-	-	C	-	-	-	-	-	-	-	-	-	C	C	C	C	P	P	P	-	-	-	-	-

Use Table

USE CATEGORIES	A-1	A-2	A-3	RE	R-1-C	R-2	R-3	R-4	MH	MU	C-0	C-1	C-2	C-3	C-4	C-5	I-1	I-2	I-3	CO	P-L	NP	RP	NA
Radio and TV broadcasting station	-	-	C	-	-	-	-	-	-	-	-	-	C	C	C	C	P	P	P	-	-	-	-	-
Indoor Commercial Recreation/Entertainment	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	P	P	P	P	-	-	C	P	-
Event Centers	-	-	C	-	-	-	-	-	-	P	-	C	P	P	P	P	P	P	P	-	C	-	P	-
Bowling alleys	-	-	-	-	-	-	-	-	-	P	-	C	P	P	P	P	P	P	P	-	-	-	C	-
Indoor sports arenas	-	-	-	-	-	-	-	-	-	P	-	C	P	P	P	P	P	P	P	-	-	-	P	-
Movie theaters	-	-	-	-	-	-	-	-	-	P	-	C	P	P	P	P	P	P	P	-	-	-	C	-
Physical fitness facilities	-	-	-	-	-	-	-	-	-	P	-	C	P	P	P	P	P	P	P	-	-	-	P	-
Pool arcades	-	-	-	-	-	-	-	-	-	P	-	C	P	P	P	P	P	P	P	-	-	-	C	-
Video arcades	-	-	-	-	-	-	-	-	-	P	-	C	P	P	P	P	P	P	P	-	-	-	C	-
Kennel, Commercial	C	C	C	-	-	-	-	-	-	-	-	C	C	C	C	C	C	C	C	-	-	-	P	-
Lodging, Commercial	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	P	P	P	P	-	-	-	-	-
Convention centers	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	P	P	P	P	-	-	-	-	-
Hotels	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	P	P	P	P	-	-	-	-	-
Motels	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	P	P	P	P	-	-	-	-	-
Massage Business	-	-	-	-	-	-	-	-	-	-	-	C	C	C	C	C	C	C	C	-	-	-	-	-
Off-Premise Advertising Devices	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	C	C	-	-	-	-	-
Office	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-
Banking and other credit agencies (offices only)	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-
Business services	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-
Commodity brokers and services	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-
Holding and other investments	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-
Insurance carriers	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-
Medical offices	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-
Real estate	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-
Security	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-
Outdoor Commercial Recreation	C	C	C	-	-	-	-	-	-	-	-	C	C	C	C	C	C	C	C	-	-	C	P	-
Amusement parks	C	C	C	-	-	-	-	-	-	-	-	C	C	C	C	C	C	C	C	-	-	-	P	-
Archery ranges	C	C	C	-	-	-	-	-	-	-	-	C	C	C	C	C	C	C	C	-	-	-	P	-
Batting cages	C	C	C	-	-	-	-	-	-	-	-	C	C	C	C	C	C	C	C	-	-	-	P	-
Drive-in theaters	C	C	C	-	-	-	-	-	-	-	-	C	C	C	C	C	C	C	C	-	-	C	P	-
Go-cart establishments	C	C	C	-	-	-	-	-	-	-	-	C	C	C	C	C	C	C	C	-	-	C	P	-
Ice and roller skating rinks	C	C	C	-	-	-	-	-	-	-	-	C	C	C	C	C	C	C	C	-	-	C	P	-
Miniature golf establishments	C	C	C	-	-	-	-	-	-	-	-	C	C	C	C	C	C	C	C	-	-	C	P	-
Music arenas	C	C	C	-	-	-	-	-	-	-	-	C	C	C	C	C	C	C	C	-	-	-	P	-
Outdoor commercial amusement facilities	C	C	C	-	-	-	-	-	-	-	-	C	C	C	C	C	C	C	C	-	-	-	P	-
Pistol and shooting ranges	C	C	C	-	-	-	-	-	-	-	-	C	C	C	C	C	C	C	C	-	-	-	C	-
Theme parks	C	C	C	-	-	-	-	-	-	-	-	C	C	C	C	C	C	C	C	-	-	-	P	-
Water slides	C	C	C	-	-	-	-	-	-	-	-	C	C	C	C	C	C	C	C	-	-	C	P	-

Use Table

USE CATEGORIES	A-1	A-2	A-3	RE	R-1-C	R-2	R-3	R-4	MH	MU	C-0	C-1	C-2	C-3	C-4	C-5	I-1	I-2	I-3	CO	P-L	NP	RP	NA	
Zoo, Commercial	-	-	-	-	-	-	-	-	-	-	-	C	C	C	C	C	C	C	C	C	-	-	-	P	-
Parking Lot, Commercial	-	C	C	-	-	-	-	-	-	-	-	C	C	C	P	P	P	P	P	P	-	-	-	-	-
Racing Facilities	-	-	C	-	-	-	-	-	-	-	-	-	-	-	C	C	C	C	C	C	-	-	-	C	-
Automobile racing	-	-	C	-	-	-	-	-	-	-	-	-	-	-	C	C	C	C	C	C	-	-	-	C	-
Dog tracks	-	-	C	-	-	-	-	-	-	-	-	-	-	-	C	C	C	C	C	C	-	-	-	C	-
Horse racing	-	-	C	-	-	-	-	-	-	-	-	-	-	-	C	C	C	C	C	C	-	-	-	C	-
Truck racing	-	-	C	-	-	-	-	-	-	-	-	-	-	-	C	C	C	C	C	C	-	-	-	C	-
Restaurants	-	-	-	-	-	-	-	-	-	P	C	P	P	P	P	P	P	P	P	P	-	-	C	P	-
Safe Parking Sites	A	A	A	A	A	A	A	A	-	-	A	A	A	A	A	A	A	A	A	A	A	-	-	-	-
Services	-	-	C	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-
Sexually Oriented Business	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	-	-	-	-	-
Trade Schools	C	C	C	-	-	-	-	-	-	P	-	C	C	P	P	P	P	P	P	P	-	-	-	-	-
Industrial Uses																									
Business Park Uses	-	-	-	-	-	-	-	-	-	-	C	C	C	C	P	P	P	P	P	P	-	-	-	-	-
Apparel and other finished products made from fabrics and similar materials	-	-	-	-	-	-	-	-	-	-	C	C	C	C	P	P	P	P	P	P	-	-	-	-	-
Arrangement of transportation of freight and cargo	-	-	-	-	-	-	-	-	-	-	C	C	C	C	P	P	P	P	P	P	-	-	-	-	-
Bakeries	-	-	-	-	-	-	-	-	-	-	C	C	C	C	P	P	P	P	P	P	-	-	-	-	-
Communications	-	-	-	-	-	-	-	-	-	-	C	C	C	C	P	P	P	P	P	P	-	-	-	-	-
Development and testing services	-	-	-	-	-	-	-	-	-	-	C	C	C	C	P	P	P	P	P	P	-	-	-	-	-
Measuring, analyzing, and controlling instrument manufacturing	-	-	-	-	-	-	-	-	-	-	C	C	C	C	P	P	P	P	P	P	-	-	-	-	-
Medical and optical goods	-	-	-	-	-	-	-	-	-	-	C	C	C	C	P	P	P	P	P	P	-	-	-	-	-
Motion picture production and allied services	-	-	-	-	-	-	-	-	-	-	C	C	C	C	P	P	P	P	P	P	-	-	-	-	-
Moving companies	-	-	-	-	-	-	-	-	-	-	C	C	C	C	P	P	P	P	P	P	-	-	-	-	-
Musical instruments and sporting/athletic goods manufacturing	-	-	-	-	-	-	-	-	-	-	C	C	C	C	P	P	P	P	P	P	-	-	-	-	-
Photographic	-	-	-	-	-	-	-	-	-	-	C	C	C	C	P	P	P	P	P	P	-	-	-	-	-
Research	-	-	-	-	-	-	-	-	-	-	C	C	C	C	P	P	P	P	P	P	-	-	-	-	-
Space research and technology	-	-	-	-	-	-	-	-	-	-	C	C	C	C	P	P	P	P	P	P	-	-	-	-	-
United States Postal Service	-	-	-	-	-	-	-	-	-	-	C	C	C	C	P	P	P	P	P	P	-	-	-	-	-
Watches and clocks	-	-	-	-	-	-	-	-	-	-	C	C	C	C	P	P	P	P	P	P	-	-	-	-	-
Energy Facilities																									
Major energy facility	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	-	-	-
Solar energy system, small-scale	C	P	P	C	C	C	C	C	C	C	C	C	C	C	P	P	P	P	P	P	C	P	-	-	-

Use Table

Use Table

USE CATEGORIES	A-1	A-2	A-3	RE	R-1-C	R-2	R-3	R-4	MH	MU	C-0	C-1	C-2	C-3	C-4	C-5	I-1	I-2	I-3	CO	P-L	NP	RP	NA
Solar energy system, medium scale	C	C	P	C	-	-	-	-	-	-	-	-	C	C	P	P	P	P	P	-	C	-	-	-
Solar energy system, large-scale	C	C	C	-	-	-	-	-	-	-	-	-	-	-	C	C	C	C	C	-	C	-	-	-
Extraction or Disposal Uses	C/S	C/S	C/S	C/S	C/S	C/S	C/S	C/S	C/S	C/S	C/S	C/S	C/S	C/S	C/S	C/S	C/S	C/S	C/S	C/S	-	-	-	-
Heavy Industry	-	C	C	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P/C	P/C	-	-	-	-	-
Alcoholic beverage manufacturing	-	-	C	-	-	-	-	-	-	-	C	C	C	C	P	P	P	P	P	-	-	-	-	-
Asphalt and concrete production facilities	-	-	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	-	-	-	-	-
Auction yards with livestock	-	C	C	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	-	-	-	-	-
Automobile manufacturing	-	-	C	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	-	-	-	-	-
Chemical manufacturing	-	-	C	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	-	-	-	-	-
Chemicals and allied products manufacturing except drugs	-	-	C	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	-	-	-	-	-
Heavy construction contractors	-	-	C	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	-	-	-	-	-
Heavy logistics center	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	-	-	-	-	-
Manufactured homes	-	-	C	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	-	-	-	-	-
Meat processing, packing, packaging, and slaughterhouses	-	C	C	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	-	-	-	-	-
Paper, pulp, or paperboard mills	-	-	C	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	-	-	-	-	-
Petroleum products manufacturing	-	-	C	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	-	-	-	-	-
Railroad transportation	-	C	C	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	-	-	-	-	-
Railroad yard	C	C	C	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	P	-	-	-	C	-
Rubber and miscellaneous plastics manufacturing	-	-	C	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	-	-	-	-	-
Salvage yards	-	-	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	-	-	-	-	-
Sawmills	-	-	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	-	-	-	-	-
Stone and clay products	-	-	C	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	-	-	-	-	-
The storage and disassembly of vehicles and the re-assembly of various parts	-	-	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	-	-	-	-	-
Trailer and truck manufacturing	-	-	C	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	-	-	-	-	-
Transportation equipment	-	-	C	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	-	-	-	-	-
Utility production or processing facilities	-	C	C	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	-	-	-	-	-
Heavy Manufacturing or Processing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	-	-	-	-	-
Abrasive manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	-	-	-	-	-
Acid manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	-	-	-	-	-

Use Table

Use Table

USE CATEGORIES	A-1	A-2	A-3	RE	R-1-C	R-2	R-3	R-4	MH	MU	C-0	C-1	C-2	C-3	C-4	C-5	I-1	I-2	I-3	CO	P-L	NP	RP	NA
Asbestos products manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	-	-	-	-	-
Boiler or tank manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	-	-	-	-	-
Bone reduction	-	-	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	-	-	-	-	-
Caustic soda manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	-	-	-	-	-
Celluloid manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	-	-	-	-	-
Coal, coke yards, or coal classifications	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	-	-	-	-	-
Detergent, soap, and by-products manufacturing using animal fat	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	-	-	-	-	-
Disinfectant, insecticide, or poison manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	-	-	-	-	-
Distillation of bone, refuse, grain, and wood	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	-	-	-	-	-
Dye manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	-	-	-	-	-
Felt manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-
Fossil fuel manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	-	-	-	-	-
x[Fuel, oil, gasoline, and petroleum products (bulk storage and/or sale)] Bulk storage and/or bulk sale (fuel, oil, gasoline, and petroleum products)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	-	-	-	-	-
Hazardous waste treatment facility	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	-	-	-	-	-
Linseed oil, shellac, and turpentine manufacturing and refinery	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	-	-	-	-	-
Lubrication and grease manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	C	-	-	-	-	-
Lumber mills, planing mills, and storage of logs	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	-	-	-	-	-
Oil compounding	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	-	-	-	-	-
Paint and enamel manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	-	-	-	-	-
Pickle manufacturing	-	C	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	-	-	-	-	-
Recycling Facilities	-	-	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	-	-	-	-	-
Scrap processing or shredding yard	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	-	-	-	-	-
Smelting or refining of metal	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	-	-	-	-	-
Sugar and beet refining	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	-	-	-	-	-
Tar and waterproofing (materials manufacturing, treatment, and bulk storage)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	-	-	-	-	-
Landscape Storage Yards*	-	-	C	-	-	-	-	-	-	-	-	-	-	-	-	C	C	P	P	-	-	-	-	-

Use Table

Use Table

USE CATEGORIES	A-1	A-2	A-3	RE	R-1-C	R-2	R-3	R-4	MH	MU	C-0	C-1	C-2	C-3	C-4	C-5	I-1	I-2	I-3	CO	P-L	NP	RP	NA
Light Industry	-	-	C	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	-	-	-	-	-
Auction houses without livestock	-	-	C	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	-	-	-	-	-
Automotive repair, including top, body, upholstery repair, paint, and tire re-treading shops	-	-	C	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	-	-	-	-	-
Bus repair	-	-	C	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	-	-	-	-	-
Dairy and food processing and manufacturing facilities	-	-	C	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	-	-	-	-	-
Drug manufacturing	-	-	C	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	-	-	-	-	-
Dry cleaning plants	-	-	C	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	-	-	-	-	-
Electric and electronic equipment, including electronic distribution and electrical industrial	-	-	C	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	-	-	-	-	-
Fabricated metal, sheet metal shops, metal products manufacturing	-	-	C	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	-	-	-	-	-
Fuel and ice dealers	-	-	C	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	-	-	-	-	-
Furniture and fixtures	-	-	C	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	-	-	-	-	-
General building contractors	-	-	C	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	-	-	-	-	-
Instruments and related products	-	-	C	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	-	-	-	-	-
Leather and leather products, including tanning and finishing	-	-	C	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	-	-	-	-	-
Local and interurban passenger transit	C	C	C	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	-	-	-	-	-
Light logistics center	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	-	-	-	-	-
Lumber, building materials, and wood products	-	-	C	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	-	-	-	-	-
Meat processing and packaging, excluding meat packing and slaughter	-	-	C	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	-	-	-	-	-
Mini-storage	-	-	C	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	-	-	-	-	-
Miscellaneous manufacturing industries	-	-	C	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	-	-	-	-	-
Paper products, except mills	-	-	C	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	-	-	-	-	-
Printing and publishing	-	-	C	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	-	-	-	-	-
Recreational vehicle storage	-	-	C	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-
Special trade contractors	-	-	C	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	-	-	-	-	-

Use Table

USE CATEGORIES	A-1	A-2	A-3	RE	R-1-C	R-2	R-3	R-4	MH	MU	C-0	C-1	C-2	C-3	C-4	C-5	I-1	I-2	I-3	CO	P-L	NP	RP	NA
Special warehousing and storage	-	-	C	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	-	-	-	-	-
Textiles and apparel	-	-	C	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	-	-	-	-	-
Transportation services	-	-	C	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	-	-	-	-	-
Trucking and general warehousing	-	-	C	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	-	-	-	-	-
Truck stops	C	C	C	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	P	-	-	-	-	-
Welding repair	-	-	C	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	-	-	-	-	-
Wholesale trade (durable and non-durable)	-	-	C	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	-	-	-	-	-
Light Manufacturing or Processing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	-	-	-	-	-
Beverage manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	-	-	-	-	-
Book binding	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	-	-	-	-	-
Canvas products manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	-	-	-	-	-
Clothing or cloth manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	-	-	-	-	-
Office and computing machines	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	-	-	-	-	-
Electronics manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	-	-	-	-	-
Furnace installation, repair, and cleaning	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	-	-	-	-	-
Hosiery manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	-	-	-	-	-
Machine shops	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	-	-	-	-	-
Machine tool manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	-	-	-	-	-
Machinery sales	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	-	-	-	-	-
Public utility storage, yards, and service installments	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	-	-	-	-	-
Shoe manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	-	-	-	-	-
Sign manufacturing, repair, and maintenance	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	-	-	-	-	-
Moderate Manufacturing or Processing																	C/P	P	P	-	-	-	-	-
Can manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-
Candy product manufacturing (for sale off premises)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	P	-	-	-	-	-
Cement, cinder block, concrete, lime or plaster manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		P/C	P	P	-	-	-	-	-
Cosmetic and perfume manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-
Creosote manufacturing or treatment plant	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	C	-	-	-	-	-
Fat rendering production	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-

Use Table

USE CATEGORIES	A-1	A-2	A-3	RE	R-1-C	R-2	R-3	R-4	MH	MU	C-0	C-1	C-2	C-3	C-4	C-5	I-1	I-2	I-3	CO	P-L	NP	RP	NA	
Fertilizer manufacturing and processing	-	-	C	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	-	-	-	-	-	
Forging plant and foundry	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	P	-	-	-	-	-	
Glass or glass product manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	
Hemp manufacturing and extraction	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	
Metal ingots, casting sheets, or bearings, forging or rolling mills	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	
Millinery manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	
Mobile homes manufacturing and storage	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	-	-	-	-	-	
Vacation camper manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	
Oil and Gas Facility	-	O	O	-	-	-	-	-	-	-	O	O	O	O	O	O	O	O	O	O	-	-	-	-	-
Accessory Outdoor Storage (up to 25% of the building area)*	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	-	-	-	-	-	
Accessory Outdoor Storage (in excess of 25% and up to 100% of the building area)*	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	P	P	-	-	-	-	-	
Outdoor Storage (in excess of 100% of the building area)*	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P/C	P/C	-	-	-	-	-	
Marijuana Establishments																									
Medical Marijuana Store	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	-	-	-	-	-
Retail Marijuana Store	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	-	-	-	-	-
Medical Marijuana Products Manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	
Retail Marijuana Product Manufacturing Facility	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	
Medical Marijuana Cultivation Facility	-	-	P	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	-	-	-	-	-	
Retail Marijuana Cultivation Facility	-	-	P	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	-	-	-	-	-	
Marijuana Hospitality Business	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	-	-	-	-	-	
Retail Marijuana Hospitality and Sales Business	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	-	-	-	-	-	
Retail Marijuana Testing Facility	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	

Use Table

ZONE DISTRICT		AGRICULTURAL-1 (A-1)	AGRICULTURAL-2 (A-2)	AGRICULTURAL-3 (A-3)
MINIMUM LOT SIZE		2.5 acres	10 acres	35 acres
MINIMUM LOT WIDTH	W/Well AND On-Site Wastewater Treatment System	150 feet	425 feet	600 feet
	W/Public Water OR Sewer Facilities	100 feet		
MINIMUM SETBACKS FOR PRINCIPAL STRUCTURE	Front	30 feet	50 feet	50 feet
	Side Corner	30 feet	50 feet	50 feet
	Side	10 ft, or 1 ft per 2 ft of height, whichever is greater	10 feet, or 1 foot per 2 feet of height, whichever is greater	10 feet, or 1 foot per 2 feet of height, whichever is greater
	Rear	20 feet	20 feet	20 feet
	R.O.W.	State Highway or Arterial: 50 feet	State Highway or Arterial: 50 feet	State Highway or Arterial: 50 feet
SETBACK FROM SECTION LINES (Variations may be permitted if the Department of Public Works determines no additional right-of-way is required.)		Local or Collector: 30 feet	Local or Collector: 50 feet	Local or Collector: 50 feet
		120 feet	120 feet	120 feet
	Front	At least 10' to the rear of the front structure line of the principal dwelling, or 100' from the front property line, whichever is less	At least 10' to the rear of the front structure line of the principal dwelling, or 100' from the front property line, whichever is less	At least 10' to the rear of the front structure line of the principal dwelling, or 100' from the front property line, whichever is less
	Side	10 ft, or 1 ft per 2 ft of height, whichever is greater	10 feet, or 1 foot per 2 feet of height, whichever is greater	10 feet, or 1 foot per 2 feet of height, whichever is greater
MINIMUM SETBACKS FOR ACCESSORY STRUCTURE OR AG. BUILDING	Rear	10 feet	10 feet	10 feet
	R.O.W.	State Highway or Arterial: 50 feet	State Highway or Arterial: 50 feet	State Highway or Arterial: 50 feet
		Local or Collector: 30 feet	Local or Collector: 50 feet	Local or Collector: 50 feet

ZONE DISTRICT		AGRICULTURAL-1 (A-1)	AGRICULTURAL-2 (A-2)	AGRICULTURAL-3 (A-3)
MAXIMUM HEIGHT	Dwelling and Non-Ag. Structure	35 feet	35 feet	35 feet
	Agriculture Structure	70 feet (25 feet on a lot established by a recorded subdivision plat)	70 feet (25 feet on a lot established by a recorded subdivision plat)	70 feet (25 feet on a lot established by a recorded subdivision plat)
	W/Well AND Indiv. Sewage Disposal System	7.5% of lot area (access. bldg. n/a without a principal dwelling)	N/A (access. bldg. n/a without a principal dwelling)	N/A
MAXIMUM STRUCTURE COVERAGE	W/Public Water OR Sewer	10% of lot area (access. bldg. n/a without a principal dwelling)		
	W/Public Water AND Sewer	12.5% of lot area (access. bldg. n/a without a principal dwelling)		
	Single Story Dwelling	1,200 square feet	1,200 square feet	1,200 square feet
MINIMUM FLOOR AREA OF DWELLING	Tri-Level Dwelling	1,200 square feet	1,200 square feet	1,200 square feet
	Bi-Level or Two-Story Dwelling	900 square feet on the 1 st floor plus 600 square feet on the 2 nd floor. (A lower level with more than 50% of its perimeter located more than 50% above grade level may be counted as floor area.)	900 square feet on the 1 st floor plus 600 square feet on the 2 nd floor. (A lower level with more than 50% of its perimeter located more than 50% above grade level may be counted as floor area.)	900 square feet on the 1 st floor plus 600 square feet on the 2 nd floor. (A lower level with more than 50% of its perimeter located more than 50% above grade level may be counted as floor area.)

ZONE DISTRICT	RESIDENTIAL ESTATE (R-E)	RESIDENTIAL-1-A and RESIDENTIAL-1-C (R-1-A and R-1-C)		
MINIMUM LOT SIZE	2.5 acres (well and septic) 1.0 acres (public water or sewer)	<table border="1"> <tr> <td data-bbox="342 1094 479 1360">Corner Lots: 7,500 square feet</td> <td data-bbox="342 1360 479 1938">Internal Lots: 7,000 square feet</td> </tr> </table>	Corner Lots: 7,500 square feet	Internal Lots: 7,000 square feet
Corner Lots: 7,500 square feet	Internal Lots: 7,000 square feet			
MINIMUM LOT WIDTH	150 feet	N/A		
W/Well AND On-Site Wastewater Treatment System	100 feet	N/A		
W/Public Water OR Sewer Facilities	N/A	70 feet		
Corner Lot	N/A	65 feet		
Internal Lot	30 feet	20 feet		
Front	30 feet	20 feet		
Side Corner	17 feet one side or 5 feet from attached garage, 5 feet on the other side	17 feet one side or 5 feet from attached garage, 5 feet on the other side		
Side	20 feet	15 feet		
Rear	State Highway or Arterial: 50 feet Local or Collector: 30 feet	State Highway or Arterial: 50 feet Local or Collector: 20 feet		
MINIMUM SETBACKS FOR PRINCIPAL STRUCTURE SETBACK FROM SECTION LINES (Variations may be permitted if the Department of Public Works determines no additional right-of-way is required.)	120 feet	120 feet		

ZONE DISTRICT	RESIDENTIAL ESTATE (R-E)	RESIDENTIAL-1-A and RESIDENTIAL-1-C (R-1-A and R-1-C)
MINIMUM SETBACKS FOR ACCESSORY STRUCTURE	Front	At least equal to the principal dwelling or more
	Side Corner	20 feet or equal to the principal dwelling, whichever is greater
	Side	5 feet
	Rear	5 feet
MAXIMUM HEIGHT	R.O.W.	State Highway or Arterial: 50 feet
	Dwelling	25 feet
	Accessory Structure	16 feet
MAXIMUM STRUCTURE COVERAGE	W/Well AND On-Site Wastewater Treatment System	N/A
	W/Public Water OR Sewer	N/A
	W/Public Water AND Sewer	N/A
Accessory Building	In no case shall an accessory building exceed twice the floor area of the principal structure on the lot unless the accessory building is an aircraft hangar. Aircraft hangers shall meet the performance standards for aircraft hangers.	900 square feet
MINIMUM FLOOR AREA OF DWELLING	1,800 square feet	1,250 square feet

ZONE DISTRICT	RESIDENTIAL TWO-FAMILY (R-2)	RESIDENTIAL MODERATE DENSITY (R-3)	RESIDENTIAL HIGH DENSITY (R-4)	MOBILE HOME DWELLING (MH)
MINIMUM LOT SIZE	Two-Family Lot: 3,500 square feet per dwelling unit Single Family Lot	Attached Dwellings on Individual Lot: 2,500 square feet per dwelling Attached Dwellings on One Lot: 9,500 square feet per three dwellings	2 acres	5,000 square feet
MAXIMUM DENSITY	N/A	14 dwelling units per acre	35 dwelling units per acre	N/A
MINIMUM LOT WIDTH	Two-Family Lot Corner Lot: 37.5 feet Internal Lot: 35 feet	Attached Dwellings on Individual Lot: 25 feet	200 feet	Mobile Homes less than or equal to 20 feet wide: 45 feet Mobile Homes more than 20 feet wide: 50 feet
MINIMUM SETBACKS FOR PRINCIPAL STRUCTURE	Single Family Lot Corner Lot: 70 feet Internal Lot: 65 feet	Attached Dwellings on One Lot: 150 feet	25 feet	20 feet
	20 feet	20 feet	25 feet	20 feet
	20 feet	20 feet	25 feet	20 feet
	17 feet one side or 5 feet from attached garage, 5 feet on the other side, 0 feet along common wall of two-family dwelling	0 feet along common walls of adjoining dwelling units, 5 feet from end unit when units are located on individual lots, 20 feet from end unit when units are located on a single lot	25 feet	17 feet one side or 5 feet when lot includes accessory structure, 5 feet on the other side
Rear	15 feet	20 feet	20 feet	15 feet
R.O.W.	State Highway or Arterial: 40 feet Local or Collector: 20 feet	State Highway or Arterial: 40 feet Local or Collector: 20 feet	State Highway or Arterial: 50 feet Local or Collector: 25 feet	State Highway or Arterial: 40 feet Local or Collector: 20 feet

ZONE DISTRICT	RESIDENTIAL TWO-FAMILY (R-2)	RESIDENTIAL MODERATE DENSITY (R-3)	RESIDENTIAL HIGH DENSITY (R-4)	MOBILE HOME DWELLING (MH)
SETBACK FROM SECTION LINES (Variations may be permitted if the Dept. of Public Works determines no additional right-of-way is required.)	100 feet	100 feet	100 feet	100 feet
SETBACK FROM OTHER ZONE DISTRICT BOUNDARY LINES	N/A	N/A	N/A	For All Structures: 25 feet
MINIMUM SETBACKS FOR ACCESSORY STRUCTURE	Front	20 feet	50 feet	20 feet
	Side Corner	20 feet	20 feet	20 feet
	Side	5 feet	5 feet	5 feet
	Rear	5 feet	5 feet	5 feet
R.O.W.	State Highway or Arterial: 40 feet	State Highway or Arterial: 40 feet	State Highway or Arterial: 50 feet	State Highway or Arterial: 40 feet
	Local or Collector: 20 feet	Local or Collector: 20 feet	Local or Collector: 50 feet	Local or Collector: 20 feet
MAXIMUM HEIGHT	Dwelling	35 feet	70 feet	20 feet
	Accessory Structure	16 feet	16 feet	10 feet
MAXIMUM ACCESSORY BUILDING COVERAGE	450 square feet per two-family dwelling unit, 900 square feet when used as a single-family dwelling	80 square feet per dwelling unit	80 square feet per dwelling unit	600 square feet
	Two-family	1,000 square feet per dwelling unit	N/A	N/A
MINIMUM FLOOR AREA OF DWELLING	Single Family	1,250 square feet	N/A	N/A
	Efficiency Unit	N/A	450 square feet	600 square feet
	One Bedroom	N/A	600 square feet	
	Two Bedroom	N/A	750 square feet	
	Three Bedroom	N/A	900 square feet	
	Four Bedroom	N/A	1,000 square feet	

<u>ZONE DISTRICT</u>	<u>MIXED-USE (MU)</u>
<u>MINIMUM LOT SIZE</u>	N/A
<u>MAXIMUM DENSITY</u>	35 du/acre
<u>MINIMUM DENSITY</u>	10 du/acre
<u>MINIMUM F.A.R.</u>	0.75
<u>MINIMUM LOT WIDTH</u>	75 ft
<u>SETBACKS FOR STRUCTURE</u>	<u>MINIMUM FRONT SETBACK</u> 5 ft and outside of the sight-distance triangle
	<u>MAXIMUM FRONT SETBACK</u> 20ft Fronting State Hwy: 25 ft
	<u>MINIMUM SIDE CORNER SETBACK</u> 5 ft and outside of the sight-distance triangle
	<u>MAXIMUM SIDE CORNER SETBACK</u> 20ft Fronting State Hwy: 25 ft
	<u>MINIMUM SIDE SETBACK</u> 5 ft Adjacent to R-1-C or R-2 zoned properties: 20 ft
	<u>MINIMUM REAR SETBACK</u> 5 ft Adjacent to R-1-C or R-2 zoned properties: 20 ft
	<u>MINIMUM SETBACK FROM RESIDENTIALLY ZONED PROPERTY</u> N/A

<u>ZONE DISTRICT</u>		<u>MIXED-USE (MU)</u>
<u>HEIGHT-RELATED SETBACKS FOR BUILDINGS ADJACENT TO R-1-C OR R-2</u>	<u>UPPER STORIES ABOVE 35 FT IN HEIGHT</u>	15 ft
	<u>UPPER STORIES ABOVE 51 FT IN HEIGHT</u>	25 ft
<u>MINIMUM ROW SETBACK</u>		State HWY: 25 ft
		Section Line: 100 ft (Variations permitted if no additional ROW is required.)
<u>REQUIRED ROADWAY CLASSIFICATION</u>		Must front a State Hwy, Arterial, or Collector Road
<u>MINIMUM FLOOR AREA OF DWELLINGS</u>	<u>EFFICIENCY UNIT</u>	450 sq. ft.
	<u>1 BEDROOM</u>	600 sq. ft.
	<u>2 BEDROOM</u>	750 sq. ft.
	<u>3 BEDROOM</u>	900 sq. ft.
	<u>4 BEDROOM</u>	1,000 sq. ft.

ZONE DISTRICT	COMMERCIAL-0 & COMMERCIAL-1 (C-0 and C-1)	COMMERCIAL-2 & COMMERCIAL-3 (C-2 and C-3)	COMMERCIAL-4 & COMMERCIAL-5 (C-4 and C-5)
MINIMUM LOT SIZE	N/A	N/A	N/A
MINIMUM LOT WIDTH	75 feet	75 feet	100 feet
Front	25 feet	25 feet	25 feet
Side Corner	25 feet	25 feet	25 feet
Side	15 feet one side, 5 feet other side, 0 foot setbacks may be approved for fireproof structures	15 feet one side, 5 feet other side, 0 foot setbacks may be approved for fireproof structures	15 feet one side, 5 feet other side, 0 foot setbacks may be approved for fireproof structures
Rear	15 feet	15 feet	15 feet
R.O.W.	State Highway or Arterial: 25 feet Local or Collector: 25 feet	State Highway or Arterial: 25 feet Local or Collector: 25 feet	State Highway or Arterial: 25 feet Local or Collector: 25 feet
SETBACK FROM SECTION LINES (Variations may be permitted if the Dept. of Public Works determines no additional right-of-way is required.)	100 feet	100 feet	100 feet
MAXIMUM HEIGHT	25 feet	35 feet	35 feet
MAXIMUM FLOOR AREA PER COMMERCIAL USE	2,000 square feet	10,000 square feet	N/A
HOURS OF OPERATION	7:00 a.m. to 10:00 p.m.	7:00 a.m. to 12:00 a.m. when property abuts residentially zoned or used property	N/A

ZONE DISTRICTS	INDUSTRIAL-1 (I-1)	INDUSTRIAL-2 (I-2)	INDUSTRIAL-3 (I-3)
MINIMUM LOT SIZE	1 acre	2 acres	2 acres
MINIMUM LOT WIDTH	100 feet	125 feet	125 feet
	25 feet	25 feet	25 feet
Side Corner	25 feet	25 feet	25 feet
MINIMUM SETBACKS FOR A STRUCTURE	15 feet one side, 5 feet other side, 0 foot setbacks may be approved for fireproof structures	15 feet one side, 5 feet other side, 0 foot setbacks may be approved for fireproof structures	15 feet one side, 5 feet other side, 0 foot setbacks may be approved for fireproof structures
Rear	15 feet	15 feet	15 feet
R.O.W.	State Highway or Arterial: 75 feet	State Highway or Arterial: 75 feet	State Highway or Arterial: 75 feet
	Local or Collector: 25 feet	Local or Collector: 25 feet	Local or Collector: 25 feet
SETBACK FROM SECTION LINES (Variations may be permitted if the Department of Public Works determines no additional right-of-way is required.)	145 feet	145 feet	145 feet
MAXIMUM HEIGHT	60 feet	75 feet	90 feet

<u>ZONE DISTRICTS</u>	<u>Neighborhood Park (NP)</u>	<u>Regional Park (RP)</u>	<u>Natural Area (NA)</u>
<u>MINIMUM LOT SIZE</u>	N/A	35 acres	N/A
<u>Front</u>	20 feet	30 feet	50 feet
<u>Side Corner</u>	20 feet	30 feet	50 feet
<u>Side</u>	5 feet	20 feet	20 feet
<u>Rear</u>	15 feet	30 feet	50 feet
<u>R.O.W.</u>	State Highway or Arterial: 50 feet Local or Collector: 20 feet	State Highway or Arterial: 50 feet Local or Collector: 50 feet	State Highway or Arterial: 50 feet Local or Collector: 50 feet
<u>SETBACK FROM SECTION LINES</u> (Variations may be permitted if the Department of Public Works determines no additional right-of-way is required.)	120 feet	120 feet	120 feet
<u>MAXIMUM HEIGHT</u>	25 feet	N/A	25 feet
<u>Dwelling and Non-Agriculture Buildings</u>	N/A	N/A	N/A
<u>Agriculture Buildings</u>	35%	N/A	10%
<u>Structure Coverage</u>	N/A	N/A	1,200 sq ft
<u>Maximum Floor Area</u>			

3-08 AGRICULTURAL-1 DISTRICT (A-1)

3-08-01 PURPOSE

The purpose of the Agricultural-1 District is to provide a rural single-family dwelling district where the minimum lot area for a home site is intended to provide for a rural living experience. Limited farming uses are permitted including the keeping of a limited number of animals for individual homeowner's use. This district is primarily designed for the utilization and enjoyment of the County's rural environment.

3-08-02 PERMITTED PRINCIPAL AND CONDITIONAL USES

Refer to the Use Chart to determine which uses are permitted uses in an Agricultural-1 District, subject to building permit review and approval, and which uses are permitted subject to the issuance of a Conditional Use Permit from the Board of County Commissioners and building permit review and approval. Only one principal use shall be permitted per lot.

3-08-03 PERMITTED ACCESSORY USES

In association with a permitted principal use, the following accessory uses are permitted, subject to building permit review and approval.

1. Agricultural, Accessory
2. Residential, Accessory
3. Recreational, Accessory

3-08-04 PERMITTED SPECIAL/TEMPORARY USES

Special uses are permitted in an Agricultural-1 District, subject to the issuance of a Special Use Permit from the Board of Adjustment. Temporary uses are permitted in an Agricultural-1 District, subject to the issuance of a Temporary Use Permit from the Director of Community and Economic Development.

3-08-05 PROHIBITED USES

All uses: (1) not expressly identified as permitted uses in the Use Chart; or (2) determined to be permitted by the Director of Community and Economic Development pursuant to Section 3-05-01 of these standards and regulations, are prohibited.

3-08-06 AREA AND HEIGHT STANDARDS

3-08-06-01 MINIMUM LOT SIZE REQUIREMENTS

The minimum lot size requirement in an Agricultural-1 District shall be 2.5 acres.

3-08-06-02 MINIMUM LOT WIDTH REQUIREMENTS

3-08-06-02-01 *MINIMUM WITH WELL AND ON-SITE WASTEWATER TREATMENT SYSTEM*

The minimum width of a lot in an Agricultural-1 District with a well and on-site wastewater treatment system shall be one-hundred-fifty (150) feet.

3-08-06-02-02 *MINIMUM WITH PUBLIC WATER OR SEWER FACILITIES*

The minimum width of a lot in an Agricultural-1 District with public water or sewer facilities shall be one hundred (100) feet.

3-08-06-03 SETBACK AND DIMENSIONAL REQUIREMENTS FOR A PRINCIPAL STRUCTURE

3-08-06-03-01 *MINIMUM FRONT SETBACK*

The minimum front setback for a principal structure in an Agricultural-1 District shall be thirty (30) feet.

3-08-06-03-02 *MINIMUM SIDE CORNER SETBACK*

The minimum side corner setback for a principal structure in an Agricultural-1 District shall be thirty (30) feet.

3-08-06-03-03 *MINIMUM SIDE SETBACK*

The minimum side setback for a principal structure in an Agricultural-1 District shall be ten (10) feet, or one (1) foot per two (2) feet of height, whichever is greater.

3-08-06-03-04 *MINIMUM REAR SETBACK*

The minimum rear setback for a principal structure in an Agricultural-1 District shall be twenty (20) feet. If the rear property line fronts a public right-of-way where access is taken, the rear setback shall be thirty (30) feet.

3-08-06-03-05 *MINIMUM R.O.W. SETBACK*

The minimum setback for a principal structure in an Agricultural-1 District from an arterial right-of-way shall be fifty (50) feet except a section line arterial right-of-way where the minimum setback shall be one-hundred-twenty (120) feet. The minimum setback from a collector or local road shall be thirty (30) feet.

- 3-08-06-03-06** ***MINIMUM SETBACK FROM SECTION LINE FOR ALL STRUCTURES***
The minimum setback from a section line for a principal structure in an Agricultural-1 District shall be one-hundred-twenty (120) feet. Variations may be permitted if the Department of Public Works determines no additional right-of-way is required.
- 3-08-06-04** **SETBACK AND DIMENSIONAL REQUIREMENTS FOR ACCESSORY STRUCTURES OR AGRICULTURE BUILDINGS**
- 3-08-06-04-01** ***MINIMUM FRONT SETBACK***
All accessory structures shall be set back at least ten (10) feet to the rear of the front structure line of the principal dwelling, or one hundred (100) feet from the front property line, whichever is less.
- 3-08-06-04-02** ***MINIMUM SIDE SETBACK***
The minimum side setback for accessory structures in an Agricultural-1 District shall be ten (10) feet, or one (1) foot per two (2) feet of height, whichever is greater.
- 3-08-06-04-03** ***MINIMUM REAR SETBACK***
The minimum rear setback for accessory structures in an Agricultural-1 District shall be ten (10) feet. If the rear property line fronts a public right-of-way where access is taken, the rear setback shall be thirty (30) feet.
- 3-08-06-04-04** ***MINIMUM R.O.W. SETBACK***
All accessory structures shall be set back at least ten (10) feet to the rear of the front structure line of the principal dwelling, or one hundred (100) feet from the front property line, whichever is less. The minimum setback from a section line for all accessory structures in an Agricultural-1 District shall be one-hundred-twenty (120) feet. Variations may be permitted if the Department of Public Works determines no additional right-of-way is required.
- 3-08-06-04-05** ***MINIMUM SETBACK FROM SECTION LINE FOR ALL ACCESSORY STRUCTURES***
The minimum setback from a section line for all accessory structures in an Agricultural-1 District shall be one-hundred-twenty (120) feet. Variations may be permitted if the Department of Public Works determines no additional right-of-way is required. Accessory buildings shall not be constructed prior to the principal dwelling on a lot.

December 8, 2020

3-08-06-05 MAXIMUM HEIGHT

3-08-06-05-01 *DWELLINGS AND ACCESSORY STRUCTURES*

The maximum height of dwellings and accessory structures in an Agricultural-1 District shall be thirty-five (35) feet.

3-08-06-05-02 *AGRICULTURAL STRUCTURES*

The maximum height of agricultural structures in an Agricultural-1 District shall be seventy (70) feet, except for structures located on a lot established by a recorded subdivision plat, where the maximum shall be twenty-five (25) feet.

3-08-06-06 MAXIMUM STRUCTURE COVERAGE

3-08-06-06-01 *LOT SERVED BY WELL AND ON-SITE WASTEWATER TREATMENT SYSTEM*

The maximum structure coverage on a lot served by a well and on-site wastewater treatment system in an Agricultural-1 District shall be 7.5% of lot area.

3-08-06-06-02 *LOT SERVED BY PUBLIC WATER OR SEWER*

The maximum structure coverage on a lot served by public water or sewer in an Agricultural-1 District shall be 10% of lot area.

3-08-06-06-03 *LOT SERVED BY PUBLIC WATER AND SEWER*

The maximum structure coverage on a lot served by public water and sewer in an Agricultural-1 District shall be 12.5% of lot area.

3-08-06-06-04 *ACCESSORY BUILDING COVERAGE*

In no case shall an accessory building exceed twice the floor area of the principal structure on the lot unless the accessory building is an aircraft hangar. Aircraft hangars shall meet the performance standards for aircraft hangars. Accessory buildings shall not be constructed prior to the principal dwelling on a lot.

3-08-06-07 MINIMUM FLOOR AREA OF DWELLINGS

3-08-06-07-01 *SINGLE STORY DWELLING*

The minimum floor area of a single-story dwelling in an Agricultural-1 District shall be twelve hundred (1,200) square feet.

3-08-06-07-02 *TRI-LEVEL DWELLING*

The minimum floor area of a tri-level dwelling in an Agricultural-1 District shall be twelve hundred (1,200) square feet.

3-08-06-07-03

BI-LEVEL OR TWO STORY

The minimum floor area of a bi-level or two-story dwelling in an Agricultural-1 District shall be nine hundred (900) square feet on the 1st floor plus six hundred (600) square feet on the 2nd floor. A lower level with more than 50% of its perimeter located more than 50% above grade level may be counted as floor area.

3-08-07

RELATIONSHIP TO DESIGN REQUIREMENTS AND PERFORMANCE STANDARDS

All design requirements and performance standards for specific uses contained in Chapter 4 of these standards and regulations shall apply in an Agricultural-1 District unless inconsistent with a provision contained in Section 3-08, in which case the specific standard or requirement contained in Section 3-08 shall apply.

3-09 AGRICULTURAL-2 DISTRICT (A-2)**3-09-01 PURPOSE**

The purpose of the Agricultural-2 District is to provide a district for rural subdivisions of at least ten (10) acres in size where adequate provisions are made for internal and external roads and access, water and sewer facilities, fire protection and other emergency services, and other public services and utilities. Farming uses are permitted, including the cultivation of land and the keeping of a limited number of animals.

3-09-02 PERMITTED PRINCIPAL AND CONDITIONAL USES

Refer to the Use Chart to determine which uses are permitted uses in an Agricultural-2 District, subject to building permit review and approval, and which uses are permitted subject to the issuance of a Conditional Use Permit from the Board of County Commissioners and building permit review and approval. Only one (1) principal use shall be permitted per lot.

3-09-03 PERMITTED ACCESSORY USES

In association with a permitted principal use, the following accessory uses are permitted, subject to building permit review and approval.

1. Agricultural, Accessory
2. Residential, Accessory
3. Solar Energy Systems, Small-Scale
4. Recreational, Accessory

3-09-04 PERMITTED SPECIAL/TEMPORARY USES

Special uses are permitted in an Agricultural-2 District, subject to the issuance of a Special Use Permit from the Board of Adjustment. Temporary uses are permitted in an Agricultural-2 District, subject to the issuance of a Temporary Use Permit from the Director of Community and Economic Development.

3-09-05 OIL AND GAS FACILITIES

Oil and Gas Facilities are permitted in an Agricultural-2 District, subject to the issuance of an Oil and Gas Facility Permit. Allowance in the zone district does not guarantee the issuance of an Oil and Gas Facility Permit.

3-09-06 PROHIBITED USES

All uses: (1) not expressly identified as permitted uses in the Use Chart; or (2) determined to be permitted by the Director of Community and Economic Development pursuant to Section 3-05-01 of these standards and regulations, are prohibited.

3-09-07 AREA AND HEIGHT STANDARDS

3-09-07-01 MINIMUM LOT SIZE REQUIREMENTS

The minimum lot size requirement in an Agricultural-2 District shall be ten (10) acres.

3-09-07-02 MINIMUM LOT WIDTH REQUIREMENTS

The minimum width of a lot in an Agricultural-2 District shall be four-hundred-twenty-five (425) feet.

3-09-07-03 SETBACK AND DIMENSIONAL REQUIREMENTS FOR A PRINCIPAL STRUCTURE

3-09-07-03-01 MINIMUM FRONT SETBACK

The minimum front setback for a principal structure in an Agricultural-2 District shall be fifty (50) feet.

3-09-07-03-02 MINIMUM SIDE CORNER SETBACK

The minimum side corner setback for a principal structure in an Agricultural-2 District shall be fifty (50) feet.

3-09-07-03-03 MINIMUM SIDE SETBACK

The minimum side setback for a principal structure in an Agricultural-2 District shall be ten (10) feet, or one (1) foot per two (2) feet of height, whichever is greater.

3-09-07-03-04 MINIMUM REAR SETBACK

The minimum rear setback for a principal structure in an Agricultural-2 District shall be twenty (20) feet. If the rear property line fronts a public right-of-way where access is taken, the rear setback shall be fifty (50) feet.

3-09-07-03-05 MINIMUM R.O.W. SETBACK

The minimum setback for a principal structure in an Agricultural-2 District from an arterial right-of-way shall be fifty (50) feet except a section line arterial right-of-way where the minimum setback shall be one-hundred-twenty (120) feet. The minimum setback from a collector or local road shall be fifty (50) feet.

- 3-09-07-03-06** ***MINIMUM SETBACK FROM SECTION LINE FOR ALL STRUCTURES***
The minimum setback from a section line for a principal structure or agricultural building in an Agricultural-2 District shall be one-hundred-twenty (120) feet. Variations may be permitted if the Department of Public Works determines no additional right-of-way is required.
- 3-09-07-04** **SETBACK AND DIMENSIONAL REQUIREMENTS FOR ACCESSORY STRUCTURES OR AGRICULTURE BUILDINGS**
- 3-09-07-04-01** ***MINIMUM FRONT SETBACK***
All accessory structures shall be set back at least ten (10) feet to the rear of the front structure line of the principal dwelling, or one hundred (100) feet from the front property line, whichever is less.
- 3-09-07-04-02** ***MINIMUM SIDE SETBACK***
The minimum side setback for accessory structures in an Agricultural-2 District shall be ten (10) feet, or one (1) foot per two (2) feet of height, whichever is greater.
- 3-09-07-04-03** ***MINIMUM REAR SETBACK***
The minimum rear setback for accessory structures in an Agricultural-2 District shall be ten (10) feet. If the rear property line fronts a public right-of-way where access is taken, the rear setback shall be fifty (50) feet.
- 3-09-07-04-04** ***MINIMUM R.O.W. SETBACK***
All accessory structures shall be set back at least ten (10) feet to the rear of the front structure line of the principal dwelling, or one hundred (100) feet from the front property line, whichever is less. The minimum setback from a section line for all accessory structures in an Agricultural-2 District shall be one-hundred-twenty (120) feet. Variations may be permitted if the Department of Public Works determines no additional right-of-way is required.
- 3-09-07-04-05** ***MINIMUM SETBACK FROM SECTION LINE FOR ALL ACCESSORY STRUCTURES***
The minimum setback from a section line for all accessory structures in an Agricultural-2 District shall be one-hundred-twenty (120) feet. Variations may be permitted if the Department of Public Works determines no additional right-of-way is required.
- 3-09-07-05** **MAXIMUM HEIGHT**
- 3-09-07-05-01** ***DWELLINGS AND ACCESSORY STRUCTURES***
The maximum height of dwellings and accessory structures in an Agricultural-2 District shall be thirty-five (35) feet.

3-09-07-05-02 *AGRICULTURAL STRUCTURES*

The maximum height of agricultural structures in an Agricultural-2 District shall be seventy (70) feet, except for structures located on a lot established by a recorded subdivision plat, where the maximum shall be twenty-five (25) feet.

3-09-07-06 *MAXIMUM STRUCTURE COVERAGE*

The maximum structure coverage on a lot in an Agricultural-2 District shall not be limited. Accessory buildings shall not be constructed prior to the principal dwelling on a lot.

3-09-07-07 *MINIMUM FLOOR AREA OF DWELLINGS*

3-09-07-07-01 *SINGLE STORY DWELLING*

The minimum floor area of a single-story dwelling in an Agricultural-2 District shall be twelve hundred (1,200) square feet.

3-09-07-07-02 *TRI-LEVEL DWELLING*

The minimum floor area of a tri-level dwelling in an Agricultural-2 District shall be twelve hundred (1,200) square feet.

3-09-07-07-03 *BI-LEVEL OR TWO STORY*

The minimum floor area of a bi-level or two-story dwelling in an Agricultural-2 District shall be nine hundred (900) square feet on the 1st floor plus six hundred (600) square feet on the 2nd floor. A lower level with more than 50% of its perimeter located more than 50% above grade level may be counted as floor area.

3-09-08 *RELATIONSHIP TO DESIGN REQUIREMENTS AND PERFORMANCE STANDARDS*

All design requirements and performance standards for specific uses contained in Chapter 4 of these standards and regulations shall apply in an Agricultural-2 District unless inconsistent with a provision contained in Section 3-09, in which case the specific standard or requirement contained in Section 3-09 shall apply.

3-10 AGRICULTURAL-3 DISTRICT (A-3)**3-10-01 PURPOSE**

The purpose of the Agricultural-3 District is to provide land primarily in holdings of at least thirty-five (35) acres for dryland or irrigated farming, pasturage, or other related food production uses.

3-10-02 PERMITTED PRINCIPAL AND CONDITIONAL USES

Refer to the Use Chart to determine which uses are permitted uses in an Agricultural-3 District, subject to building permit review and approval, and which uses are permitted subject to the issuance of a Conditional Use Permit from the Board of County Commissioners and building permit review and approval. Only one (1) principal use shall be permitted per lot.

3-10-03 PERMITTED ACCESSORY USES

In association with a permitted principal use, the following accessory uses are permitted, subject to building permit review and approval.

1. Agricultural, Accessory
2. Residential, Accessory
3. Recreational, Accessory

3-10-04 OIL AND GAS FACILITIES

Oil and Gas Facilities are permitted in an Agricultural-3 District, subject to the issuance of an Oil and Gas Facility Permit. Allowance in the zone district does not guarantee the issuance of an Oil and Gas Facility Permit.

3-10-05 PROHIBITED USES

All uses: (1) not expressly identified as permitted uses in the Use Chart; or (2) determined to be permitted by the Director of Community and Economic Development pursuant to Section 3-05-01 of these standards and regulations, are prohibited.

3-10-06 AREA AND HEIGHT STANDARDS**3-10-06-01 MINIMUM LOT SIZE REQUIREMENTS**

The minimum lot size requirement in an Agricultural-3 District shall be thirty-five (35) acres.

3-10-06-02 MINIMUM LOT WIDTH REQUIREMENTS

The minimum width of a lot or parcel in an Agricultural-3 District shall be six hundred (600) feet.

3-10-06-03 SETBACK AND DIMENSIONAL REQUIREMENTS FOR A PRINCIPAL STRUCTURE

3-10-06-03-01 MINIMUM FRONT SETBACK

The minimum front setback for a principal structure in an Agricultural-3 District shall be fifty (50) feet.

3-10-06-03-02 MINIMUM SIDE CORNER SETBACK

The minimum side corner setback for a principal structure in an Agricultural-3 District shall be fifty (50) feet.

3-10-06-03-03 MINIMUM SIDE SETBACK

The minimum side setback for a principal structure in an Agricultural-3 District shall be ten (10) feet, or one (1) foot per two (2) feet of height, whichever is greater.

3-10-06-03-04 MINIMUM REAR SETBACK

The minimum rear setback for a principal structure in an Agricultural-3 District shall be twenty (20) feet. If the rear property line fronts a public right-of-way where access is taken, the rear setback shall be fifty (50) feet.

3-10-06-03-05 MINIMUM R.O.W. SETBACK

The minimum setback for a principal structure in an Agricultural-3 District from an arterial right-of-way shall be fifty (50) feet except a section line arterial right-of-way where the minimum setback shall be one-hundred-twenty (120) feet. The minimum setback from a collector or local road shall be fifty (50) feet.

3-10-06-03-06 MINIMUM SETBACK FROM SECTION LINE FOR ALL STRUCTURES

The minimum setback from a section line for a principal structure or agricultural building in an Agricultural-3 District shall be one-hundred-twenty (120) feet. Variations may be permitted if the Department of Public Works determines no additional right-of-way is required.

3-10-06-04 SETBACK AND DIMENSIONAL REQUIREMENTS FOR ACCESSORY STRUCTURES OR AGRICULTURE BUILDINGS

3-10-06-04-01 MINIMUM FRONT SETBACK

All accessory structures shall be set back at least ten (10) feet to the rear of the front structure line of the principal dwelling, or one hundred (100) feet

from the front property line, whichever is less, if a principal dwelling already exists on site. The minimum front setback for a principal structure in an Agricultural-3 District shall be fifty (50) feet.

3-10-06-04-02 *MINIMUM SIDE SETBACK*

The minimum side setback for accessory structures in an Agricultural-3 District shall be ten (10) feet, or one (1) foot per two (2) feet of height, whichever is greater.

3-10-06-04-03 *MINIMUM REAR SETBACK*

The minimum rear setback for accessory structures in an Agricultural-3 District shall be ten (10) feet. If the rear property line fronts a public right-of-way where access is taken, the rear setback shall be fifty (50) feet.

3-10-06-04-04 *MINIMUM R.O.W. SETBACK*

The minimum setback for all accessory structures in an Agricultural-3 District from an arterial right-of-way shall be fifty (50) feet except a section line arterial right-of-way where the minimum setback shall be one-hundred-twenty (120) feet. The minimum setback from a collector or local road shall be fifty (50) feet.

3-10-06-04-05 *MINIMUM SETBACK FROM SECTION LINE FOR ALL ACCESSORY STRUCTURES*

The minimum setback from a section line for all accessory structures in an Agricultural-3 District shall be one-hundred-twenty (120) feet. Variations may be permitted if the Department of Public Works determines no additional right-of-way is required.

3-10-06-05 *MAXIMUM HEIGHT*

3-10-06-05-01 *DWELLINGS AND ACCESSORY STRUCTURES*

The maximum height of dwellings and accessory structures in an Agricultural-3 District shall be thirty-five (35) feet.

3-10-06-05-02 *AGRICULTURAL STRUCTURES*

The maximum height of agricultural structures in an Agricultural-3 District shall be seventy (70) feet, except for structures located on a lot established by a recorded subdivision plat, where the maximum shall be twenty-five (25) feet.

3-10-06-06 *MAXIMUM STRUCTURE COVERAGE*

The maximum structure coverage on a lot in an Agricultural-3 District shall not be limited. Accessory buildings may be constructed prior to the principal dwelling on a lot.

3-10-06-07 MINIMUM FLOOR AREA OF DWELLINGS

3-10-06-07-01 *SINGLE STORY DWELLING*

The minimum floor area of a single-story dwelling in an Agricultural-3 District shall be twelve hundred (1,200) square feet.

3-10-06-07-02 *TRI-LEVEL DWELLING*

The minimum floor area of a tri-level dwelling in an Agricultural-3 District shall be twelve hundred (1,200) square feet.

3-10-06-07-03 *BI-LEVEL OR TWO STORY*

The minimum floor area of a bi-level or two-story dwelling in an Agricultural-3 District shall be nine hundred (900) square feet on the 1st floor plus six hundred (600) square feet on the 2nd floor. A lower level with more than 50% of its perimeter located more than 50% above grade level may be counted as floor area.

3-10-07 RELATIONSHIP TO DESIGN REQUIREMENTS AND PERFORMANCE STANDARDS

All design requirements and performance standards for specific uses contained in Chapter 4 of these standards and regulations shall apply in an Agricultural-3 District unless inconsistent with a provision contained in Section 3-10, in which case the specific standard or requirement contained in Section 3-10 shall apply.

3-11 RESIDENTIAL ESTATE DISTRICT (RE)**3-11-01 PURPOSE**

The purpose of the Residential Estate District is to serve exclusively as a single-family detached residential district for larger lots and larger homes in a spacious, open environment away from higher density uses and where agricultural uses and the keeping of livestock are substantially restricted.

3-11-02 PERMITTED PRINCIPAL AND CONDITIONAL USES

Refer to the Use Chart to determine which uses are permitted uses in a Residential Estate District, subject to building permit review and approval, and which uses are permitted subject to the issuance of a Conditional Use Permit from the Board of County Commissioners and building permit review and approval. Only one principal use shall be permitted per lot. Only one (1) principal use shall be permitted per lot.

3-11-03 PERMITTED ACCESSORY USES

In association with a permitted principal use, the following accessory uses are permitted, subject to building permit review and approval.

1. Residential, Accessory
2. Institutional, Accessory
3. Recreational, Accessory

3-11-04 PERMITTED SPECIAL/TEMPORARY USES

Special uses are permitted in a Residential Estate District, subject to the issuance of a Special Use Permit from the Board of Adjustment. Temporary uses are permitted in a Residential Estate District, subject to the issuance of a Temporary Use Permit from the Director of Community and Economic Development.

3-11-05 PROHIBITED USES

All uses: (1) not expressly identified as permitted uses in the Use Chart; or (2) determined to be permitted by the Director of Community and Economic Development pursuant to Section 3-05-01 of these standards and regulations, are prohibited.

3-11-06 AREA AND HEIGHT STANDARDS

3-11-06-01 MINIMUM LOT SIZE REQUIREMENTS

The minimum lot size in a Residential Estate District shall be two-and-one-half (2.5) acres where individual well and septic are provided and one (1) acre where public water or public sewer is provided.

3-11-06-02 MINIMUM LOT WIDTH REQUIREMENTS

3-11-06-02-01 *MINIMUM WITH WELL AND ON-SITE WASTEWATER TREATMENT SYSTEM*

The minimum width of a lot in a Residential Estate District with a well and on-site wastewater treatment system shall be one-hundred-fifty (150) feet.

3-11-06-02-02 *MINIMUM WITH PUBLIC WATER OR SEWER FACILITIES*

The minimum width of a lot in a Residential Estate District with public water or sewer facilities shall be one hundred (100) feet.

3-11-06-03 SETBACK AND DIMENSIONAL REQUIREMENTS FOR A PRINCIPAL STRUCTURE

3-11-06-03-01 *MINIMUM FRONT SETBACK*

The minimum front setback for a principal structure in a Residential Estate District shall be thirty (30) feet.

3-11-06-03-02 *MINIMUM SIDE CORNER SETBACK*

The minimum side corner setback for a principal structure in a Residential Estate District shall be thirty (30) feet.

3-11-06-03-03 *MINIMUM SIDE SETBACK*

The minimum side setback for a principal structure in a Residential Estate District shall be seventeen (17) feet on one side or five (5) feet from attached garage, and five (5) feet on the other side.

3-11-06-03-04 *MINIMUM REAR SETBACK*

The minimum rear setback for a principal structure in a Residential Estate District shall be twenty (20) feet. If the rear property line fronts a public right-of-way where access is taken, the rear setback shall be thirty (30) feet.

3-11-06-03-05 *MINIMUM R.O.W. SETBACK*

The minimum setback for all principal structures in a Residential Estate District from an arterial right-of-way shall be fifty (50) feet except a section line arterial right-of-way where the minimum setback shall be eighty (80) feet. The setback from collector and local rights-of-way shall be thirty (30) feet.

- 3-11-06-03-06** ***MINIMUM SETBACK FROM SECTION LINE***
The minimum setback from a section line for principal structures in a Residential Estate District shall be one-hundred-twenty (120) feet. Variations may be permitted if the Department of Public Works determines no additional right-of-way is required.
- 3-11-06-04** **SETBACK AND DIMENSIONAL REQUIREMENTS FOR ACCESSORY STRUCTURES**
- 3-11-06-04-01** ***MINIMUM FRONT SETBACK***
The minimum front setback for accessory structures in a Residential Estate District shall be thirty (30) feet or no less than the existing or proposed setback of the principal dwelling, whichever is greater.
- 3-11-06-04-02** ***MINIMUM SIDE CORNER SETBACK***
The minimum side corner setback for accessory structures in a Residential Estate District shall be thirty (30) feet, or equal to the principal dwelling, whichever is greater.
- 3-11-06-04-03** ***MINIMUM SIDE SETBACK***
The minimum side setback for accessory structures in a Residential Estate District shall be twenty (20) feet.
- 3-11-06-04-04** ***MINIMUM REAR SETBACK***
The minimum rear setback for accessory structures in a Residential Estate District shall be ten (10) feet. If the rear property line fronts a public right-of-way where access is taken, the rear setback shall be thirty (30) feet.
- 3-11-06-04-05** ***MINIMUM R.O.W. SETBACK***
The minimum setback for all accessory structures in a Residential Estate District from an arterial right-of-way shall be fifty (50) feet except a section line arterial right-of-way where the minimum setback shall be eighty (80) feet. The setback from collector and local rights-of-way shall be thirty (30) feet.
- 3-11-06-04-06** ***MINIMUM SETBACK FROM SECTION LINE***
The minimum setback from a section line for accessory structures in a Residential Estate District shall be one-hundred-twenty (120) feet. Variations may be permitted if the Department of Public Works determines no additional right-of-way is required.

3-11-06-05 MAXIMUM HEIGHT

3-11-06-05-01 *DWELLINGS*

The maximum height of dwellings in a Residential Estate District shall be thirty-five (35) feet.

3-11-06-05-02 *ACCESSORY STRUCTURES*

The maximum height of accessory structures in a Residential Estate District shall be twenty-five (25) feet.

3-11-06-06 MAXIMUM STRUCTURE COVERAGE

3-11-06-06-01 *LOT SERVED BY WELL AND ON-SITE WASTEWATER TREATMENT SYSTEM*

The maximum structure coverage on a lot served by a well and on-site wastewater treatment system in a Residential Estate District shall be 12.5% of lot area.

3-11-06-06-02 *LOT SERVED BY PUBLIC WATER OR SEWER*

The maximum structure coverage on a lot served by public water or sewer in a Residential Estate District shall be 12.5% of lot area.

3-11-06-06-03 *LOT SERVED BY PUBLIC WATER AND SEWER*

The maximum structure coverage on a lot served by public water and sewer in a Residential Estate District shall be 12.5% of lot area.

3-11-06-06-04 *ACCESSORY BUILDING COVERAGE*

In no case shall an accessory building exceed twice the floor area of the principal structure on the lot unless the accessory building is an aircraft hangar. Aircraft hangars shall meet the performance standards for aircraft hangars. Accessory buildings shall not be constructed prior to the principal dwelling on a lot.

3-11-06-07 MINIMUM FLOOR AREA OF DWELLINGS

The minimum floor area of dwellings in a Residential Estate District shall be eighteen hundred (1,800) square feet.

3-11-07 RELATIONSHIP TO DESIGN REQUIREMENTS AND PERFORMANCE STANDARDS

All design requirements and performance standards for specific uses contained in Chapter 4 of these standards and regulations shall apply in a Residential Estate District unless inconsistent with a provision contained in Section 3-11, in which case the specific standard or requirement contained in Section 3-11 shall apply.

3-12 RESIDENTIAL-1-A DISTRICT (R-1-A)

The same as R-1-C

3-13 RESIDENTIAL-1-C DISTRICT (R-1-C)

3-13-01 PURPOSE

The purpose of the Residential-1-C District is to serve exclusively as a single-family district for smaller home sites and smaller homes.

3-13-02 PERMITTED PRINCIPAL AND CONDITIONAL USES

Refer to the Use Chart to determine which uses are permitted uses in a Residential-1-C District, subject to building permit review and approval, and which uses are permitted subject to the issuance of a Conditional Use Permit from the Board of County Commissioners and building permit review and approval. Only one principal use shall be permitted per lot. Only one (1) principal use shall be permitted per lot.

3-13-03 PERMITTED ACCESSORY USES

In association with a permitted principal use, the following accessory uses are permitted, subject to building permit review and approval:

1. Residential Uses, Accessory
2. Institutional Uses, Accessory
3. Recreational, Accessory

3-13-04 PERMITTED SPECIAL/TEMPORARY USES

Special uses are permitted in a Residential-1-C District, subject to the issuance of a Special Use Permit from the Board of Adjustment. Temporary uses are permitted in a Residential-1-C District, subject to the issuance of a Temporary Use Permit from the Director of Community and Economic Development.

3-13-05 PROHIBITED USES

All uses: (1) not expressly identified as permitted uses in the Use Chart; or (2) determined to be permitted by the Director of Community and Economic Development pursuant to Section 3-05-01 of these standards and regulations, are prohibited.

3-13-06 AREA AND HEIGHT STANDARDS**3-13-06-01 MINIMUM LOT SIZE REQUIREMENTS****3-13-06-01-01 CORNER LOTS**

The minimum lot size for corner lots in a Residential-1-C District shall be seventy-five hundred (7,500) square feet.

3-13-06-01-02 INTERNAL LOTS

The minimum lot size for internal lots in a Residential-1-C District shall be seven thousand (7,000) square feet.

3-13-06-02 MINIMUM LOT WIDTH REQUIREMENTS**3-13-06-02-01 CORNER LOTS**

The minimum lot width for corner lots in a Residential-1-C District shall be seventy (70) feet.

3-13-06-02-02 INTERNAL LOTS

The minimum lot width for internal lots in a Residential-1-C District shall be sixty-five (65) feet.

3-13-06-03 SETBACK AND DIMENSIONAL REQUIREMENTS FOR A PRINCIPAL STRUCTURE**3-13-06-03-01 MINIMUM FRONT SETBACK**

The minimum front setback for a principal structure in a Residential-1-C District shall be twenty (20) feet.

3-13-06-03-02 MINIMUM SIDE CORNER SETBACK

The minimum side corner setback for a principal structure in a Residential-1-C District shall be twenty (20) feet.

3-13-06-03-03 MINIMUM SIDE SETBACK

The minimum side setback for a principal structure in a Residential-1-C District shall be seventeen (17) feet on one side or five (5) feet from attached garage, and five (5) feet on the other side.

3-13-06-03-04 MINIMUM REAR SETBACK

The minimum rear setback for a principal structure in a Residential-1-C District shall be fifteen (15) feet. If the rear property line fronts a public right-of-way where access is taken, the rear setback shall be twenty (20) feet.

- 3-13-06-03-05** ***MINIMUM R.O.W. SETBACK***
The minimum setback for all principal structures in a Residential-1-C District from an arterial right-of-way shall be fifty (50) feet except a section line arterial right-of-way where the minimum setback shall be eighty (80) feet. The setback from collector and local rights-of-way shall be twenty (20) feet.
- 3-13-06-03-06** ***MINIMUM SETBACK FROM SECTION LINE***
The minimum setback from a section line for principal structures in a Residential-1-C District shall be one-hundred-twenty (120) feet. Variations may be permitted if the Department of Public Works determines no additional right-of-way is required.
- 3-13-06-04** **SETBACK AND DIMENSIONAL REQUIREMENTS FOR ACCESSORY STRUCTURES**
- 3-13-06-04-01** ***MINIMUM FRONT SETBACK***
The minimum front setback for accessory structures in a Residential-1-C District shall be no less than the existing or proposed setback of the principal dwelling.
- 3-13-06-04-02** ***MINIMUM SIDE CORNER SETBACK***
The minimum side corner setback for accessory structures in a Residential-1-C District shall be twenty (20) feet or equal to the principal dwelling, whichever is greater.
- 3-13-06-04-03** ***MINIMUM SIDE SETBACK***
The minimum side setback for accessory structures in a Residential-1-C District shall be five (5) feet.
- 3-13-06-04-04** ***MINIMUM REAR SETBACK***
The minimum rear setback for accessory structures in a Residential-1-C District shall be five (5) feet. If the rear property line fronts a public right-of-way where access is taken, the rear setback shall be twenty (20) feet.
- 3-13-06-04-05** ***MINIMUM R.O.W. SETBACK***
The minimum setback for all accessory structures in a Residential-1-C District from an arterial right-of-way shall be fifty (50) feet except a section line arterial right-of-way where the minimum setback shall be eighty (80) feet. The setback from collector and local rights-of-way shall be twenty (20) feet.
- 3-13-06-04-06** ***MINIMUM SETBACK FROM SECTION LINE***
The minimum setback from a section line for accessory structures in a Residential -1-C District shall be one-hundred-twenty (120) feet. Variations may be permitted if the Department of Public Works determines no additional right-of-way is required.

December 8, 2020

3-13-06-05 MAXIMUM HEIGHT

3-13-06-05-01 *DWELLINGS*

The maximum height of dwellings in a Residential-1-C District shall be twenty-five (25) feet.

3-13-06-05-02 *ACCESSORY STRUCTURES*

The maximum height of accessory structures in a Residential-1-C District shall be sixteen (16) feet.

3-13-06-06 MAXIMUM ACCESSORY BUILDING COVERAGE

The maximum accessory building coverage in a Residential-1-C District shall be nine hundred (900) square feet. Accessory buildings shall not be constructed prior to the principal dwelling on a lot.

3-13-06-07 MINIMUM FLOOR AREA OF DWELLINGS

The minimum floor area of dwellings in a Residential-1-C District shall be twelve-hundred-fifty (1,250) square feet.

3-13-07 RELATIONSHIP TO DESIGN REQUIREMENTS AND PERFORMANCE STANDARDS

All design requirements and performance standards for specific uses contained in Chapter 4 of these standards and regulations shall apply in a Residential-1-C District unless inconsistent with a provision contained in Section 3-13, in which case the specific standard or requirement contained in Section 3-13 shall apply.

3-14 RESIDENTIAL-2 DISTRICT (R-2)

3-14-01 PURPOSE

The purpose of the Residential-2 District is to provide a residential district which permits two-family dwellings and single-family homes in a moderate density setting.

3-14-02 PERMITTED PRINCIPAL AND CONDITIONAL USES

Refer to the Use Chart to determine which uses are permitted uses in a Residential-2 District, subject to building permit review and approval, and which uses are permitted subject to the issuance of a Conditional Use Permit from the Board of County Commissioners and building permit review and approval. Only one (1) principal use shall be permitted per lot.

3-14-03 PERMITTED ACCESSORY USES

In association with a permitted principal use, the following accessory uses are permitted, subject to building permit review and approval:

1. Residential Uses, Accessory
2. Institutional Uses, Accessory
3. Recreational, Accessory

3-14-04 PERMITTED SPECIAL/TEMPORARY USES

Special uses are permitted in a Residential-2 District, subject to the issuance of a Special Use Permit from the Board of Adjustment. Temporary uses are permitted in a Residential-2 District, subject to the issuance of a Temporary Use Permit from the Director of Community and Economic Development.

3-14-05 PROHIBITED USES

All uses: (1) not expressly identified as permitted uses in the Use Chart; or (2) determined to be permitted by the Director of Community and Economic Development pursuant to Section 3-05-01 of these standards and regulations, are prohibited.

3-14-06 AREA AND HEIGHT STANDARDS

3-14-06-01 MINIMUM LOT SIZE REQUIREMENTS

3-14-06-01-01 SINGLE FAMILY LOTS

The minimum size of single-family lots in a Residential-2 District shall be:

1. Corner Lots: fifty-five hundred (5,500) square feet
2. Internal Lot: five thousand (5,000) square feet

3-14-06-01-02 TWO-FAMILY LOTS

The minimum size of two-family dwelling lots in a Residential-2 District shall be thirty-five hundred (3,500) square feet per dwelling unit.

3-14-06-02 MINIMUM LOT WIDTH REQUIREMENTS

3-14-06-02-01 SINGLE FAMILY LOTS

The minimum width of single-family lots in a Residential-2 District shall be:

1. Corner Lots: seventy (55) feet
2. Internal Lot: sixty-five (50) feet

3-14-06-02-02 TWO-FAMILY LOTS

The minimum width of two-family dwelling lots in a Residential-2 District shall be:

1. Corner Lots: thirty-seven and one half (37.5) feet where a two-family dwelling is constructed as a townhome (single dwelling unit on each lot) and seventy-five (75) feet where a two-family dwelling is built on a single lot.
2. Internal Lot: thirty-five (35) feet where a two-family dwelling is constructed as a townhome (single dwelling unit on each lot) and seventy (70) feet where a two-family dwelling is built on a single lot.

3-14-06-03 SETBACK AND DIMENSIONAL REQUIREMENTS FOR A PRINCIPAL STRUCTURE

3-14-06-03-01 MINIMUM FRONT SETBACK

The minimum front setback for a principal structure in a Residential-2 District shall be twenty (20) feet.

3-14-06-03-02 MINIMUM SIDE CORNER SETBACK

The minimum side corner setback for a principal structure in a Residential-2 District shall be twenty (20) feet.

- 3-14-06-03-03** ***MINIMUM SIDE SETBACK***
The minimum side setback for a principal structure in a Residential-2 District shall be seventeen (17) feet on one side or five (5) feet from an attached garage, five (5) feet on the other side, and zero (0) feet along the common wall of a two-family dwelling.
- 3-14-06-03-04** ***MINIMUM REAR SETBACK***
The minimum rear setback for a principal structure in a Residential-2 District shall be fifteen (15) feet. If the rear property line fronts a public right-of-way where access is taken, the rear setback shall be twenty (20) feet.
- 3-14-06-03-05** ***MINIMUM R.O.W. SETBACK***
The minimum setback for all principal structures in a Residential-2 District from an arterial right-of-way shall be forty (40) feet except a section line arterial right-of-way where the minimum setback shall be sixty (60) feet. The setback from collector and local rights-of-way shall be twenty (20) feet.
- 3-14-06-03-06** ***MINIMUM SETBACK FROM SECTION LINE***
The minimum setback from a section line for principal structures in a Residential-2 District shall be one hundred (100) feet. Variations may be permitted if the Department of Public Works determines no additional right-of-way is required.
- 3-14-06-04** **SETBACK AND DIMENSIONAL REQUIREMENTS FOR ACCESSORY STRUCTURES**
- 3-14-06-04-01** ***MINIMUM FRONT SETBACK***
The minimum front setback for accessory structures in a Residential-2 District shall be twenty (20) feet.
- 3-14-06-04-02** ***MINIMUM SIDE CORNER SETBACK***
The minimum side corner setback for accessory structures in a Residential-2 District shall be twenty (20) feet.
- 3-14-06-04-03** ***MINIMUM SIDE SETBACK***
The minimum side setback for accessory structures in a Residential-2 District shall be five (5) feet.
- 3-14-06-04-04** ***MINIMUM REAR SETBACK***
The minimum rear setback for accessory structures in a Residential-2 District shall be five (5) feet. If the rear property line fronts a public right-of-way where access is taken, the rear setback shall be twenty (20) feet.

- 3-14-06-04-05** ***MINIMUM R.O.W. SETBACK***
The minimum setback for all accessory structures in a Residential-2 District from an arterial right-of-way shall be forty (40) feet except a section line arterial right-of-way where the minimum setback shall be sixty (60) feet. The setback from collector and local rights-of-way shall be twenty (20) feet.
- 3-14-06-04-06** ***MINIMUM SETBACK FROM SECTION LINE***
The minimum setback from a section line for accessory structures in a Residential-2 District shall be one hundred (100) feet. Variations may be permitted if the Department of Public Works determines no additional right-of-way is required.
- 3-14-06-05** **MAXIMUM HEIGHT**
- 3-14-06-05-01** ***DWELLINGS***
The maximum height of dwellings in a Residential-2 District shall be twenty-five (25) feet.
- 3-14-06-05-02** ***ACCESSORY STRUCTURES***
The maximum height of accessory structures in a Residential-2 District shall be sixteen (16) feet.
- 3-14-06-06** **MAXIMUM ACCESSORY BUILDING COVERAGE**
The maximum accessory building coverage in a Residential-2 District shall be four-hundred-fifty (450) square feet per two-family dwelling unit. A maximum of 900 square feet shall be allowed for an accessory building when used as a single-family dwelling.
- 3-14-06-07** **MINIMUM FLOOR AREA OF DWELLINGS**
- 3-14-06-07-01** ***TWO-FAMILY***
The minimum floor area of a two-family dwelling in a Residential-2 District shall be one thousand (1,000) square feet per dwelling unit.
- 3-14-06-07-02** ***SINGLE FAMILY DWELLING***
The minimum floor area of a single-family dwelling in a Residential-2 District shall be twelve-hundred-fifty (1,250) square feet.
- 3-14-07** **RELATIONSHIP TO DESIGN REQUIREMENTS AND PERFORMANCE STANDARDS**
All design requirements and performance standards for specific uses contained in Chapter 4 of these standards and regulations shall apply in a Residential-2 District

unless inconsistent with a provision contained in Section 3-14, in which case the specific standard or requirement contained in Section 3-14 shall apply.

3-15 RESIDENTIAL-3 DISTRICT (R-3)**3-15-01 PURPOSE**

The purpose of the Residential-3 District is to provide a moderate density district which allows three (3) or more single-family attached residences on a single lot or on individually owned lots.

3-15-02 PERMITTED PRINCIPAL AND CONDITIONAL USES

Refer to the Use Chart to determine which uses are permitted uses in a Residential-3 District, subject to building permit review and approval, and which uses are permitted subject to the issuance of a Conditional Use Permit from the Board of County Commissioners and building permit review and approval. Only one (1) principal use shall be permitted per lot.

3-15-03 PERMITTED ACCESSORY USES

In association with a permitted principal use, the following accessory uses are permitted, subject to building permit review and approval:

1. Residential Uses, Accessory
2. Institutional Uses, Accessory
3. Recreational, Accessory

3-15-04 PERMITTED SPECIAL/TEMPORARY USES

Special uses are permitted in a Residential-3 District, subject to the issuance of a Special Use Permit from the Board of Adjustment. Temporary uses are permitted in a Residential-3 District, subject to the issuance of a Temporary Use Permit from the Director of Community and Economic Development.

3-15-05 PROHIBITED USES

All uses: (1) not expressly identified as permitted uses in the Use Chart; or (2) determined to be permitted by the Director of Community and Economic Development pursuant to Section 3-05-01 of these standards and regulations, are prohibited.

3-15-06 AREA AND HEIGHT STANDARDS

3-15-06-01 MINIMUM LOT SIZE REQUIREMENTS

3-15-06-01-01 ATTACHED DWELLINGS ON INDIVIDUAL LOTS

The minimum lot size for attached dwellings on individual lots in a Residential-3 District shall be twenty-five hundred (2,500) square feet per dwelling unit.

3-15-06-01-02 ATTACHED DWELLINGS ON ONE LOT

The minimum lot size for attached dwellings on one lot in a Residential-3 District shall be ninety-five hundred (9,500) square feet.

3-15-06-02 MAXIMUM DENSITY

The maximum density in a Residential-3 District shall be fourteen (14) dwelling units per acre.

3-15-06-03 MINIMUM LOT WIDTH REQUIREMENTS

3-15-06-03-01 ATTACHED DWELLINGS ON INDIVIDUAL LOTS

The minimum lot width for attached dwellings on individual lots in a Residential-3 District shall be twenty-five (25) feet.

3-15-06-03-02 ATTACHED DWELLINGS ON ONE LOT

The minimum lot width for attached dwellings on one (1) lot in a Residential-3 District shall be one-hundred-fifty (150) feet.

3-15-06-04 SETBACK AND DIMENSIONAL REQUIREMENTS FOR A PRINCIPAL STRUCTURE

3-15-06-04-01 MINIMUM FRONT SETBACK

The minimum front setback for a principal structure in a Residential-3 District shall be twenty (20) feet.

3-15-06-04-02 MINIMUM SIDE CORNER SETBACK

The minimum side corner setback for a principal structure in a Residential-3 District shall be twenty (20) feet.

3-15-06-04-03 MINIMUM SIDE SETBACK

The minimum side setback for a principal structure in a Residential-3 District shall be zero (0) feet along common walls of adjoining dwelling units, five (5) feet from an end unit when units are located on individual lots, and twenty (20) feet from an end unit when units are located on a single lot.

December 8, 2020

- 3-15-06-04-04** ***MINIMUM REAR SETBACK***
The minimum rear setback for a principal structure in a Residential-3 District shall be twenty (20) feet. If the rear property line fronts a public right-of-way where access is taken, the rear setback shall be twenty (20) feet.
- 3-15-06-04-05** ***MINIMUM R.O.W. SETBACK***
The minimum setback for all principal structures in a Residential-3 District from an arterial right-of-way shall be forty (40) feet except a section line arterial right-of-way where the minimum setback shall be sixty (60) feet. The setback from collector and local rights-of-way shall be twenty (20) feet.
- 3-15-06-04-06** ***MINIMUM SETBACK FROM SECTION LINE***
The minimum setback from a section line for principal structures in a Residential-3 District shall be one hundred (100) feet. Variations may be permitted if the Department of Public Works determines no additional right-of-way is required.
- 3-15-06-05** **SETBACK AND DIMENSIONAL REQUIREMENTS FOR ACCESSORY STRUCTURES**
- 3-15-06-05-01** ***MINIMUM FRONT SETBACK***
The minimum front setback for accessory structures in a Residential-3 District shall be twenty (20) feet.
- 3-15-06-05-02** ***MINIMUM SIDE CORNER SETBACK***
The minimum side corner setback for accessory structures in a Residential-3 District shall be twenty (20) feet.
- 3-15-06-05-03** ***MINIMUM SIDE SETBACK***
The minimum side setback for accessory structures in a Residential-3 District shall be five (5) feet.
- 3-15-06-05-04** ***MINIMUM REAR SETBACK***
The minimum rear setback for accessory structures in a Residential-3 District shall be five (5) feet. If the rear property line fronts a public right-of-way where access is taken, the rear setback shall be twenty (20) feet.
- 3-15-06-05-05** ***MINIMUM R.O.W. SETBACK***
The minimum setback for all accessory structures in a Residential-3 District from an arterial right-of-way shall be forty (40) feet except a section line arterial right-of-way where the minimum setback shall be sixty (60) feet. The setback from collector and local rights-of-way shall be twenty (20) feet.

- 3-15-06-05-06** ***MINIMUM SETBACK FROM SECTION LINE***
The minimum setback from a section line for accessory structures in a Residential-3 District shall be one hundred (100) feet. Variations may be permitted if the Department of Public Works determines no additional right-of-way is required.
- 3-15-06-06** **MAXIMUM HEIGHT**
- 3-15-06-06-01** ***PRINCIPAL STRUCTURE***
The maximum height of a principal structure in a Residential-3 District shall be thirty-five (35) feet.
- 3-15-06-06-02** ***ACCESSORY STRUCTURES***
The maximum height of accessory structures in a Residential-3 District shall be sixteen (16) feet.
- 3-15-06-07** **MAXIMUM ACCESSORY BUILDING COVERAGE**
The maximum accessory building coverage in a Residential-3 District shall be 80 square feet per dwelling unit.
- 3-15-06-08** **MINIMUM FLOOR AREA OF DWELLINGS**
- 3-15-06-08-01** ***EFFICIENCY UNIT***
The minimum floor area of an efficiency unit in a Residential-3 District shall be four-hundred-fifty (450) square feet.
- 3-15-06-08-02** ***ONE BEDROOM UNIT***
The minimum floor area of a one-bedroom unit in a Residential-3 District shall be six hundred (600) square feet.
- 3-15-06-08-03** ***TWO BEDROOM UNIT***
The minimum floor area of a two-bedroom unit in a Residential-3 District shall be seven-hundred-fifty (750) square feet.
- 3-15-06-08-04** ***THREE BEDROOM UNIT***
The minimum floor area of a three-bedroom unit in a Residential-3 District shall be nine hundred (900) square feet.
- 3-15-06-08-05** ***FOUR BEDROOM UNIT***
The minimum floor area of a four-bedroom unit in a Residential-3 District shall be one thousand (1,000) square feet.

- 3-15-07 RELATIONSHIP TO DESIGN REQUIREMENTS AND PERFORMANCE STANDARDS**
All design requirements and performance standards for specific uses contained in Chapter 4 of these standards and regulations shall apply in a Residential-3 District unless inconsistent with a provision contained in Section 3-15, in which case the specific standard or requirement contained in Section 3-15 shall apply.

3-16 RESIDENTIAL-4 DISTRICT (R-4)

3-16-01 PURPOSE

The purpose of the Residential-4 District is to provide a high-density district that allows three (3) or more single-family attached residences on a single lot.

3-16-02 PERMITTED PRINCIPAL AND CONDITIONAL USES

Refer to the Use Chart to determine which uses are permitted uses in a Residential-4 District, subject to building permit review and approval, and which uses are permitted subject to the issuance of a Conditional Use Permit from the Board of County Commissioners and building permit review and approval. Only one (1) principal use shall be permitted per lot.

3-16-03 PERMITTED ACCESSORY USES

In association with a permitted principal use, the following accessory uses are permitted, subject to building permit review and approval:

1. Residential Uses, Accessory
2. Institutional Uses, Accessory
3. Recreational, Accessory

3-16-04 PERMITTED SPECIAL/TEMPORARY USES

Special uses are permitted in a Residential-4 District, subject to the issuance of a Special Use Permit from the Board of Adjustment. Temporary uses are permitted in a Residential-4 District, subject to the issuance of a Temporary Use Permit from the Director of Community and Economic Development.

3-16-05 PROHIBITED USES

All uses: (1) not expressly identified as permitted uses in the Use Chart; or (2) determined to be permitted by the Director of Community and Economic Development pursuant to Section 3-05-01 of these standards and regulations, are prohibited.

3-16-06 AREA AND HEIGHT STANDARDS

3-16-06-01 MINIMUM LOT SIZE REQUIREMENTS

The minimum lot size in a Residential-4 District shall be two (2) acres.

- 3-16-06-02 MINIMUM DENSITY**
The minimum density in a Residential-4 District shall be fourteen (14) dwelling units per acre.
- 3-16-06-03 MAXIMUM DENSITY**
The maximum density in a Residential-4 District shall be thirty-five (35) dwelling units per acre.
- 3-16-06-04 MINIMUM LOT WIDTH REQUIREMENTS**
The minimum lot width in a Residential-4 District shall be two hundred (200) feet.
- 3-16-06-05 SETBACK AND DIMENSIONAL REQUIREMENTS FOR A PRINCIPAL STRUCTURE**
- 3-16-06-05-01 MINIMUM FRONT SETBACK**
The minimum front setback for a principal structure in a Residential-4 District shall be twenty-five (25) feet.
- 3-16-06-05-02 MINIMUM SIDE CORNER SETBACK**
The minimum side corner setback for a principal structure in a Residential-4 District shall be twenty-five (25) feet.
- 3-16-06-05-03 MINIMUM SIDE SETBACK**
The minimum side setback for a principal structure in a Residential-4 District shall be twenty-five (25) feet.
- 3-16-06-05-04 MINIMUM REAR SETBACK**
The minimum rear setback for a principal structure in a Residential-4 District shall be twenty (20) feet. If the rear property line fronts a public right-of-way where access is taken, the rear setback shall be twenty-five (25) feet.
- 3-16-06-05-05 MINIMUM R.O.W. SETBACK**
The minimum setback for all principal structures in a Residential-4 District from an arterial right-of-way shall be fifty (50) feet except a section line arterial right-of-way where the minimum setback shall be eighty (80) feet. The setback from collector and local rights-of-way shall be twenty-five (25) feet.
- 3-16-06-05-06 MINIMUM SETBACK FROM SECTION LINE**
The minimum setback from a section line for principal structures in a Residential-4 District shall be one hundred (100) feet. Variations may be permitted if the Department of Public Works determines no additional right-of-way is required.

3-16-06-06 SETBACK AND DIMENSIONAL REQUIREMENTS FOR ACCESSORY STRUCTURES

3-16-06-06-01 *MINIMUM FRONT SETBACK*

The minimum front setback for accessory structures in a Residential-4 District shall be fifty (50) feet.

3-16-06-06-02 *MINIMUM SIDE CORNER SETBACK*

The minimum side corner setback for accessory structures in a Residential-4 District shall be fifty (50) feet.

3-16-06-06-03 *MINIMUM SIDE SETBACK*

The minimum side setback for accessory structures in a Residential-4 District shall be five (5) feet.

3-16-06-06-04 *MINIMUM REAR SETBACK*

The minimum rear setback for accessory structures in a Residential-4 District shall be five (5) feet. If the rear property line fronts a public right-of-way where access is taken, the rear setback shall be twenty-five (25) feet.

3-16-06-06-05 *MINIMUM R.O.W. SETBACK*

The minimum setback for all accessory structures in a Residential-4 District from an arterial right-of-way shall be fifty (50) feet except a section line arterial right-of-way where the minimum setback shall be eighty (80) feet. The setback from collector and local rights-of-way shall be fifty (50) feet.

3-16-06-06-06 *MINIMUM SETBACK FROM SECTION LINE*

The minimum setback from a section line for accessory structures in a Residential-4 District shall be one hundred (100) feet. Variations may be permitted if the Department of Public Works determines no additional right-of-way is required.

3-16-06-07 MAXIMUM HEIGHT

3-16-06-07-01 *PRINCIPAL STRUCTURE*

The maximum height of a principal structure in a Residential-4 District shall be seventy (70) feet.

3-16-06-07-02 *ACCESSORY STRUCTURES*

The maximum height of accessory structures in a Residential-4 District shall be sixteen (16) feet.

3-16-06-08 MAXIMUM ACCESSORY BUILDING COVERAGE

The maximum accessory building coverage in a Residential-4 District shall be eighty (80) square feet per dwelling unit.

3-16-06-09 MINIMUM FLOOR AREA OF DWELLINGS**3-16-06-09-01 *EFFICIENCY UNIT***

The minimum floor area of an efficiency unit in a Residential-4 District shall be four-hundred-fifty (450) square feet.

3-16-06-09-02 *ONE BEDROOM UNIT*

The minimum floor area of a one-bedroom unit in a Residential-4 District shall be six hundred (600) square feet.

3-16-06-09-03 *TWO BEDROOM UNIT*

The minimum floor area of a two-bedroom unit in a Residential-4 District shall be seven-hundred-fifty (750) square feet.

3-16-06-09-04 *THREE BEDROOM UNIT*

The minimum floor area of a three-bedroom unit in a Residential-4 District shall be nine hundred (900) square feet.

3-16-06-09-05 *FOUR BEDROOM UNIT*

The minimum floor area of a four-bedroom unit in a Residential-4 District shall be one thousand (1,000) square feet.

3-16-07 RELATIONSHIP TO DESIGN REQUIREMENTS AND PERFORMANCE STANDARDS

All design requirements and performance standards for specific uses contained in Chapter 4 of these standards and regulations shall apply in a Residential-4 District unless inconsistent with a provision contained in Section 3-16, in which case the specific standard or requirement contained in Section 3-16 shall apply.

3-17 MOBILE HOME DWELLING DISTRICT (MH)

3-17-01 PURPOSE

The purpose of the Mobile Home Dwelling District is to provide a district for Mobile Homes with the necessary facilities with mobile home spaces or lots, which may (but need not) be owned by different persons.

3-17-02 PERMITTED PRINCIPAL AND CONDITIONAL USES

Refer to the Use Chart to determine which uses are permitted uses in a Mobile Home Dwelling District, subject to building permit review and approval, and which uses are permitted subject to the issuance of a Conditional Use Permit from the Board of County Commissioners and building permit review and approval. Only one (1) principal use shall be permitted per lot.

3-17-03 PERMITTED ACCESSORY USES

In association with a permitted principal use, the following accessory uses are permitted, subject to building permit review and approval:

1. Residential Uses, Accessory
2. Institutional Uses, Accessory
3. Recreational, Accessory

3-17-04 PERMITTED SPECIAL/TEMPORARY USES

Special uses are permitted in a Mobile Home Dwelling District, subject to the issuance of a Special Use Permit from the Board of Adjustment. Temporary uses are permitted in a Mobile Home Dwelling District, subject to the issuance of a Temporary Use Permit from the Director of Community and Economic Development.

3-17-05 PROHIBITED USES

All uses: (1) not expressly identified as permitted uses in the Use Chart; or (2) determined to be permitted by the Director of Community and Economic Development pursuant to Section 3-05-01 of these standards and regulations, are prohibited.

3-17-06 AREA AND HEIGHT STANDARDS**3-17-06-01 MINIMUM LOT SIZE REQUIREMENTS**

The minimum lot size in a Mobile Home Dwelling District shall be five thousand (5,000) square feet. Minimum size of new developments shall be forty (40) acres.

3-17-06-02 MINIMUM LOT WIDTH REQUIREMENTS**3-17-06-02-01 *MOBILE HOMES LESS THAN OR EQUAL TO TWENTY FEET WIDE***

The minimum lot width in a Mobile Home Dwelling District for mobile homes less than or equal to twenty feet wide shall be forty-five (45) feet.

3-17-06-02-02 *MOBILE HOMES MORE THAN TWENTY FEET WIDE*

The minimum lot width in a Mobile Home Dwelling District for mobile homes more than twenty (20) feet wide shall be fifty (50) feet.

3-17-06-03 SETBACK AND DIMENSIONAL REQUIREMENTS FOR A PRINCIPAL STRUCTURE**3-17-06-03-01 *MINIMUM FRONT SETBACK***

The minimum front setback for a principal structure in a Mobile Home Dwelling District shall be twenty (20) feet.

3-17-06-03-02 *MINIMUM SIDE CORNER SETBACK*

The minimum side corner setback for a principal structure in a Mobile Home Dwelling District shall be twenty (20) feet.

3-17-06-03-03 *MINIMUM SIDE SETBACK*

The minimum side setback for a principal structure in a Mobile Home Dwelling District shall be seventeen (17) feet on one side or five (5) feet when the lot includes an accessory structure, and five (5) feet on the other side.

3-17-06-03-04 *MINIMUM REAR SETBACK*

The minimum rear setback for a principal structure in a Mobile Home Dwelling District shall be fifteen (15) feet.

3-17-06-03-05 *MINIMUM R.O.W. SETBACK*

The minimum setback for all principal structures in a Mobile Home Dwelling District from an arterial right-of-way shall be forty (40) feet except a section line arterial right-of-way where the minimum setback shall be sixty (60) feet. The setback from collector and local rights-of-way shall be twenty (20) feet.

- 3-17-06-03-06** ***MINIMUM SETBACK FROM SECTION LINE***
The minimum setback from a section line for principal structures in a Mobile Home Dwelling District shall be one hundred (100) feet. Variations may be permitted if the Department of Public Works determines no additional right-of-way is required.
- 3-17-06-04** **SETBACK FROM OTHER DISTRICT BOUNDARY LINES FOR ALL STRUCTURES**
The setback from other zone district boundary lines for all structures in a Mobile Home Dwelling District shall be twenty-five (25) feet.
- 3-17-06-05** **SETBACK AND DIMENSIONAL REQUIREMENTS FOR ACCESSORY STRUCTURES**
- 3-17-06-05-01** ***MINIMUM FRONT SETBACK***
The minimum front setback for accessory structures in a Mobile Home Dwelling District shall be twenty (20) feet.
- 3-17-06-05-02** ***MINIMUM SIDE CORNER SETBACK***
The minimum side corner setback for accessory structures in a Mobile Home Dwelling District shall be twenty (20) feet.
- 3-17-06-05-03** ***MINIMUM SIDE SETBACK***
The minimum side setback for accessory structures in a Mobile Home Dwelling District shall be five (5) feet.
- 3-17-06-05-04** ***MINIMUM REAR SETBACK***
The minimum rear setback for accessory structures in a Mobile Home Dwelling District shall be five (5) feet.
- 3-17-06-05-05** ***MINIMUM R.O.W. SETBACK***
The minimum setback for all accessory structures in a Mobile Home Dwelling District from an arterial right-of-way shall be forty (40) feet except a section line arterial right-of-way where the minimum setback shall be sixty (60) feet. The setback from collector and local rights-of-way shall be twenty (20) feet.
- 3-17-06-05-06** ***MINIMUM SETBACK FROM SECTION LINE***
The minimum setback from a section line for accessory structures in a Mobile Home Dwelling District shall be one hundred (100) feet. Variations may be permitted if the Department of Public Works determines no additional right-of-way is required.

3-17-06-06 MAXIMUM HEIGHT

The maximum height of a structure in a Mobile Home Dwelling District shall be twenty (20) feet and the maximum height of any accessory structure shall be ten (10) feet.

3-17-06-07 MAXIMUM ACCESSORY BUILDING COVERAGE

The maximum accessory building coverage in a Mobile Home Dwelling District shall be six hundred (600) square feet.

3-17-06-08 MINIMUM FLOOR AREA OF DWELLINGS

The minimum floor area of dwellings in a Mobile Home Dwelling District shall be six hundred (600) square feet.

3-17-07 RELATIONSHIP TO DESIGN REQUIREMENTS AND PERFORMANCE STANDARDS

All design requirements and performance standards for specific uses contained in Chapter 4 of these standards and regulations shall apply in a Mobile Home Dwelling District unless inconsistent with a provision contained in Section 3-17, in which case the specific standard or requirement contained in Section 3-17 shall apply.

3-18 MIXED-USE DISTRICT (MU)

3-18-01 PURPOSE

The purpose of the mixed use (MU) zone district is to create a flexible approach to land uses and enhance the character of Adams County’s commercial corridors and centers by promoting development that:

1. Creates a balanced mix of land uses;
2. Facilitates quality mixed use development that is consistent with the goals and strategies of the Comprehensive Plan;
3. Supports a sustainable and resilient local economy;
4. Provides unique places for people to live, **work**, shop, and play;
5. Improves the public realm through high quality design;
6. Promotes use by pedestrians, bicyclists, and transit users, in addition to automobiles;
7. Encourages active lifestyles; and
8. Maintains the character and integrity of adjacent residential neighborhoods.

3-18-02 PERMITTED PRINCIPAL AND CONDITIONAL USES

Refer to the Use Chart to determine which uses are permitted uses in a Mixed-Use District, subject to building permit review and approval, and which uses are permitted subject to the issuance of a Conditional Use Permit from the Board of County Commissioners and building permit review and approval. Only one (1) principal use shall be permitted per lot.

3-18-03 PERMITTED ACCESSORY USES

In association with a permitted principal use, the following accessory uses are permitted, subject to building permit review and approval:

1. Commercial Uses, Accessory.
2. Institutional Uses, Accessory.

3-18-04 PERMITTED SPECIAL/TEMPORARY USES

Special uses are permitted in a Mixed-Use Zone District, subject to the issuance of a Special Use Permit from the Board of Adjustment. Temporary uses are permitted in a Mixed-Use Zone District, subject to the issuance of a Temporary Use Permit from the Director of Community and Economic Development.

3-18-05 PROHIBITED USES

All uses: (1) not expressly identified as permitted uses in the Use Chart; or (2) determined to be permitted by the Director of Community and Economic Development pursuant to Section of these standards and regulations, are prohibited.

3-18-06 AREA AND HEIGHT STANDARDS

3-18-06-01 MINIMUM LOT SIZE REQUIREMENTS

There are no minimum lot size requirements in a Mixed-Use District.

3-18-06-02 MINIMUM LOT WIDTH REQUIREMENTS

The minimum lot width in a Mixed-Use District shall be seventy-five (75) feet.

3-18-06-03 DENSITY STANDARDS

3-18-06-03-01 MINIMUM DENSITY

The minimum density in a Mixed-Use District shall be thirty-five (35) dwelling units per acre.

3-18-06-03-02 MAXIMUM DENSITY

The maximum density in a Mixed-Use District shall be thirty-five (35) dwelling unit per acre.

3-18-06-03-03 MINIMUM FAR

The minimum FAR in a Mixed-Use District shall be (.75).

3-18-06-04 MAXIMUM HEIGHT

3-18-06-04-01 PRINCIPAL STRUCTURE

The maximum height of a principal structure in a Mixed-Use District shall be sixty (60) feet.

3-18-06-04-02 ACCESSORY STRUCTURE

The maximum height of accessory structures in a Mixed-Use District shall be sixteen (16) feet.

3-18-06-05 SETBACK AND DIMENSIONAL REQUIREMENTS FOR A STRUCTURE

3-18-06-05-01 MINIMUM FRONT SETBACK

The minimum front setback for a structure in a Mixed-Use District shall be a minimum of five (5) feet. All structures must be located outside of the sight-distance triangle.

3-18-06-05-02 **MAXIMUM FRONT SETBACK**

The maximum front setback for a structure in a Mixed-Use District shall be a maximum of twenty (20) feet. If the parcel fronts on a State Highway, the maximum front setback shall be twenty-five (25) feet.

3-18-06-05-03 **MINIMUM SIDE CORNER SETBACK**

The minimum front setback for a structure in a Mixed-Use District shall be a minimum of five (5) feet. All structures must be located outside of the sight-distance triangle.

3-18-06-05-04 **MAXIMUM SIDE CORNER SETBACK**

The maximum front setback for a structure in a Mixed-Use District shall be a maximum of twenty (20) feet. If the parcel fronts on a State Highway, the maximum side corner setback shall be twenty-five (25) feet.

3-18-06-05-05 **MINIMUM SIDE SETBACK**

The minimum side setback for a structure in a Mixed-Use District shall be five (5) feet. If the parcel is adjacent to a R-1-C or R-2 zoned properties, the minimum side setback for a structure shall be twenty (20) feet.

3-18-06-05-06 **MINIMUM REAR SETBACK**

The minimum rear setback for a structure in a Mixed-Use District shall be five (5) feet. If the parcel is adjacent to R-1-C or R-2 zoned properties, the minimum rear setback for a structure shall be twenty (20) feet.

3-18-06-05-07 **MINIMUM R.O.W SETBACK**

The minimum setback for all structures in a Mixed-Use District from a State Highway shall be twenty-five (25) feet.

3-18-06-05-08 **MINIMUM SETBACK FROM SECTION LINE**

The minimum setback from a section line for all structures in a Mixed-Use District shall be one hundred (100) feet. Variations may be permitted if the Department of Public Works determines no additional right-of-way is required. If the setback required from the section line is greater than the maximum setback allowed, the Board of County Commissioners can approve a variation in the setback due to the section line in the rezone request.

3-18-06-05-09 **HEIGHT RELATED SETBACKS**

Upper stories above 35 feet in height shall be stepped down from its highest roofline at least one full story for a depth of at least 15 feet where adjacent to properties zoned R-1-C, or R-2

Upper stories above 51 feet in height shall be stepped down from its highest roofline at least one full story for a depth of 25 feet where adjacent to properties zoned R-1-C, or R-2

3-18-06-06 REQUIRED ROADWAY CLASSIFICATION

All parcels rezoned to Mixed-Use must front on a State Highway, Arterial, or Collector road.

3-18-06-07 RELATIONSHIP TO DESIGN REQUIREMENTS AND PERFORMANCE STANDARDS

All design requirements and performance standards for specific uses contained in Chapter 4 of these standards and regulations shall apply in a Mixed-Use District unless inconsistent with a provision contained in Section 3-18, in which case the specific standard or requirement contained in Section 3-18 shall apply.

3-18-06-08 MINIMUM FLOOR AREA OF DWELLINGS

3-18-06-08-01 EFFICIENCY UNIT

The minimum floor area of an efficiency unit in a Mixed Use District shall be four-hundred-fifty (450) square feet.

3-18-06-08-02 ONE BEDROOM UNIT

The minimum floor area of a one-bedroom unit in a Residential-3 District shall be six hundred (600) square feet.

3-18-06-08-03 TWO BEDROOM UNIT

The minimum floor area of a two-bedroom unit in a Residential-3 District shall be seven-hundred-fifty (750) square feet.

3-18-06-08-04 THREE BEDROOM UNIT

The minimum floor area of a three-bedroom unit in a Residential-3 District shall be nine-hundred (900) square feet.

3-18-06-08-05 FOUR BEDROOM UNIT

The minimum floor area of a four-bedroom unit in a Residential-3 District shall be one-thousand (1,000) square feet.

A complete site plan with architectural concept-level drawings shall be submitted with a Mixed-Use Rezoning application. The proposed development site plan and architectural concept-level drawings must show conformance with the requirements outline in this Section and all performance standards outlined in Section 4-10. The Board of County Commissioners decision shall constitute a final decision. Amendments to any approved site plan shall be processed in accordance with Section 2-01-10.

3-183-19 **COMMERCIAL-0 DISTRICT (C-0)**

3-18-013-19-01 **PURPOSE**

The purpose of the Commercial-0 District is to provide an office district designed to provide administration and professional services, local employment and services, and provide a small local retail district designed to provide small convenient retail shopping and personal services for persons residing in adjacent residential areas.

3-18-023-19-02 **PERMITTED PRINCIPAL AND CONDITIONAL USES**

Refer to the Use Chart to determine which uses are permitted uses in a Commercial-0 District, subject to building permit review and approval, and which uses are permitted subject to the issuance of a Conditional Use Permit from the Board of County Commissioners and building permit review and approval.. Only one (1) principal use shall be permitted per lot.

3-18-033-19-03 **PERMITTED ACCESSORY USES**

In association with a permitted principal use, the following accessory uses are permitted, subject to building permit review and approval:

1. Commercial Uses, Accessory
2. Institutional, Accessory
3. Residential, Accessory
4. Recreational, Accessory

3-18-043-19-04 **PERMITTED SPECIAL/TEMPORARY USES**

Special uses are permitted in a Commercial-0 District, subject to the issuance of a Special Use Permit from the Board of Adjustment. Temporary uses are permitted in a Commercial-0 District, subject to the issuance of a Temporary Use Permit from the Director of Community and Economic Development.

3-18-053-19-05 **OIL AND GAS FACILITIES**

Oil and Gas Facilities are permitted in a Commercial-0 District, subject to the issuance of an Oil and Gas Facility Permit. Allowance in the zone district does not guarantee the issuance of an Oil and Gas Facility Permit.

3-18-063-19-06 **PROHIBITED USES**

All uses: (1) not expressly identified as permitted uses in the Use Chart; or (2) determined to be permitted by the Director of Community and Economic

Development pursuant to Section 3-05-01 of these standards and regulations, are prohibited.

~~3-18-073-19-07~~ **AREA AND HEIGHT STANDARDS**

~~3-18-07-013-19-07-01~~ **MINIMUM LOT SIZE REQUIREMENTS**

There are no minimum lot size requirements in a Commercial-0 District.

~~3-18-07-023-19-07-02~~ **MINIMUM LOT WIDTH REQUIREMENTS**

The minimum lot width in a Commercial-0 District shall be seventy-five (75) feet.

~~3-18-07-033-19-07-03~~ **SETBACK AND DIMENSIONAL REQUIREMENTS FOR A STRUCTURE**

~~3-18-07-03-013-19-07-03-01~~ **MINIMUM FRONT SETBACK**

The minimum front setback for a structure in a Commercial-0 District shall be twenty-five (25) feet.

~~3-18-07-03-023-19-07-03-02~~ **MINIMUM SIDE CORNER SETBACK**

The minimum side corner setback for a structure in a Commercial-0 District shall be twenty-five (25) feet.

~~3-18-07-03-033-19-07-03-03~~ **MINIMUM SIDE SETBACK**

The minimum side setback for a structure in a Commercial-0 District shall be fifteen (15) feet on one side and five (5) feet on the other side; zero (0) foot setbacks may be approved for fireproof structures.

~~3-18-07-03-043-19-07-03-04~~ **MINIMUM REAR SETBACK**

The minimum rear setback for a structure in a Commercial-0 District shall be fifteen (15) feet.

~~3-18-07-03-053-19-07-03-05~~ **MINIMUM SETBACK FROM RESIDENTIALLY ZONED OR USED PROPERTY**

Not applicable

~~3-18-07-03-063-19-07-03-06~~ **MINIMUM R.O.W. SETBACK**

The minimum setback for all structures in a Commercial-0 District from an arterial right-of-way or highway shall be twenty-five (25) feet.

~~3-18-07-03-073-19-07-03-07~~ **MINIMUM SETBACK FROM SECTION LINE**

The minimum setback from a section line for all structures in a Commercial-0 District shall be one hundred (100) feet. Variations may be permitted if the Department of Public Works determines no additional right-of-way is required.

~~3-18-07-04~~3-19-07-04 **MAXIMUM HEIGHT**

The maximum height of a structure in a Commercial-0 District shall be twenty-five (25) feet.

~~3-18-07-05~~3-19-07-05 **MAXIMUM FLOOR AREA PER COMMERCIAL USE**

The maximum floor area per commercial use in a Commercial-0 District shall be two thousand (2,000) square feet unless otherwise approved with a Conditional Use Permit.

~~3-18-07-06~~3-19-07-06 **HOURS OF OPERATION**

The hours of operation in a Commercial-0 District shall be restricted to 7:00 a.m. to 10:00 p.m.

~~3-18-083-19-08~~ **RELATIONSHIP TO DESIGN REQUIREMENTS AND PERFORMANCE STANDARDS**

All design requirements and performance standards for specific uses contained in Chapter 4 of these standards and regulations shall apply in a Commercial-0 District unless inconsistent with a provision contained in Section 3-18, in which case the specific standard or requirement contained in Section 3-18 shall apply.

3-193-20 **COMMERCIAL-1 DISTRICT (C-1)**

3-19-013-20-01 **PURPOSE**

The purpose of the Commercial-1 District is to provide an office district designed to provide retail shopping services and professional office space for persons residing in adjacent residential areas.

3-19-023-20-02 **PERMITTED PRINCIPAL AND CONDITIONAL USES**

Refer to the Use Chart to determine which uses are permitted uses in a Commercial-1 District, subject to building permit review and approval, and which uses are permitted subject to the issuance of a Conditional Use Permit from the Board of County Commissioners and building permit review and approval. Only one (1) principal use shall be permitted per lot.

3-19-033-20-03 **PERMITTED ACCESSORY USES**

In association with a permitted principal use, the following accessory uses are permitted, subject to building permit review and approval:

1. Commercial Uses, Accessory
2. Institutional, Accessory
3. Residential, Accessory
4. Recreational, Accessory

3-19-043-20-04 **PERMITTED SPECIAL/TEMPORARY USES**

Special uses are permitted in a Commercial-1 District, subject to the issuance of a Special Use Permit from the Board of Adjustment. Temporary uses are permitted in a Commercial-1 District, subject to the issuance of a Temporary Use Permit from the Director of Community and Economic Development.

3-19-053-20-05 **OIL AND GAS FACILITIES**

Oil and Gas Facilities are permitted in a Commercial-1 District, subject to the issuance of an Oil and Gas Facility Permit. Allowance in the zone district does not guarantee the issuance of an Oil and Gas Facility Permit.

3-19-063-20-06 **PROHIBITED USES**

All uses: (1) not expressly identified as permitted uses in the Use Chart; or (2) determined to be permitted by the Director of Community and Economic

Development pursuant to Section 3-05-01 of these standards and regulations, are prohibited.

~~3-19-073-20-07~~ **AREA AND HEIGHT STANDARDS**

~~3-19-07-013-20-07-01~~ **MINIMUM LOT SIZE REQUIREMENTS**

There are no minimum lot size requirements in a Commercial-1 District.

~~3-19-07-023-20-07-02~~ **MINIMUM LOT WIDTH REQUIREMENTS**

The minimum lot width in a Commercial-1 District shall be seventy-five (75) feet.

~~3-19-07-033-20-07-03~~ **SETBACK AND DIMENSIONAL REQUIREMENTS FOR A STRUCTURE**

~~3-19-07-03-013-20-07-03-01~~ **MINIMUM FRONT SETBACK**

The minimum front setback for a structure in a Commercial-1 District shall be twenty-five (25) feet.

~~3-19-07-03-023-20-07-03-02~~ **MINIMUM SIDE CORNER SETBACK**

The minimum side corner setback for a structure in a Commercial-1 District shall be twenty-five (25) feet.

~~3-19-07-03-033-20-07-03-03~~ **MINIMUM SIDE SETBACK**

The minimum side setback for a structure in a Commercial-1 District shall be fifteen (15) feet on one side and five (5) feet on the other side; zero (0) foot setbacks may be approved for fireproof structures.

~~3-19-07-03-043-20-07-03-04~~ **MINIMUM REAR SETBACK**

The minimum rear setback for a structure in a Commercial-1 District shall be fifteen (15) feet.

~~3-19-07-03-053-20-07-03-05~~ **MINIMUM SETBACK FROM RESIDENTIALLY ZONED OR USED PROPERTY**

Not applicable

~~3-19-07-03-063-20-07-03-06~~ **MINIMUM R.O.W. SETBACK**

The minimum setback for all structures in a Commercial-1 District from an arterial right-of-way or highway shall be twenty-five (25) feet

~~3-19-07-03-073-20-07-03-07~~ **MINIMUM SETBACK FROM SECTION LINE**

The minimum setback from a section line for all structures in a Commercial-1 District shall be one hundred (100) feet. Variations may be permitted if the Department of Public Works determines no additional right-of-way is required.

~~3-19-07-04~~~~3-20-07-04~~ **MAXIMUM HEIGHT**

The maximum height of a structure in a Commercial-1 District shall be twenty-five (25) feet.

~~3-19-07-05~~~~3-20-07-05~~ **MAXIMUM FLOOR AREA PER COMMERCIAL USE**

The maximum floor area per commercial use in a Commercial-1 District shall be two thousand (2,000) square feet unless otherwise approved with a Conditional Use Permit.

~~3-19-07-06~~~~3-20-07-06~~ **HOURS OF OPERATION**

The hours of operation in a Commercial-1 District shall be restricted to 7:00 a.m. to 10:00 p.m.

~~3-19-083-20-08~~ **RELATIONSHIP TO DESIGN REQUIREMENTS AND PERFORMANCE STANDARDS**

All design requirements and performance standards for specific uses contained in Chapter 4 of these standards and regulations shall apply in a Commercial-1 District unless inconsistent with a provision contained in Section 3-19 in which case the specific standard or requirement contained in Section 3-19 shall apply.

3-203-21 **COMMERCIAL-2 DISTRICT (C-2)**

3-20-013-21-01 **PURPOSE**

The purpose of the Commercial-2 District is to provide a retail and service district designed to provide most retail shopping and personal services for persons residing in nearby residential areas.

3-20-023-21-02 **PERMITTED PRINCIPAL AND CONDITIONAL USES**

Refer to the Use Chart to determine which uses are permitted uses in a Commercial-2 District, subject to building permit review and approval, and which uses are permitted subject to the issuance of a Conditional Use Permit from the Board of County Commissioners and building permit review and approval. Only one (1) principal use shall be permitted per lot.

3-20-033-21-03 **PERMITTED ACCESSORY USES**

In association with a permitted principal use, the following accessory uses are permitted, subject to building permit review and approval:

1. Commercial Uses, Accessory
2. Institutional, Accessory
3. Recreational, Accessory

3-20-043-21-04 **PERMITTED SPECIAL/TEMPORARY USES**

Special uses are permitted in a Commercial-2 District, subject to the issuance of a Special Use Permit from the Board of Adjustment. Temporary uses are permitted in a Commercial-2 District, subject to the issuance of a Temporary Use Permit from the Director of Community and Economic Development.

3-20-053-21-05 **OIL AND GAS FACILITIES**

Oil and Gas Facilities are permitted in a Commercial-2 District, subject to the issuance of an Oil and Gas Facility Permit. Allowance in the zone district does not guarantee the issuance of an Oil and Gas Facility Permit.

3-20-063-21-06 **PROHIBITED USES**

All uses: (1) not expressly identified as permitted uses in the Use Chart; or (2) determined to be permitted by the Director of Community and Economic

Development pursuant to Section 3-05-01 of these standards and regulations, are prohibited.

~~3-20-073-21-07~~ **AREA AND HEIGHT STANDARDS**

~~3-20-07-013-21-07-01~~ **MINIMUM LOT SIZE REQUIREMENTS**

There are no minimum lot size requirements in a Commercial-2 District.

~~3-20-07-023-21-07-02~~ **MINIMUM LOT WIDTH REQUIREMENTS**

The minimum lot width in a Commercial-2 District shall be seventy-five (75) feet.

~~3-20-07-033-21-07-03~~ **SETBACK AND DIMENSIONAL REQUIREMENTS FOR A STRUCTURE**

~~3-20-07-03-013-21-07-03-01~~ **MINIMUM FRONT SETBACK**

The minimum front setback for a structure in a Commercial-2 District shall be twenty-five (25) feet.

~~3-20-07-03-023-21-07-03-02~~ **MINIMUM SIDE CORNER SETBACK**

The minimum side corner setback for a structure in a Commercial-2 District shall be twenty-five (25) feet.

~~3-20-07-03-033-21-07-03-03~~ **MINIMUM SIDE SETBACK**

The minimum side setback for a structure in a Commercial-2 District shall be fifteen (15) feet on one side and five (5) feet on the other side; zero (0) foot setbacks may be approved for fireproof structures.

~~3-20-07-03-043-21-07-03-04~~ **MINIMUM REAR SETBACK**

The minimum rear setback for a structure in a Commercial-2 District shall be fifteen (15) feet.

~~3-20-07-03-053-21-07-03-05~~ **MINIMUM SETBACK FROM RESIDENTIALLY ZONED OR USED PROPERTY**

Not applicable

~~3-20-07-03-063-21-07-03-06~~ **MINIMUM R.O.W. SETBACK**

The minimum setback for all structures in a Commercial-2 District from an arterial right-of-way or highway shall be twenty-five (25) feet

~~3-20-07-03-073-21-07-03-07~~ **MINIMUM SETBACK FROM SECTION LINE**

The minimum setback from a section line for all structures in a Commercial-2 District shall be one hundred (100) feet. Variations may be permitted if the Department of Public Works determines no additional right-of-way is required.

~~3-20-07-04~~3-21-07-04 **MAXIMUM HEIGHT**

The maximum height of a structure in a Commercial-2 District shall be thirty-five (35) feet.

~~3-20-07-05~~3-21-07-05 **MAXIMUM FLOOR AREA PER COMMERCIAL USE**

The maximum floor area per commercial use in a Commercial-2 District shall be ten thousand (10,000) square feet.

~~3-20-07-06~~3-21-07-06 **HOURS OF OPERATION**

The hours of operation in a Commercial-2 District shall be restricted to 7:00 a.m. to 12:00 a.m. when property abuts residentially zoned or used property. Otherwise, no restrictions on the hours of operation shall apply.

~~3-20-083-21-08~~ **RELATIONSHIP TO DESIGN REQUIREMENTS AND PERFORMANCE STANDARDS**

All design requirements and performance standards for specific uses contained in Chapter 4 of these standards and regulations shall apply in a Commercial-2 District unless inconsistent with a provision contained in Section 3-20, in which case the specific standard or requirement contained in Section 3-20 shall apply.

3-213-22 **COMMERCIAL-3 DISTRICT (C-3)**

3-21-013-22-01 **PURPOSE**

The purpose of the Commercial-3 District is to provide a retail and service district designed to provide most retail shopping and personal services for persons residing within Adams County and the surrounding area.

3-21-023-22-02 **PERMITTED PRINCIPAL AND CONDITIONAL USES**

Refer to the Use Chart to determine which uses are permitted uses in a Commercial-3 District, subject to building permit review and approval, and which uses are permitted subject to the issuance of a Conditional Use Permit from the Board of County Commissioners and building permit review and approval. Only one (1) principal use shall be permitted per lot.

3-21-033-22-03 **PERMITTED ACCESSORY USES**

In association with a permitted principal use, the following accessory uses are permitted, subject to building permit review and approval:

1. Commercial Uses, Accessory
2. Institutional, Accessory
3. Recreational, Accessory

3-21-043-22-04 **PERMITTED SPECIAL/TEMPORARY USES**

Special uses are permitted in a Commercial-3 District, subject to the issuance of a Special Use Permit from the Board of Adjustment. Temporary uses are permitted in a Commercial-3 District, subject to the issuance of a Temporary Use Permit from the Director of Community and Economic Development.

3-21-053-22-05 **OIL AND GAS FACILITIES**

Oil and Gas Facilities are permitted in a Commercial-3 District, subject to the issuance of an Oil and Gas Facility Permit. Allowance in the zone district does not guarantee the issuance of an Oil and Gas Facility Permit.

3-21-063-22-06 **PROHIBITED USES**

All uses: (1) not expressly identified as permitted uses in the Use Chart; or (2) determined to be permitted by the Director of Community and Economic Development pursuant to Section 3-05-01 of these standards and regulations, are prohibited.

~~3-21-073-22-07~~ **AREA AND HEIGHT STANDARDS**

~~3-21-07-013-22-07-01~~ **MINIMUM LOT SIZE REQUIREMENTS**

There are no minimum lot size requirements in a Commercial-3 District.

~~3-21-07-023-22-07-02~~ **MINIMUM LOT WIDTH REQUIREMENTS**

The minimum lot width in a Commercial-3 District shall be seventy-five (75) feet.

~~3-21-07-033-22-07-03~~ **SETBACK AND DIMENSIONAL REQUIREMENTS FOR A STRUCTURE**

~~3-21-07-03-013-22-07-03-01~~ **MINIMUM FRONT SETBACK**

The minimum front setback for a structure in a Commercial-3 District shall be twenty-five (25) feet.

~~3-21-07-03-023-22-07-03-02~~ **MINIMUM SIDE CORNER SETBACK**

The minimum side corner setback for a structure in a Commercial-3 District shall be twenty-five (25) feet.

~~3-21-07-03-033-22-07-03-03~~ **MINIMUM SIDE SETBACK**

The minimum side setback for a structure in a Commercial-3 District shall be fifteen (15) feet on one side and five (5) feet on the other side; zero (0) foot setbacks may be approved for fireproof structures.

~~3-21-07-03-043-22-07-03-04~~ **MINIMUM REAR SETBACK**

The minimum rear setback for a structure in a Commercial-3 District shall be fifteen (15) feet.

~~3-21-07-03-053-22-07-03-05~~ **MINIMUM SETBACK FROM RESIDENTIALLY ZONED OR USED PROPERTY**

Not applicable

~~3-21-07-03-063-22-07-03-06~~ **MINIMUM R.O.W. SETBACK**

The minimum setback for all structures in a Commercial-3 District from an arterial right-of-way or highway shall be twenty-five (25) feet

~~3-21-07-03-073-22-07-03-07~~ **MINIMUM SETBACK FROM SECTION LINE**

The minimum setback from a section line for all structures in a Commercial-3 District shall be one hundred (100) feet. Variations may be permitted if the Department of Public Works determines no additional right-of-way is required.

~~3-21-07-043-22-07-04~~ **MAXIMUM HEIGHT**

The maximum height of a structure in a Commercial-3 District shall be thirty-five (35) feet.

~~3-21-07-05~~~~3-22-07-05~~ **MAXIMUM FLOOR AREA PER COMMERCIAL USE**

The maximum floor area per commercial use in a Commercial-3 District shall be ten thousand (10,000) square feet unless otherwise approved with a Conditional Use Permit.

~~3-21-07-06~~~~3-22-07-06~~ **HOURS OF OPERATION**

The hours of operation in a Commercial-3 District shall be restricted to 7:00 a.m. to 12:00 a.m. when property abuts residentially zoned or used property. Otherwise, no restrictions on the hours of operation shall apply.

~~3-21-083-22-08~~ **RELATIONSHIP TO DESIGN REQUIREMENTS AND PERFORMANCE STANDARDS**

All design requirements and performance standards for specific uses contained in Chapter 4 of these standards and regulations shall apply in a Commercial-3 District unless inconsistent with a provision contained in Section 3-21, in which case the specific standard or requirement contained in Section 3-21 shall apply.

3-223-23 **COMMERCIAL-4 DISTRICT (C-4)**

3-22-013-23-01 **PURPOSE**

The purpose of the Commercial-4 District is to serve as a general retail and service district designed to provide services and products for both the general and traveling public in a regional context.

3-22-023-23-02 **PERMITTED PRINCIPAL AND CONDITIONAL USES**

Refer to the Use Chart to determine which uses are permitted uses in a Commercial-4 District, subject to building permit review and approval, and which uses are permitted subject to the issuance of a Conditional Use Permit from the Board of County Commissioners and building permit review and approval. Only one (1) principal use shall be permitted per lot.

3-22-033-23-03 **PERMITTED ACCESSORY USES**

In association with a permitted principal use, the following accessory uses are permitted, subject to building permit review and approval:

1. Commercial Uses, Accessory
2. Institutional Uses, Accessory
3. Industrial Uses, Accessory
4. Recreational, Accessory

3-22-043-23-04 **PERMITTED SPECIAL/TEMPORARY USES**

Special uses are permitted in a Commercial-4 District, subject to the issuance of a Special Use Permit from the Board of Adjustment. Temporary uses are permitted in a Commercial-4 District, subject to the issuance of a Temporary Use Permit from the Director of Community and Economic Development.

3-22-053-23-05 **OIL AND GAS FACILITIES**

Oil and Gas Facilities are permitted in a Commercial-4 District, subject to the issuance of an Oil and Gas Facility Permit. Allowance in the zone district does not guarantee the issuance of an Oil and Gas Facility Permit.

3-22-063-23-06 **PROHIBITED USES**

All uses: (1) not expressly identified as permitted uses in the Use Chart; or (2) determined to be permitted by the Director of Community and Economic

Development pursuant to Section 3-05-01 of these standards and regulations, are prohibited.

~~3-22-073-23-07~~ **AREA AND HEIGHT STANDARDS**

~~3-22-07-013-23-07-01~~ **MINIMUM LOT SIZE REQUIREMENTS**

There are no minimum lot size requirements in a Commercial-4 District.

~~3-22-07-023-23-07-02~~ **MINIMUM LOT WIDTH REQUIREMENTS**

The minimum lot width in a Commercial-4 District shall be one hundred (100) feet.

~~3-22-07-033-23-07-03~~ **SETBACK AND DIMENSIONAL REQUIREMENTS FOR A STRUCTURE**

~~3-22-07-03-013-23-07-03-01~~ **MINIMUM FRONT SETBACK**

The minimum front setback for a structure in a Commercial-4 District shall be twenty-five (25) feet.

~~3-22-07-03-023-23-07-03-02~~ **MINIMUM SIDE CORNER SETBACK**

The minimum side corner setback for a structure in a Commercial-4 District shall be twenty-five (25) feet.

~~3-22-07-03-033-23-07-03-03~~ **MINIMUM SIDE SETBACK**

The minimum side setback for a structure in a Commercial-4 District shall be fifteen (15) feet on one side and five (5) feet on the other side; zero (0) foot setbacks may be approved for fireproof structures.

~~3-22-07-03-043-23-07-03-04~~ **MINIMUM REAR SETBACK**

The minimum rear setback for a structure in a Commercial-4 District shall be fifteen (15) feet.

~~3-22-07-03-053-23-07-03-05~~ **MINIMUM SETBACK FROM RESIDENTIALLY ZONED OR USED PROPERTY**

Not applicable

~~3-22-07-03-063-23-07-03-06~~ **MINIMUM R.O.W. SETBACK**

The minimum setback for all structures in a Commercial-4 District from an arterial right-of-way or highway shall be twenty-five (25) feet Minimum Setback from Section Line

The minimum setback from a section line for all structures in a Commercial-4 District shall be one hundred (100) feet. Variations may be permitted if the

Department of Public Works determines no additional right-of-way is required.

~~3-22-07-043-23-07-04~~ **MAXIMUM HEIGHT**

The maximum height of a structure in a Commercial-4 District shall be thirty-five (35) feet.

~~3-22-083-23-08~~ **RELATIONSHIP TO DESIGN REQUIREMENTS AND PERFORMANCE STANDARDS**

All design requirements and performance standards for specific uses contained in Chapter 4 of these standards and regulations shall apply in a Commercial-4 District unless inconsistent with a provision contained in Section 3-22, in which case the specific standard or requirement contained in Section 3-22 shall apply.

3-233-24 **COMMERCIAL-5 DISTRICT (C-5)**

3-23-013-24-01 **PURPOSE**

The purpose of the Commercial-5 District is to serve as a general retail and service district designed to provide the broadest scope of services and products for both the general and traveling public in an interstate and regional context. In certain situations, it may be appropriate through a conditional use permit to allow a mix of uses in this zone district – allowing both residential and commercial uses within one building.

3-23-023-24-02 **PERMITTED PRINCIPAL AND CONDITIONAL USES**

Refer to the Use Chart to determine which uses are permitted uses in a Commercial-5 District, subject to building permit review and approval, and which uses are permitted subject to the issuance of a Conditional Use Permit from the Board of County Commissioners and building permit review and approval. Only one (1) principal use shall be permitted per lot.

3-23-033-24-03 **PERMITTED ACCESSORY USES**

In association with a permitted principal use, the following accessory uses are permitted, subject to building permit review and approval:

1. Commercial Uses, Accessory
2. Institutional Uses, Accessory.
3. Industrial Uses, Accessory
4. Recreational, Accessory

3-23-043-24-04 **PERMITTED SPECIAL/TEMPORARY USES**

Special uses are permitted in a Commercial-5 District, subject to the issuance of a Special Use Permit from the Board of Adjustment. Temporary uses are permitted in a Commercial-5 District, subject to the issuance of a Temporary Use Permit from the Director of Community and Economic Development.

3-23-053-24-05 **OIL AND GAS FACILITIES**

Oil and Gas Facilities are permitted in a Commercial-5 District, subject to the issuance of an Oil and Gas Facility Permit. Allowance in the zone district does not guarantee the issuance of an Oil and Gas Facility Permit.

3-23-063-24-06 PROHIBITED USES

All uses: (1) not expressly identified as permitted uses in the Use Chart; or (2) determined to be permitted by the Director of Community and Economic Development pursuant to Section 3-05-01 of these standards and regulations, are prohibited.

3-23-073-24-07 AREA AND HEIGHT STANDARDS

3-23-07-013-24-07-01 MINIMUM LOT SIZE REQUIREMENTS

There are no minimum lot size requirements in a Commercial-5 District.

3-23-07-023-24-07-02 MINIMUM LOT WIDTH REQUIREMENTS

The minimum lot width in a Commercial-5 District shall be one hundred (100) feet.

3-23-07-033-24-07-03 SETBACK AND DIMENSIONAL REQUIREMENTS FOR A STRUCTURE

3-23-07-03-013-24-07-03-01 MINIMUM FRONT SETBACK

The minimum front setback for a structure in a Commercial-5 District shall be twenty-five (25) feet.

3-23-07-03-023-24-07-03-02 MINIMUM SIDE CORNER SETBACK

The minimum side corner setback for a structure in a Commercial-5 District shall be twenty-five (25) feet.

3-23-07-03-033-24-07-03-03 MINIMUM SIDE SETBACK

The minimum side setback for a structure in a Commercial-5 District shall be fifteen (15) feet on one side and five (5) feet on the other side; zero (0) foot setbacks may be approved for fireproof structures.

3-23-07-03-043-24-07-03-04 MINIMUM REAR SETBACK

The minimum rear setback for a structure in a Commercial-5 District shall be fifteen (15) feet.

3-23-07-03-053-24-07-03-05 MINIMUM SETBACK FROM RESIDENTIALLY ZONED OR USED PROPERTY

Not applicable

3-23-07-03-063-24-07-03-06 MINIMUM R.O.W. SETBACK

The minimum setback for all structures in a Commercial-5 District from an arterial right-of-way or highway shall be twenty-five (25) feet

~~3-23-07-03-07~~~~3-24-07-03-07~~ **MINIMUM SETBACK FROM SECTION LINE**

The minimum setback from a section line for all structures in a Commercial-5 District shall be one hundred (100) feet. Variations may be permitted if the Department of Public Works determines no additional right-of-way is required.

~~3-23-07-04~~~~3-24-07-04~~ **MAXIMUM HEIGHT**

The maximum height of a structure in a Commercial-5 District shall be thirty-five (35) feet unless an allowance is specified as a specific use performance standard in Chapter 4.

~~3-23-08~~~~3-24-08~~ **RELATIONSHIP TO DESIGN REQUIREMENTS AND PERFORMANCE STANDARDS**

All design requirements and performance standards for specific uses contained in Chapter 4 of these standards and regulations shall apply in a Commercial-5 District unless inconsistent with a provision contained in Section 3-23, in which case the specific standard or requirement contained in Section 3-23 shall apply.

3-243-25 **INDUSTRIAL-1 DISTRICT (I-1)**

3-24-013-25-01 **PURPOSE**

The purpose of the Industrial-1 District is to provide a general commercial and limited industrial district designed to provide for a variety of compatible business, warehouse, wholesale, offices and very limited industrial uses.

3-24-023-25-02 **PERMITTED PRINCIPAL AND CONDITIONAL USES**

Refer to the Use Chart to determine which uses are permitted uses in an Industrial-1 District, subject to building permit review and approval, and which uses are permitted subject to the issuance of a Conditional Use Permit from the Board of County Commissioners and building permit review and approval. Only one (1) principal use shall be permitted per lot.

3-24-033-25-03 **PERMITTED ACCESSORY USES**

In association with a permitted principal use, the following accessory uses are permitted, subject to building permit review and approval.

1. Agricultural Uses, Accessory
2. Commercial Uses, Accessory
3. Industrial Uses, Accessory
4. Recreational, Accessory

3-24-043-25-04 **PERMITTED SPECIAL/TEMPORARY USES**

Special uses are permitted in an Industrial-1 District, subject to the issuance of a Special Use Permit from the Board of Adjustment. Temporary uses are permitted in the Industrial-1 District, subject to the issuance of a Temporary Use Permit from the Director of Community and Economic Development.

3-24-053-25-05 **OIL AND GAS FACILITIES**

Oil and Gas Facilities are permitted in an Industrial-1 District, subject to the issuance of an Oil and Gas Facility Permit. Allowance in the zone district does not guarantee the issuance of an Oil and Gas Facility Permit.

3-24-063-25-06 **PROHIBITED USES**

All uses: (1) not expressly identified as permitted uses in the Use Chart; or (2) determined to be permitted by the Director of Community and Economic

Development pursuant to Section 3-05-01 of these standards and regulations, are prohibited.

~~3-24-073-25-07~~ **AREA AND HEIGHT STANDARDS**

~~3-24-07-013-25-07-01~~ **MINIMUM LOT SIZE REQUIREMENTS**

The minimum lot size requirement shall be one (1) acre in an Industrial-1 District.

~~3-24-07-023-25-07-02~~ **MINIMUM LOT WIDTH REQUIREMENTS**

The minimum lot width in an Industrial-1 District shall be one hundred (100) feet.

~~3-24-07-033-25-07-03~~ **SETBACK AND DIMENSIONAL REQUIREMENTS FOR A STRUCTURE**

~~3-24-07-03-013-25-07-03-01~~ **MINIMUM FRONT SETBACK**

The minimum front setback for a structure in an Industrial-1 District shall be twenty-five (25) feet.

~~3-24-07-03-023-25-07-03-02~~ **MINIMUM SIDE CORNER SETBACK**

The minimum side corner setback for a structure in an Industrial-1 District shall be twenty-five (25) feet.

~~3-24-07-03-033-25-07-03-03~~ **MINIMUM SIDE SETBACK**

The minimum side setback for a structure in an Industrial-1 District shall be fifteen (15) feet on one side and five (5) feet on the other side; zero (0) foot setbacks may be approved for fireproof structures.

~~3-24-07-03-043-25-07-03-04~~ **MINIMUM REAR SETBACK**

The minimum rear setback for a structure in an Industrial-1 District shall be fifteen (15) feet.

~~3-24-07-03-053-25-07-03-05~~ **MINIMUM SETBACK FROM RESIDENTIALLY ZONED OR USED PROPERTY**

Not applicable

~~3-24-07-03-063-25-07-03-06~~ **MINIMUM R.O.W. SETBACK**

The minimum setback for all structures in an Industrial-1 District from an arterial right-of-way shall be seventy-five (75) feet except a section line arterial right-of-way where the minimum setback shall be seventy-five (75) feet. The setback from a collector or local road right-of-way shall be twenty-five (25) feet.

~~3-24-07-03-07~~~~3-25-07-03-07~~ **MINIMUM SETBACK FROM SECTION LINE**

The minimum setback from a section line for all structures in an Industrial-1 District shall be one-hundred-forty-five (145) feet. Variations may be permitted if the Department of Public Works determines no additional right-of-way is required.

~~3-24-07-04~~~~3-25-07-04~~ **MAXIMUM HEIGHT**

The maximum height of a structure in an Industrial-1 District shall be sixty (60) feet.

~~3-24-08~~~~3-25-08~~ **RELATIONSHIP TO DESIGN REQUIREMENTS AND PERFORMANCE STANDARDS**

All design requirements and performance standards for specific uses contained in Chapter 4 of these standards and regulations shall apply in an Industrial-1 District unless inconsistent with a provision contained in Section 3-24, in which case the specific standard or requirement contained in Section 3-24 shall apply.

3-253-26 **INDUSTRIAL-2 DISTRICT (I-2)**

3-25-013-26-01 **PURPOSE**

The purpose of the Industrial-2 District is to accommodate light manufacturing, processing, fabrication, assembly, and storage of non-hazardous and/or non-obnoxious material and products as well as allowing service facilities for industries and their employees.

3-25-023-26-02 **PERMITTED PRINCIPAL AND CONDITIONAL USES**

Refer to the Use Chart to determine which uses are permitted uses in an Industrial-2 District, subject to building permit review and approval, and which uses are permitted subject to the issuance of a Conditional Use Permit from the Board of County Commissioners and building permit review and approval. Only one (1) principal use shall be permitted per lot.

3-25-033-26-03 **PERMITTED ACCESSORY USES**

In association with a permitted principal use, the following accessory uses are permitted, subject to building permit review and approval:

1. Commercial, Accessory
2. Industrial, Accessory
3. Recreational, Accessory

3-25-043-26-04 **PERMITTED SPECIAL/TEMPORARY USES**

Special uses are permitted in an Industrial-2 District, subject to the issuance of a Special Use Permit from the Board of Adjustment. Temporary uses are permitted in an Industrial-2 District, subject to the issuance of a Temporary Use Permit from the Director of Community and Economic Development.

3-25-053-26-05 **OIL AND GAS FACILITIES**

Oil and Gas Facilities are permitted in an Industrial-2 District, subject to the issuance of an Oil and Gas Facility Permit. Allowance in the zone district does not guarantee the issuance of an Oil and Gas Facility Permit.

3-25-063-26-06 **PROHIBITED USES**

All uses: (1) not expressly identified as permitted uses in the Use Chart; or (2) determined to be permitted by the Director of Community and Economic

Development pursuant to Section 3-05-01 of these standards and regulations, are prohibited.

~~3-25-073-26-07~~ **AREA AND HEIGHT STANDARDS**

~~3-25-07-013-26-07-01~~ **MINIMUM LOT SIZE REQUIREMENTS**

The minimum lot size requirement shall be two (2) acres in an Industrial-2 District.

~~3-25-07-023-26-07-02~~ **MINIMUM LOT WIDTH REQUIREMENTS**

The minimum lot width in an Industrial-2 District shall be one-hundred-twenty-five (125) feet.

~~3-25-07-033-26-07-03~~ **SETBACK AND DIMENSIONAL REQUIREMENTS FOR A STRUCTURE**

~~3-25-07-03-013-26-07-03-01~~ **MINIMUM FRONT SETBACK**

The minimum front setback for a structure in an Industrial-2 District shall be twenty-five (25) feet.

~~3-25-07-03-023-26-07-03-02~~ **MINIMUM SIDE CORNER SETBACK**

The minimum side corner setback for a structure in an Industrial-2 District shall be twenty-five (25) feet.

~~3-25-07-03-033-26-07-03-03~~ **MINIMUM SIDE SETBACK**

The minimum side setback for a structure in an Industrial-2 District shall be fifteen (15) feet on one side and five (5) feet on the other side; zero (0) foot setbacks may be approved for fireproof structures.

~~3-25-07-03-043-26-07-03-04~~ **MINIMUM REAR SETBACK**

The minimum rear setback for a structure in an Industrial-2 District shall be fifteen (15) feet.

~~3-25-07-03-053-26-07-03-05~~ **MINIMUM SETBACK FROM RESIDENTIALLY ZONED OR USED PROPERTY**

Not applicable

~~3-25-07-03-063-26-07-03-06~~ **MINIMUM R.O.W. SETBACK**

The minimum setback for all structures in an Industrial-2 District from an arterial right-of-way shall be seventy-five (75) feet except a section line arterial right-of-way where the minimum setback shall be seventy-five (75) feet. The setback from a collector or local road right-of-way shall be twenty-five (25) feet.

~~3-25-07-03-07~~~~3-26-07-03-07~~ **MINIMUM SETBACK FROM SECTION LINE**

The minimum setback from a section line for all structures in an Industrial-2 District shall be one-hundred-forty-five (145) feet. Variations may be permitted if the Department of Public Works determines no additional right-of-way is required.

~~3-25-07-043-26-07-04~~ **MAXIMUM HEIGHT**

The maximum height of a structure in an Industrial-2 District shall be seventy-five (75) feet.

~~3-25-083-26-08~~ **RELATIONSHIP TO DESIGN REQUIREMENTS AND PERFORMANCE STANDARDS**

All design requirements and performance standards for specific uses contained in Chapter 4 of these standards and regulations shall apply in an Industrial-2 District unless inconsistent with a provision contained in Section 3-24, in which case the specific standard or requirement contained in Section 3-24 shall apply.

3-263-27 **INDUSTRIAL-3 DISTRICT (I-3)**

3-26-013-27-01 **PURPOSE**

The purpose of the Industrial-3 District is to provide a heavy industrial district designed to accommodate most industrial enterprises.

3-26-023-27-02 **PERMITTED PRINCIPAL AND CONDITIONAL USES**

Refer to the Use Chart to determine which uses are permitted uses in an Industrial-3 District, subject to building permit review and approval, and which uses are permitted subject to the issuance of a Conditional Use Permit from the Board of County Commissioners and building permit review and approval. Only one (1) principal use shall be permitted per lot.

3-26-033-27-03 **PERMITTED ACCESSORY USES**

In association with a permitted principal use, the following accessory uses are permitted, subject to building permit review and approval.

1. Commercial Uses, Accessory
2. Industrial Uses, Accessory
3. Recreational, Accessory

3-26-043-27-04 **PERMITTED SPECIAL/TEMPORARY USES**

Special uses are permitted in an Industrial-3 District, subject to the issuance of a Special Use Permit from the Board of Adjustment. Temporary uses are permitted in an Industrial-3 District, subject to the issuance of a Temporary Use Permit from the Director of Community and Economic Development.

3-26-053-27-05 **OIL AND GAS FACILITIES**

Oil and Gas Facilities are permitted in an Industrial-3 District, subject to the issuance of an Oil and Gas Facility Permit. Allowance in the zone district does not guarantee the issuance of an Oil and Gas Facility Permit.

3-26-063-27-06 **PROHIBITED USES**

All uses: (1) not expressly identified as permitted uses in the Use Chart; or (2) determined to be permitted by the Director of Community and Economic Development pursuant to Section 3-05-01 of these standards and regulations, are prohibited.

3-26-073-27-07 AREA AND HEIGHT STANDARDS**3-26-07-013-27-07-01 MINIMUM LOT SIZE REQUIREMENTS**

The minimum lot size requirement shall be two (2) acres in an Industrial-3 District.

3-26-07-023-27-07-02 MINIMUM LOT WIDTH REQUIREMENTS

The minimum lot width in an Industrial-3 District shall be one-hundred-twenty-five (125) feet.

3-26-07-033-27-07-03 SETBACK AND DIMENSIONAL REQUIREMENTS FOR A STRUCTURE**3-26-07-03-013-27-07-03-01 MINIMUM FRONT SETBACK**

The minimum front setback for a structure in an Industrial-3 District shall be twenty-five (25) feet.

3-26-07-03-023-27-07-03-02 MINIMUM SIDE CORNER SETBACK

The minimum side setback for a structure in an Industrial-3 District shall be twenty-five (25) feet.

3-26-07-03-033-27-07-03-03 MINIMUM SIDE SETBACK

The minimum side setback for a structure in an Industrial-3 District shall be fifteen (15) feet on one side and five (5) feet on the other side; zero (0) foot setbacks may be approved for fireproof structures.

3-26-07-03-043-27-07-03-04 MINIMUM REAR SETBACK

The minimum rear setback for a structure in an Industrial-3 District shall be fifteen (15) feet.

3-26-07-03-053-27-07-03-05 MINIMUM SETBACK FROM RESIDENTIALLY ZONED OR USED PROPERTY

Not applicable

3-26-07-03-063-27-07-03-06 MINIMUM R.O.W. SETBACK

The minimum setback for all structures in an Industrial-3 District from an arterial right-of-way shall be seventy-five (75) feet except a section line arterial right-of-way where the minimum setback shall be seventy-five (75) feet. The setback from a collector or local road right-of-way shall be twenty-five (25) feet.

3-26-07-03-073-27-07-03-07 MINIMUM SETBACK FROM SECTION LINE

The minimum setback from a section line for all structures in an Industrial-2 District shall be one-hundred-forty-five (145) feet. Variations may be

permitted if the Department of Public Works determines no additional right-of-way is required.

~~3-26-07-043-27-07-04~~ **MAXIMUM HEIGHT**

The maximum height of a structure in an Industrial-3 District shall be ninety (90) feet.

~~3-26-083-27-08~~ **RELATIONSHIP TO DESIGN REQUIREMENTS AND PERFORMANCE STANDARDS**

All design requirements and performance standards for specific uses contained in Chapter 4 of these standards and regulations shall apply in an Industrial-3 District unless inconsistent with a provision contained in Section 3-26, in which case the specific standard or requirement contained in Section 3-26 shall apply.

Adams County adopted the following zoning regulations for a Transit Oriented Development (TOD) zone district on January 7, 2013.

3-273-28 **TRANSIT-ORIENTED DEVELOPMENT DISTRICT AND STANDARDS (TOD)**

3-27-013-28-01 **PURPOSE**

The purpose of the Transit-Oriented Development (TOD) district designation is to encourage compact urban growth patterns, provide opportunities for increased transportation mode choice, reduce reliance on the automobile, and create a safe and pleasant pedestrian environment. The district regulations help ensure an attractive streetscape, a functional mix of complementary uses, and provision of amenities that support the use of transit, bicycles, and pedestrian facilities.

3-27-023-28-02 **APPLICABILITY**

Properties within or partially within a one-half mile radius of RTD FasTracks stations located, as measured from a point roughly in the center of the platform or as may be specifically established by the Director of Community and Economic Development following completion of construction of the stations, may be rezoned to the TOD zone district upon approval of the rezoning application by the BOCC pursuant to Section 02-02-12. Except as otherwise expressly stated, once a property is rezoned to TOD, the TOD zone district regulations shall apply to all properties within the boundaries of the TOD zone district. Specific performance standards contained in Chapter 4 shall apply unless otherwise modified by this section.

3-27-033-28-03 **DEVELOPMENT APPLICATION AND REVIEW**

A complete TOD sketch plan application shall be submitted with a TOD rezoning application. Final determination of the application of these standards and regulations shall be made by the Director of Community and Economic Development. The Director may refer the building permit site plan to the Planning Commission. If so referred, the decision of the Planning Commission shall constitute a final decision, subject to appeal to the Board of County Commissioners.

3-27-043-28-04 **PERMITTED USES AND STRUCTURES**

3-27-04-013-28-04-01 **PERMITTED USES**

The following uses are permitted in the TOD district with specific permits as indicated:

Table 3-27-A: Permitted Uses			
Use Type	Federal	Pecos Junction	Additional Standards
AGRICULTURAL			
All agricultural uses	--	--	
RESIDENTIAL	All residential uses are subject to Section 3-34-05-05 of the Flammable Gas Overlay		
Group home (developmentally disabled or elderly)	C	C [1]	
Group living facility with one to five persons	P	C [1]	
Group living facility in excess of 5 persons or with more than one registered sex offender	C	C [1]	
Live/work unit	P	C [1]	
Manufactured home park	--	--	
Mobile home park	--	--	
Multi-family dwelling, rowhouse/townhouse	P	C [1]	
Single-family detached dwelling	--	--	
Two-Family Dwelling	P	P	
Second-floor or higher residential	P	C [1]	
INSTITUTIONAL			
Funeral home/mortuary	P	P	
Funeral home/mortuary to include cremation	--	C	
Halfway house*	--	C	
Institutional Care	--	--	
Jails and Prisons	--	--	
Neighborhood Indoor Uses	P	P	
Outdoor Public Uses			
Garden plots	P	--	
Picnic areas	P	P	
Public areas for active recreational activities	C	--	
Places of Worship	C	C	
Public Service	C	C	
Universities	P	P	
COMMERCIAL			
Airports, Landing Strips, and Heliports	--	C	
Animal Hospitals	P	P	No outdoor kennels
Automobile Service Stations	See below		
Car washes	--	C	
Convenience stores with gas pumps where vehicles are serviced with minor repairs, oil	--	--	

Table 3-27-A: Permitted Uses			
Use Type	Federal	Pecos Junction	Additional Standards
changes, etc.			
Fueling stations	C	C	
Bed and Breakfast Establishments	P	C [1]	
Campgrounds, Commercial	--	--	
Communication Towers, Commercial	C	C	
Commercial Retail, general	P	P	
Building supplies	--	P	Max. 25% of lot used for outdoor storage
Greenhouses (retail) and greenhouses with garden supplies	--	--	
Drive-In Establishments	--	--	
Golf Course/Driving Range, Commercial	--	--	
Heavy Retail and Heavy Services	--	P	Max. 25% of lot used for outdoor storage
Indoor Commercial Recreation/Entertainment	P	P	
Kennel, Commercial	P	P	No outdoor kennels
Lodging, Commercial	P	C [1]	
Massage Business	C	C	
Off-Premise Advertising Devices	--	--	
Office	P	P	
Outdoor Commercial Recreation	C	C	
Parking Lot, Commercial	C	C	Must be structured pursuant to Section 3-26-06-05-05-04
Racing Facilities	--	--	
Restaurants	P	P	No drive-up or drive-through service
Services	P	P	
Sexually Oriented Business	--	--	
Trade Schools	C	C	
INDUSTRIAL USES	Max. 25% of lot used for outdoor storage		
Business Park Uses	C	P	
Light Industry	--	C	
Auto towing and storage yards	--	--	
Recreational vehicle storage	--	--	

Table 3-27-A: Permitted Uses			
Use Type	Federal	Pecos Junction	Additional Standards
Trucking and general warehousing, including mini storage	--	--	
Light Manufacturing or Processing	C	P	
Public utility storage yard	--	C	Only allowed as an accessory use to an approved Public Service use
Notes	[1] Residential uses may be permitted in the Pecos Junction station area through a conditional use permit when the area is determined to be environmentally mediated and safe for human habitation.		

3-27-053-28-05 SITE DEVELOPMENT AND USE MIX STANDARDS

3-27-05-013-28-05-01 DIMENSIONAL STANDARDS

Each site in the TOD district shall be subject to the minimum site development standards on the next page. Use or site development dimensions identified in Chapter 3 shall not be applicable in the TOD district. Specific performance standards contained in Chapter 4 shall apply unless otherwise modified by this section, as determined by the Community and Economic Development Director.

Table 3-27-B: Site Development Standards				
	Two Family/ Duplex/ Townhome	Multiple-Family	Mixed-Use, Office, Comm.	Industrial (Pecos Junction only)
Lot Dimensions (min.)				
Lot area (sq. ft.)	Must meet density/FAR and setback requirements [1]			
Lot width (ft.)				
Site area/unit for duplex (sq. ft.)				
Density/FAR				
Minimum density, gross (du/acre)	12	18	--	--
FAR (min.) <i>described following this table</i>	--	--	0.75	0.50
Public Open Space (min. %) [2], [3]				
	20	20	10	10
Building Setback (ft.) [4]				
			See 3-26-06-05-03-03, Building Placement	
Fronting arterial or transit rail (max)	5	5	5	Max. 25
Fronting local or collector street (min/max)	5/10	5/10	5/10	
Fronting residential (min)	10	10	10	
Side or rear, adjacent to residential (min)	10	20	20	Not permitted adjacent to residential
Side or rear, interior to development (min) [5]	0	0	0	15
Height (ft., max.)				
Fronting arterial or transit rail	45	95	95	60
Fronting local or collector street	40	45	45	60
Fronting or adjacent to residential	35	35	35	60

Notes:

[1] Existing structures that are larger than these size limits may be rehabilitated or reconstructed provided that the gross square footage of the structure is not increased.

[2] This percentage may be reduced to zero for infill development as determined by the Community and Economic Development Director.

[3] On-site landscaping may be credited toward public open space requirements.

[4] All building setbacks shall comply with building code requirements. If there is conflict between the requirements of this section and the adopted building code, the terms of the building code shall supersede this section.

[5] "Interior to development" refers to multi-structure developments with interior lot lines.

Comment on Using FAR: FAR is a measurement of the bulk of the structure on the site. It is calculated by adding the area of each floor of the development and dividing this number by the total area of the lot. While FAR sets the basic parameters for the building, it allows the developer to make choices about the distribution of the building on the site. The FAR can be increased or decreased depending on the proposed uses, and can also be increased to promote a specific structure, such as for mixed use buildings to encourage mixed use development.

Figure 3-26-A below illustrates FAR. For an FAR of 0.5, the building could be built as a single story over 50% of the lot, two stories over 25% of the lot, four stories over 12.5% of the lot, or 5 stories over 10% of the lot. Similarly, a FAR of 0.75 would permit a single-story structure over 75% of the lot or two stories over 37.5% of the lot.

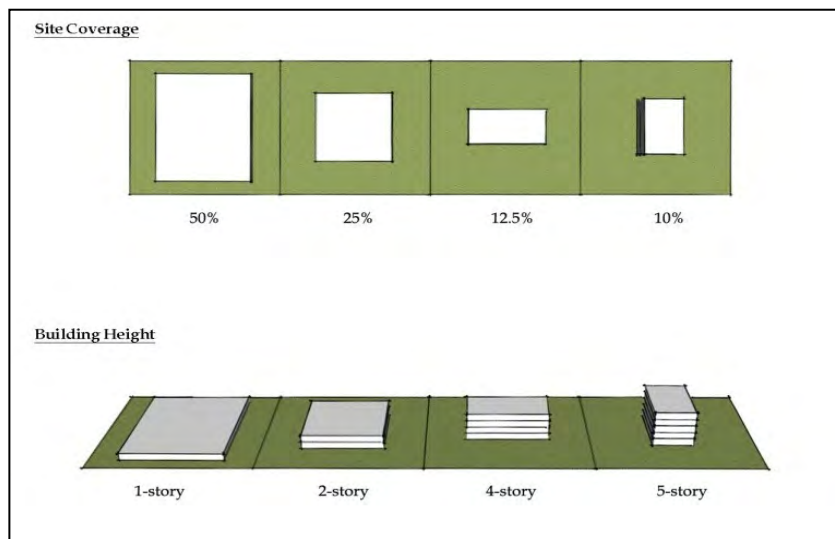


Figure 3-27-A: Illustration of FAR

Comment on Residential Density: The following photographs¹ provide illustrations of the residential densities potentially created by the TOD district. The images in Figure 3-26-B represent mixed-density residential development at approximately 10 -12 dwelling units/acre.

¹ Source: Visualizing Density by Julie Campoli and Alex S. MacLean, Lincoln Institute of Land Policy, 2007.



Figure 3-27-B: Mixed-density residential at approximately 12 dwelling units/acre

The images in Figure 3-27-C represent multiple family residential development at approximately 18 dwelling units/acre.



Figure 3-27-C: Multiple family residential development at approximately 18 dwelling units/acre

~~3-27-05-023-28-05-02~~ **MIX OF USES**

~~3-27-05-02-013-28-05-02-01~~ **MIX OF USES ENCOURAGED**

A diverse mix of commercial, employment, residential, and civic uses is encouraged within the TOD District to create a pedestrian and transit-supportive environment; however, the type and proportion of residential and non-residential uses will vary by station area, as well as the location, size, and surrounding development context of individual sites. Generally, larger sites located in areas where higher levels of activity are desirable should have a greater mix of uses than smaller sites. While a vertical mix of uses is preferred where practicable, a horizontal mix of uses is permitted. Use mixes permitted in the Federal and Pecos Junction station areas are specified in the subsections below.

~~3-27-05-02-023-28-05-02-02~~ **FEDERAL STATION AREA**

The following use mix requirements are applicable in the Federal Station Area:

1. Single-use non-residential structures (excepting office) are only permitted on parcels or lots smaller than 20,000 sq. ft.
2. Non-residential developments (excepting office) on parcels or lots of 20,000 sq. ft. or larger are required to include residential uses with a minimum density of eight dwelling units per acre. This density may be reduced to no fewer than four dwelling units per acre where the Community and Economic Development Director finds that compliance with minimum development densities and other standards in this section is not feasible due to small lot size, configuration of the parcel, or other environmental constraints.



Figure 3-27-D: Illustration of sample 20,000 sq. ft. structure

~~3-27-05-02-033-28-05-02-03~~ **PECOS JUNCTION STATION AREA**

The appropriate mix of uses for development sites around the Pecos Junction Station Area shall be determined as part of the development plan review based on site constraints, environmental hazards, and availability of appropriate infrastructure. Residential uses may be permitted through a conditional use permit at such time as site and environmental conditions permit safe construction and habitation.

~~3-27-063-28-06~~ **DESIGN AND DEVELOPMENT STANDARDS**

~~3-27-06-013-28-06-01~~ **NEIGHBORHOOD CONNECTIVITY**

The following connectivity requirement shall apply in the TOD district.

~~3-27-06-01-013-28-06-01-01~~ **CIRCULATION PLAN REQUIRED**

1. TOD development plans shall include a district-wide circulation plan that addresses street connectivity, emergency and service vehicle access, parking movements, accommodation of loading operations, turning radii, traffic calming measures where future “cut-through” traffic is likely, and similar issues.
2. The Community and Economic Development Director may waive the requirement for a circulation plan on determining that a proposed development is expected to have no impact on circulation or proposes no change in existing circulation patterns.

This provision shall not be construed to exempt development that includes additional parking, driveways, or substantial modifications to the existing pedestrian network.

~~3-27-06-01-02~~~~3-28-06-01-02~~ **STREETS AND VEHICULAR CIRCULATION**

~~3-27-06-01-02~~~~013-28-06-01-02-01~~ **Grid Street Pattern**

1. Street and block patterns shall include a clear hierarchy of well-connected streets that distributes traffic over multiple streets and avoids traffic congestion on principal routes.
 2. The arrangement of streets in a development shall provide for the alignment and continuation of existing or proposed streets into adjoining neighborhoods.
 3. Within each development, the access and circulation system shall accommodate the safe, efficient, and convenient movement of vehicles, bicycles, and pedestrians through the development, and provide ample opportunities for linking adjacent neighborhoods, properties, and land uses.
 4. Local neighborhood street systems shall provide multiple direct connections to and between local destinations such as residential neighborhoods, parks, schools, and shopping.

~~3-27-06-01-02~~~~023-28-06-01-02-02~~ **Mixed-Use and Non-Residential Block Pattern**

1. Blocks shall generally be square or rectangular but may vary in shape to protect natural features or respond to site constraints.
2. To the maximum extent feasible, streets and access lanes shall be oriented to create block and lot configurations with their longest dimension along an east-west axis to facilitate the use of passive solar principles.
3. Block length shall not exceed 600 feet except that blocks up to 800 feet in length are permitted if a mid-block pedestrian connection is provided. This requirement may be waived for industrial development as approved by the Community and Economic Development Director.
4. Blocks shall be measured from curb to curb, regardless of whether the street is public or private.
5. New development and redevelopment shall establish a regular pattern of blocks to the extent feasible to avoid creating large “superblocks” that limit pedestrian, bicycle, and vehicular circulation.
6. On sites that exceed the 600-foot block length or where block consolidation is proposed as part of redevelopment (by right-of-way abandonment), pedestrian, bicycle, and vehicular circulation

access to surrounding neighborhoods shall be maintained to the maximum extent feasible.

3-27-06-023-28-06-02 LANDSCAPING

The provisions of Section 4-16, *Landscaping*, apply to development within the TOD district except as provided otherwise in this section.

3-27-06-02-013-28-06-02-01 BUFFERING APPLICABILITY

The following bufferyard requirements shall be substituted for Section 4-16-18-01 when applied in the TOD district.

Table 3-27-C: Required Bufferyard											
Use of Subject Property											
Use of Adjacent Properties	Column 2↓	Row 3→	Two Family/Duplex /Townhome		Multi-Family		Mixed-Use		Commercial (stories)		Indust.
	Structure Type		Res.	Non-Res.	Res.	Non-Res.	Vert.	Horiz.	1-3	3+	--
	Single-Family	Res	None	B	A	B	C	C	C	D	D
		Non-Res	B	None	B	A	A	A	A	B	
	Multi-Family	Res	A	B	None	B	B	B	C	D	D
		Non-Res	B	None	A	None	A	A	A	B	
	Mixed-Use	Vert.	C	A	B	A	None	None	A	B	D
		Horiz.	C	A	B	A	None	None	None	A	
	Comm. (stories)	1-3	C	A	C	A	A	None	None	None	D
		3+	D	B	D	B	B	A	None	None	D
Indust.	--	D	D	D	D	D	D	D	D	None	

- To use Table 3-27-C, an applicant identifies the use of their property in Row 3, across the top of the table, and then reads down Column 2 to identify the use of the adjacent property(ies). The box at the intersection of Column 2 and Row 3 identifies the buffering requirement for the applicant on that property line. For example, an applicant for a vertical mixed-use development that is adjacent to single-family residential will need to meet the “C” buffering requirement.
- Different types of buffering may be required on different property lines. For example, where a vertical mixed-use structure is adjacent to residential uses on the north side and adjacent to another vertical mixed-use structure on the south side, a level “C” buffer shall be provided on the north side adjacent to the residential, while no buffer shall be required on the south side adjacent to the mixed-use.
- Bufferyard classification requirements shall be as defined in Section 4-16-18-01.

3. Required bufferyards may be located within a required setback. Where the required bufferyard is larger than the setback in any dimension, the full size of the bufferyard shall be provided. Additional flexibility in the application of these bufferyard requirements is provided through Section 4-16-21.

~~3-27-06-02-02-013-28-06-02-02~~ **PARKING LOT LANDSCAPING**

~~3-27-06-02-02-013-28-06-02-02-01~~ **Applicability**

~~3-27-06-02-02-01-013-28-06-02-02-01-01~~ **New Parking Lots**

All new surface parking lots containing 10 or more off-street parking spaces shall provide both perimeter and interior landscaping that meets the standards of this section.

~~3-27-06-02-02-01-023-28-06-02-02-01-02~~ **Parking Lot Expansion**

Existing surface parking lots that are expanded, whether as required by these regulations or voluntarily, shall be required to meet the standards of this section.

~~3-27-06-02-02-01-033-28-06-02-02-01-03~~ **Exceptions**

These requirements shall not apply to parking structures. Applicable perimeter landscape and buffer requirements for parking structure shall be determined through the conditional use permit process.

Parking spaces directly abutting a public street right-of-way are not required to have interior landscaping where the abutting landscaping meets the requirements of the perimeter landscape setback (Figure 3-26-E). The remainder of the parking rows in the lot shall be landscaped pursuant to this section.

~~3-27-06-02-02-023-28-06-02-02-02~~ **Interior Parking Area Landscaping**

~~3-27-06-02-02-02-013-28-06-02-02-02-01~~ **Required Landscape Area**

All surface parking lots shall incorporate the following interior landscaping:

1. Landscape islands of not less than 6 feet by 18 feet at the terminus of each row of parking that contain one tree and at least 50 percent vegetative cover other than turf grass;
2. Within the parking rows, one landscaped

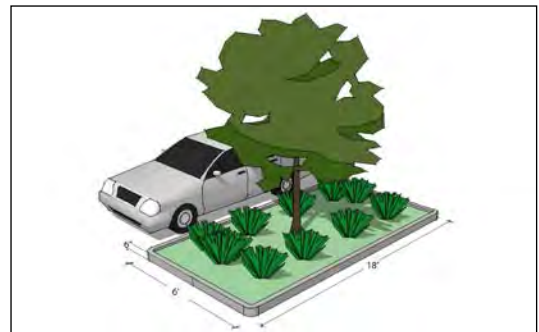


Fig. 3-27-F: Parking lot landscape terminus island

island of not less than 64 square feet for each 10 parking spaces or fraction thereof; and

3. A landscape median strip with a minimum width of six feet incorporated into the parking lot design to delineate the driveway entrance into the parking lot. One tree shall be planted for every 40 feet of median.

~~3-27-06-02-02-02-023-28-06-02-02-02-02~~ **Landscape Island Design**

1. Required landscape islands shall not be separated by more than 10 parking spaces. For purposes of determining tree spacing, parking spaces may be counted in any rational sequence.
2. Curbs used to protect landscape islands shall have 18-inch-wide curb cuts at frequent intervals to allow stormwater infiltration.
3. No paving shall be permitted within four feet of the center of a tree.
4. No parking space shall be located farther than 60 feet from an interior parking lot island.

~~3-27-06-02-02-02-033-28-06-02-02-02-03~~ **Landscape Island Planting Requirements and Tree**

Preservation

In order to preserve a protected tree on-site, the Community and Economic Development Director may authorize up to a five percent reduction in the required number of parking spaces, or a five percent reduction of certain parking space sizes, if the Community and Economic Development Director determines that reduction in the number or size of certain parking spaces will preserve a protected tree that would otherwise be removed to provide for required parking. Nothing in this section shall allow the Community and Economic Development Director the authority to reduce the entire required parking space size or number by more than five percent. This provision shall be enacted only in instances where a protected tree is to be preserved.

~~3-27-06-02-02-02-043-28-06-02-02-02-04~~ **Sidewalks as Median Strips**

A landscaped median strip within a parking lot that separates either parking rows or parking lots shall be allowed to count a sidewalk located within the median strip toward a part of the required off-street parking lot landscaping. The intent of this sidewalk is to help facilitate safe pedestrian movement. This sidewalk must meet the following criteria if it is to be counted toward the required landscaping:

1. The sidewalk has a five-foot wide walking path and shall add two feet for vehicle overhang for each abutting parking stall.
2. The sidewalk runs the entire length of the divider strip.

3. The sidewalk is bordered on at least one side by landscaping, of which the sidewalk cannot account for more than 50 percent of the area of the median strip.

~~3-27-06-03~~~~3-28-06-03~~ **PARKING**

TOD parking shall comply with the requirements of Section 4-12, Parking, Loading, and Curb Cut Requirements, except as specifically provided in this section.

~~3-27-06-03~~~~013-28-06-03-01~~ **APPLICABILITY**

~~3-27-06-03-01~~~~013-28-06-03-01-01~~ **New Development**

The requirements of this section shall apply to all new development where there is the construction of a new structure (excluding accessory structures) or establishment of a new land use.

~~3-27-06-03-01~~~~023-28-06-03-01-02~~ **Small Use Exception**

Any individual non-residential use in a space that is 2,000 square feet or smaller shall be exempt from the minimum parking requirement of Table 3-26-D.

~~3-27-06-03-01~~~~033-28-06-03-01-03~~ **On-Street Parking**

On-street parking located adjacent to the site on a public street may be used to meet up to 25 % of the minimum off-street parking requirements.

~~3-27-06-03-023-28-06-03-02~~ **REQUIRED PARKING**

The following off-street parking standards apply in the TOD district. Where this table does not specify a parking requirement or a use type is not specified in the table, the standards of Section 4-12-04-03, *Spaces Required*, apply.

Table 3-27-D: Off-Street Parking		
Use Type	Minimum Parking (spaces per sq. ft. GFA unless otherwise specified)	Maximum Parking (spaces per sq. ft. GFA unless otherwise specified)
Residential		
All residential	1 per unit	2 per unit
Office		
General office and financial services	1 per 400	1 per 300
Medical office	1 per 300	1 per 200
Institutional	See Section 4-12-04-03	
Commercial		
Commercial sales and services	1 per 500	1 per 400
Restaurant	1 per 4 persons of maximum occupancy capacity of customer service area(s)	

Industrial		Required Number of Spaces (per sq. ft.)
Accessory office or administrative area		1 per 500
Accessory indoor sales area		1 per 400
Indoor storage, distribution, warehousing, assembly, vehicular service, or manufacturing area:	1-3,000 sq. ft. of floor area	1 per 400
	3,001-5,000 sq. ft. of floor area	1 per 500
	5,001-10,000 sq. ft. of floor area	1 per 750
	10,001 or more sq. ft. of floor area	1 per 1,250

NOTE: The total number of required spaces for all uses is cumulative based on the variety of different functions present in a single use.

~~3-27-06-03-03-28-06-03-03~~ **MAXIMUM PARKING SPACES ALLOWED**

~~3-27-06-03-03-013-28-06-03-03-01~~ **Applicability**

For any use with an identified maximum parking standard, off-street vehicle parking spaces shall not be provided in an amount that is more than that standard, unless mitigation is provided in the form of additional landscaping and pervious pavement construction or on-site stormwater mitigation pursuant to Subsection 3-26-06-03-03-05 below as approved by the Community and Economic Development Director.

~~3-27-06-03-03-023-28-06-03-03-02~~ **Establishing Maximum Parking Requirements**

Maximum parking standards for the TOD district are established in Table 3-26-D, *Off-Street Parking*. Where Table 3-26-D does not establish a maximum parking amount or where Section 4-12-04-03 is used to calculate required parking, the maximum amount of parking shall be established at 100% of the minimum required parking; i.e., the minimum required shall also be the maximum permitted.

~~3-27-06-03-03-033-28-06-03-03-03~~ **Maximum Parking Calculation Exceptions**

For the purpose of calculating parking requirements, the following types of parking spaces shall not count against the maximum parking requirement:

1. ADA parking,
2. Vanpool and carpool parking,
3. Alternative fuel vehicle parking,
4. On-street parking adjacent to the lot or lots on which the parking located, and
5. Structured parking, underground parking, and parking within, above, or beneath the building(s) it serves.

Unless otherwise stated above, the maximum number of spaces that may be credited towards this maximum parking calculation exception shall not exceed 20 percent of the maximum parking requirement.

~~3-27-06-03-03-043-28-06-03-03-04~~ **Maximum Parking Waiver**

~~3-27-06-03-03-04-013-28-06-03-03-04-01~~ **Parking Demand Study**

Requests to exceed the maximum parking requirement shall be accompanied by a parking demand study demonstrating how the maximum number of parking spaces specified in Table 3-26-D is insufficient for the proposed development.

~~3-27-06-03-03-04-023-28-06-03-03-04-02~~ **Review Criteria**

A waiver to the maximum parking requirement may be allowed by the Community and Economic Development Director in situations that meet the following criteria:

1. The proposed development has unique or unusual characteristics such as high sales volume per floor area or low turnover, that create a parking demand that exceeds the maximum ratio and that typically does not apply to comparable uses;
2. The parking demand cannot be accommodated by on-street parking, shared parking with nearby uses, or by increasing the supply of spaces that are exempt from the maximum ratio;
3. The request is the minimum necessary variation from the standards to accommodate the proposed development; or
4. If application of the maximum parking standard would result in fewer than six parking spaces, the development shall be allowed six parking spaces.

~~3-27-06-03-03-04-033-28-06-03-03-04-03~~ **Appeal**

The Community and Economic Development Director's determination on a maximum parking waiver application may be appealed to the Board of Adjustment.

~~3-27-06-03-03-053-28-06-03-03-05~~ **Design Requirements for Excess Parking**

Parking that is provided in excess of the maximum parking requirement shall be required to include increased internal landscaping and incorporate pervious pavement or stormwater mitigation as described below.

~~3-27-06-03-03-05-013-28-06-03-03-05-01~~ **Pervious Surfaces or On-Site Stormwater Mitigation**

Where parking spaces in excess of the maximum specified in Table 3-27-D are constructed, an area equal to the total area required for the number of spaces that exceed the maximum parking requirement shall be constructed of pervious surfaces or designed for on-site stormwater

mitigation through low impact development techniques as approved by the Community and Economic Development Director. For example, if 500 square feet of additional space is provided for new parking, 500 square feet of pervious pavement or on-site stormwater mitigation shall be included in the total area of the parking lot.

3-27-06-03-03-05-023-28-06-03-03-05-02 Additional Trees and Landscaping

Applicants that request parking that exceeds the number of spaces required by Table 3-26-D shall provide additional parking lot trees and landscaping either in the parking lot or across the entire development site as follows:

- **3-26-06-03-03-05-02-01 Trees**
 1. Additional trees not otherwise required by these regulations shall be required to be planted or preserved on-site when parking for any use or mix of uses is provided in an amount that is greater than the maximum amount permitted.
 2. The number of additional trees to be planted or preserved on-site is equal to one tree per two excess parking spaces provided.

- **3-26-06-03-03-05-02-02 Landscaping**
 1. As required by Table 3-26-E, additional landscaping shall be provided and distributed throughout the site. The additional landscaping shall be integrated with the parking lot and/or site design. For example, where 500 sq. ft. of surface area are added to a parking lot, 15 extra sq. ft. of landscaping area would be added to the landscaping required by Section 3-26-06-02-02, *Parking Lot Landscaping*.

Table 3-27-E: Additional Landscaping Requirement for Overparking	
Amount of Excess Parking Requested Over Maximum	Additional Landscaping
101 – 108 percent	3% of parking area
109 – 116 percent	5% of parking area
117 – 125 percent	10% of parking area

2. Where the provision of additional landscaping is restricted for infill and redevelopment projects due to site constraints, the applicant may provide sidewalk amenities or streetscape features as determined by the Community and Economic Development Director. Acceptable amenities shall have a value equal to or greater than the price of the additional landscaping features required in Table 3-26-E and may include:
 - a. Sidewalk planters between the parking area and building and/or parking area and the street;

- b. Public art including but not limited to sculptures, fountains, clocks, or murals; or
- c. Decorative fencing (such as wrought iron) around the perimeter of the parking area provided with seasonal plantings.

~~3-27-06-03-04~~~~3-28-06-03-04~~ **ADJUSTMENTS AND ALTERNATIVES**

The minimum parking requirements listed in Table 3-27-D may be adjusted as follows:

~~3-27-06-03-04~~~~013-28-06-03-04~~~~01~~ **Sharing of Parking Spaces**

1. Where two land uses listed in separate use categories in Table 3-27-D share a parking lot, parking lots, or structure, the total off-site parking required for those uses may be reduced by the factors shown in Table 3-27-F, *Shared Parking*. Total off-street parking required shall be the sum of the two parking requirements for the two uses divided by the factors in Table 3-27-F. For example, where a development includes both (a) institutional and (b) retail sales uses, the amount of parking required is the sum of the parking required for the two uses divided by 1.3.

Table 3-27-F: Shared Parking					
<i>(Add the two parking requirements and divide by these factors)</i>					
Property Use	Multi-Family	Institutional	Restaurants, Recreation, or Hotel	Retail Sales	Office or Commercial Services
Multi-family	-	1.1	1.1	1.2	1.3
Institutional	1.1	-	1.2	1.3	1.3
Restaurants, Recreation, or Hotel	1.1	1.2	-	1.3	1.7
Retail Sales	1.2	1.3	1.3	-	1.2
Office or Commercial Services	1.3	1.5	1.7	1.2	-

2. Shared parking shall be documented through a shared parking agreement approved by the county.

~~3-27-06-03-04~~~~023-28-06-03-04~~~~02~~ **Reduced Need Populations**

1. The required minimum number of off-street parking spaces may be reduced by 33 percent for any group living use or multi-family use in which occupancy of at least 80 percent of the units is restricted for use by those 60 years of age or older.
2. The required minimum number of off-street parking spaces may be reduced by 50 percent for any group living use or multi-family use in which occupancy of more than 80 percent of the units is restricted for

use by those meeting the definition of “handicapped” individuals under the federal Fair Housing Act Amendments

~~3-27-06-03-04-033-28-06-03-04-03~~ **Proximity to Transit**

The Community and Economic Development Director may allow a reduction in parking spaces of up to 15 percent for multi-family dwelling developments or multi-family components of a mixed-use structure within the TOD district and located no more than one quarter (1/4) mile from the transit station provided:

1. The reduction is applied for in conjunction with a development plan review;
2. A parking analysis is submitted to the county in conjunction with the reduction request and development plan application; and
3. The reduction in the number of parking spaces shall not exceed 15 percent of the total number of parking spaces required for the proposed use.

~~3-27-06-03-053-28-06-03-05~~ **BICYCLE PARKING**

~~3-27-06-03-05-013-28-06-03-05-01~~ **Required Number of Spaces**

Indoor or outdoor bicycle parking shall be provided as follows:

Table 3-27-G: Bicycle Parking	
Use	Bicycle Parking Spaces [1]
Multiple-family	2 or 1 per 20 units
Group home	1 per 4 bedrooms
Office	2 or 1 per 40,000 sq. ft. (net area)
Commercial sales and service	2 or 1 per 5,000 sq. ft. (net area)
Community use (non-utility)	2 or 1 per 10,000 sq. ft. (net area)
Schools	2 per classroom
Notes: [1] Whichever measurement results in the higher number of spaces.	

~~3-27-06-03-05-023-28-06-03-05-02~~ **Design and Location**

1. Bicycle parking facilities shall include a rack or storage facility (e.g., locker) that enables bicycles to be secured. Where racks are used, they shall meet the following standards:
 - a. The bicycle frame and one wheel can be locked to the rack with a high-security, U-shaped shackle lock if both wheels are left on the bicycle;
 - b. A bicycle six feet long can be securely held with its frame supported so that the bicycle cannot be pushed or fall in a manner that will damage the wheels or components; and
 - c. The rack must be securely anchored.
2. Bicycle racks and storage facilities shall be accessible without moving another bicycle.

3. Bicycle racks and storage facilities shall be located in convenient, visible, well-lit areas with easy access and near main entrances of all commercial, residential, and institutional buildings. Such locations shall be clearly noted with signage.
4. The racks and storage facilities shall be located so they do not interfere with pedestrian traffic and shall be protected from potential damage by motor vehicles.
5. Bicycle parking shall not be within any required landscape area nor interfere with any pedestrian pathway.

~~3-27-06-04~~~~3-28-06-04~~ **MULTI-FAMILY DEVELOPMENT DESIGN STANDARDS**

The design standards in this subsection apply to all multi-family development.

~~3-27-06-04-01~~~~3-28-06-04-01~~ **SITE LAYOUT AND BUILDING**

ORIENTATION

~~3-27-06-04-01-01~~~~3-28-06-04-01-01~~ **Building Orientation**

1. Individual buildings within a multi-family development shall be oriented to:
 - a. Common open space, such as interior courtyards or on-site natural areas or features;
 - b. Perimeter streets;
 - c. Other residential buildings; or
 - d. Through-access drives.
2. To the maximum extent practicable,² buildings shall be oriented or arranged in a manner to enclose common open spaces such as gardens, courtyards, recreation, or play areas, that shall contain a minimum of three of these features:
 - a. Seasonal planting areas;
 - b. Trees;
 - c. Pedestrian-scaled lighting;
 - d. Gazebos or other decorative shelters;
 - e. Seating;
 - f. Play structures for children; or



Fig. 3-27-G: Courtyard Orientation



Fig. 3-27-H: Perimeter Street Orientation

² The following definition for “maximum extent practicable” will be added to the code definitions: “under the circumstances, reasonable efforts have been undertaken to comply with the regulation, that the costs of compliance clearly outweigh the potential benefits to the public or would unreasonably burden the proposed project, and reasonable steps have been undertaken to minimize any potential harm or adverse impacts resulting from noncompliance with the regulation.”

- g. Natural features or areas, unless the county determines that for preservation reasons the buildings should avoid the feature or area.

~~3-27-06-04-01-023-28-06-04-01-02~~ **Entrance Orientation**

- 1. Primary entrances and façades shall not be oriented towards parking lots, garages, or carports.
- 2. All multi-family buildings shall comply with at least two of the following requirements:

- a. At least one main building entry faces an adjacent public street;
- b. A building entrance faces a courtyard or common open space that has a direct and visible connection to an adjacent public street;



Fig. 3-27-1: Ground-floor unit entrances

- c. A building entry is connected to a public sidewalk by a system of interior walkways; or
 - d. The pedestrian entries to the site from the public right-of-way are emphasized with enhanced landscaping, special paving, gateways, arbors, or similar features.
- 3. All ground-floor units with frontage along the primary street shall have an entrance that faces the street. Multi-family buildings located with multiple street frontages shall provide entrances to the building along each local street frontage.
 - a. Exterior entrances from a public sidewalk or common open space are permitted for dwelling units on the ground floor.
 - b. Exterior entrances shall be raised from the finished ground-floor level of the sidewalk a minimum of two feet.
 - 4. Dwelling units above the ground floor shall have interior unit entrances, except that exterior stairs are permitted for access to upper-floor units only if they are oriented towards a central plaza not visible from any street.

~~3-27-06-04-01-033-28-06-04-01-03~~ **Private Common Space**

- 1. In addition to the public open space required in Table 3-26-B, developments with at least four units shall provide 400 square feet of

private common open space for each multifamily dwelling unit. This space may be provided as an individual patio or deck with a minimum dimension of five feet.

2. In developments with at least twelve units, a minimum of 40 percent of the required private common space shall be usable for recreation, including uses such as swimming pools, fitness facility, sport courts, playgrounds with equipment, and/or community gardening.

~~3-27-06-04-023-28-06-04-02~~ **BUILDING DESIGN**

~~3-27-06-04-02-013-28-06-04-02-01~~ **Four-Sided Design**

All sides of a multi-family building shall display a similar level of quality and architectural detailing as on the front elevation when visible from:

1. Property occupied by or designated for single-family residential uses,
2. An existing public street right-of-way, or
3. Other public lands or spaces.



Fig. 3-27-J: Four-sided design

~~3-27-06-04-02-023-28-06-04-02-02~~ **Maximum Number of Attached Units**

The maximum number of attached units in a series such as townhomes is six.

~~3-27-06-04-02-033-28-06-04-02-03~~ **Single-Family Attached Dwelling Façades**

1. The attached single-family dwellings in any one row structure shall be required to have distinctly different façades. No attached single-family structure facade shall be repeated more than once every four structures on the same side of the street.



Fig. 3-27-K: Single-family attached building façade differentiation

2. The facades of single-family attached townhomes shall be punctuated by a change in texture or material, offset, or other architectural feature to differentiate individual units
3. Any building (excluding parking garages and other accessory buildings) viewed from a public right-of-way or public open space shall either face such right-of-way or open space, or shall have a façade facing such area in keeping with the character of the front façade, including the utilization of similar fenestration and materials.

3-27-06-04-02-043-28-06-04-02-04 Building Mass and Articulation

1. The elevations of all multi-family buildings shall be articulated through the incorporation of at least three or more of the following:
 - a. Balconies;
 - b. Bay or box windows;
 - c. Porches or covered entries;
 - d. Dormers or other variations in the roof plane;
 - e. Accent materials such as brick, stone, or stucco with banding highlights;
 - f. Shutters;
 - g. Variation in window sizes and shapes; or
 - h. Vertical elements that demarcate building modules.



Fig. 3-27-L: Multi-family building articulation

2. The height of each multi-family building taller than 35 feet shall be stepped down from its highest roofline at least one full story for a depth of at least 15 feet on any end of the building located within 50 feet of an adjacent area zoned or used for single-family residential.

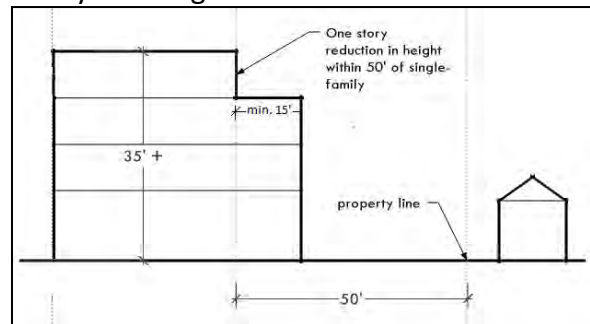


Fig. 3-27-M: Height transition adjacent to residential

3. Multi-family buildings shall provide concentrated unit access points. Access balconies and corridors running the length of the exterior of a building are prohibited.

3-27-06-04-02-053-28-06-04-02-05 Vertical Articulation

1. For all structures three stories or more in height, the base (first 20 feet) of a building shall be distinguished from the remainder of the building by providing a minimum of three of the design elements listed above in Subsection 3-26-06-04-02-04.
2. Multi-family buildings shall be designed to incorporate visually heavier and more massive elements at the building base, and lighter elements above the base. Upper stories shall not appear heavier or demonstrate greater mass than the lower stories of the building.

3-27-06-04-02-063-28-06-04-02-06 Building Length

The maximum length of any multifamily building shall be 180 feet.

3-27-06-04-02-073-28-06-04-02-07 Transparency

At least 20 percent of all walls facing a public street shall contain windows or doorways.

3-27-06-04-02-083-28-06-04-02-08 Materials

All material shall be durable and long-lasting. The following materials are acceptable for multi-family residential construction:

1. Brick, concrete stucco, stone, stone facing, wood, glass in combination with metal, or similar, durable architectural materials as approved by the Planning Commission.
2. Vinyl siding, EIFS, or synthetic stucco may be approved by the Planning Commission on a case-by-case basis.

3-27-06-04-033-28-06-04-03 *PARKING LOCATION AND LAYOUT***3-27-06-04-03-013-28-06-04-03-01 Location and Layout**

1. To the maximum extent feasible, garage entries, carports, parking areas, and parking structures shall be internalized in building groupings or oriented away from street frontage.
2. Parking areas and freestanding parking structures (detached garages or carports) shall not occupy more than 30 percent of each perimeter public street frontage of a multi-family development.
3. To the maximum extent practicable, freestanding



Fig. 3-27-N: Multi-family parking located behind primary structure

parking structures that are visible from perimeter public streets shall be sited so that the narrow end of the parking structure is perpendicular to the perimeter street.

~~3-27-06-04-03-023-28-06-04-03-02~~ ***Carports and Detached Garages***

1. Carports and common garages shall be limited to 60 feet in length.
2. Detached garages and carports shall incorporate compatible materials, scale, colors, architectural details, and roof slopes similar to those of the primary multi-family buildings.
3. Rear walls of detached garages over 40 feet in length that back onto the perimeter street shall be articulated or punctuated through the use of window openings or other similar techniques.

~~3-27-06-053-28-06-05~~ **MIXED-USE/NON-RESIDENTIAL DESIGN STANDARDS**

~~3-27-06-05-013-28-06-05-01~~ ***APPLICABILITY***

The design standards in this section apply to all mixed-use, office, and commercial structures. Industrial development in the TOD district shall be subject to the following subsections of this section in addition to the provisions of Chapter 4:

1. 3-26-06-05-05-02, *Parking Location*;
2. 3-26-06-05-05-02, *Parking Lot Screening*;
3. 3-26-06-05-06, *Building Design*; and
4. 3-26-06-05-08, *Residential Compatibility Standards*.

~~3-27-06-05-023-28-06-05-02~~ ***SITE LAYOUT AND BUILDING ORGANIZATION***

~~3-27-06-05-02-013-28-06-05-02-01~~ ***Private Common Spaces***

~~3-27-06-05-02-01-013-28-06-05-02-01-01~~ ***Required Private Common Spaces***

Mixed-use, commercial, and office development shall incorporate at least one on-site indoor or outdoor common space per building. Common space shall be visible and accessible and shall be located, where possible, along street frontages. Common spaces shall be connected, to the maximum extent practicable, to pedestrian areas, sidewalks, trails, or public open space in order to create functional pedestrian connectors.

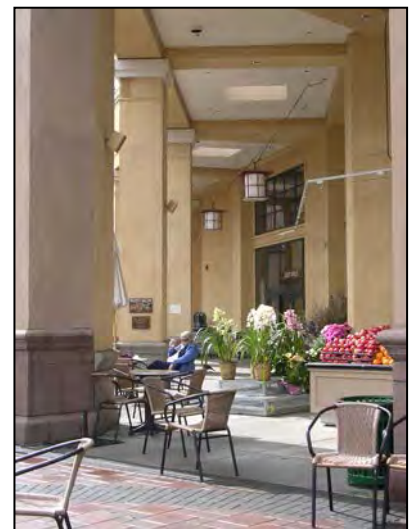


Fig. 3-27-O: Private common space

3-27-06-05-02-01-023-28-06-05-02-01-02 Features and Amenities

The following features may be used to satisfy the private common space standard:

1. Patio or plaza with seating and landscaping;
2. Landscaped mini-parks or square;
3. Rooftop or community garden; or
4. Similar features as approved by the Community and Economic Development Director.

3-27-06-05-02-01-033-28-06-05-02-01-03 Design

Private common spaces shall be constructed of materials that are of a comparable quality and be of a compatible design as the building they are attached to or the public space in which they are placed.

3-27-06-05-02-01-043-28-06-05-02-01-04 Quantity and Amount

The quantity and amount of required private common spaces shall vary as follows:

1. For buildings 10,000 square feet or less – 1,000 square feet;
2. For buildings between 10,001 and 20,000 square feet – 2,000 square feet that may be divided into two 1,000 square foot spaces; and
3. For buildings over 20,000 square feet – an extra 1,000 square feet of common space per 10,000 square feet of building or portion thereof.

3-27-06-05-02-023-28-06-05-02-02 Building Orientation**3-27-06-05-02-02-013-28-06-05-02-02-01 Individual Buildings**

In cases where the long axis of a building is perpendicular to the primary street, the portion of the structure facing the primary street shall be configured with at least one operable entrance and one or more transparent windows as approved by the Community and Economic Development Director.

3-27-06-05-02-02-023-28-06-05-02-02-02 Multi-Building Developments

1. Buildings shall be organized to promote a compact pattern of development, pedestrian-friendly spaces, streetscapes, areas of naturalized landscaping, and to screen parking areas.
2. Buildings shall be arranged and grouped so that their primary orientation complements one another and adjacent, existing development by:
 - a. Framing the corner of an adjacent street intersection or entry point to the development;
 - b. Framing and enclosing a pedestrian and/or vehicle road or access corridor within or adjacent to the development site;

- c. Framing and enclosing on at least three sides parking areas, public spaces, or other site amenities;
- d. Framing and/or enclosing outdoor dining or gathering spaces for pedestrians between buildings; or
- e. Framing one or more areas of natural vegetation.

~~3-27-06-05-02-02-033-28-06-05-02-02-03~~ **Entrance Orientation**

To the maximum extent feasible, the principal building entrance shall face:

1. An adjacent public street;
2. An adjacent public plaza; or
3. An adjacent primary public walkway.
4. In cases where the principal entrance does not face the principal street, the entrance shall be connected to the street and adjacent parking areas with a sidewalk(s).



Fig. 3-27-P: Buildings arranged to create pedestrian-friendly spaces

~~3-27-06-05-02-033-28-06-05-02-03~~ **Weather Protection for Pedestrian Areas**

~~3-27-06-05-02-03-013-28-06-05-02-03-01~~ **Building Design**

1. Buildings shall be designed so that entries, steps, balconies, and pedestrian walkways or sidewalks are protected from precipitation shedding off roofs.
2. Sheltering roofs or building projections for protection from rain, wind, snow, and ice shall be provided in areas of pedestrian activity around public/institutional, commercial, and mixed-use buildings, including sheltered entranceways at major entrances and pedestrian-oriented façades along public sidewalks or walkways.
3. Building shall avoid roof designs, canopy structures, or other design features that would allow accumulated snow, ice, or rain or to fall or slide onto sidewalks or walkways. Roofs shall be designed to protect doorways, exterior stairs, balconies, garage entrances, bicycle parking, and pedestrian sidewalks and walkways from snow and ice. Where sloping rooflines incline toward such areas, protective features such as arcades, loggias, and dormers shall be used to protect pedestrians from falling snow. Such devices need not be continuous if foundation planning beds are located to set the walkway away from the building façades.

~~3-27-06-05-02-03-023-28-06-05-02-03-02~~ **Snow Storage**

Snow storage areas shall be separated from and shall not overlap or encroach upon pedestrian walkways or sidewalks.

~~3-27-06-05-02-03-033-28-06-05-02-03-03~~ **Sidewalk Design**

1. Pedestrian walkways shall be clearly defined through the use of consistent pavers and signage.
2. Pedestrian walkways shall be designed to minimize potential conflicts with snow management operations and ensure pedestrian safety by:
 - a. Limiting grade changes where possible; and
 - b. Using ramps instead of stairs where a change in grade is necessary.

~~3-27-06-05-033-28-06-05-03~~ **STREETSCAPE DESIGN AND CHARACTER**

~~3-27-06-05-03-013-28-06-05-03-01~~ **Public Sidewalks Required**

In order to create an environment that is supportive of transit and pedestrian mobility, public sidewalks shall be provided along both sides of all streets in the TOD district. Such sidewalks shall be at least 12 feet in width and no more than 16 feet in width, unless otherwise approved as part of the design review process. The 12-foot minimum requirement shall apply regardless of the available right-of-way. Where required, the sidewalk shall extend onto private property to fulfill the 12-foot minimum requirement, with a sidewalk easement provided.

~~3-27-06-05-03-023-28-06-05-03-02~~ **Delineation of Sidewalk Area**

Sidewalks shall be organized into two distinct areas: a street tree/furniture area located adjacent to the curb, and a clear area.

~~3-27-06-05-03-02-013-28-06-05-03-02-01~~ **Street Tree/Furniture Area**

The street tree/furniture area shall have a minimum width of six feet (from face-of-curb) and shall be continuous and located adjacent to the curb. The area shall be planted with street trees at an average spacing of 20 to 30 feet on



Fig. 3-27-Q: Delineation of Sidewalk Area

center, based on the mature canopy width of the tree species selected. The area also is intended for the placement of street furniture including seating, street lights, waste receptacles, fire hydrants, traffic signs, newspaper vending boxes, bus shelters, bicycle racks, public utility equipment such as electric transformers and water meters, and similar elements designed to county specifications and located in a manner that does not obstruct pedestrian access or motorist visibility. Maintenance of this area shall be the responsibility of the adjacent property owner or a management entity appointed by the adjacent property owner.

~~3-27-06-05-03-02-023-28-06-05-03-02-02~~ **Clear Area**

The clear area shall be a minimum width of six feet, shall be hardscaped, and shall be located adjacent to the street tree/furniture area. The clear area shall be unobstructed by any permanent or nonpermanent element for a minimum width of six feet and a minimum height of eight feet. Additional sidewalk width located between the clear area and the building may be used for outdoor dining or seating areas.

~~3-27-06-05-03-02-033-28-06-05-03-02-03~~ **Supplemental Zone**

A supplemental zone may be provided at the option of the applicant between the street-facing façade or a side-facing facade and the required clear area, to provide additional areas for outdoor dining, porches, terraces, landscape and water features, and plazas. A supplemental zone, if provided, may be a maximum of 20 feet deep and may extend up to 30 percent of the linear frontage of the development. The supplemental zone shall not provide any parking or vehicle circulation areas.

~~3-27-06-05-03-033-28-06-05-03-03~~ **Building**

Placement

At least 70 percent of the building facade facing a public street shall be brought up to the clear area if provided. The county may reduce this to 50 percent façade placement at the sidewalk clear area where public amenities are provided as approved by the Community and Economic Development Director, including:

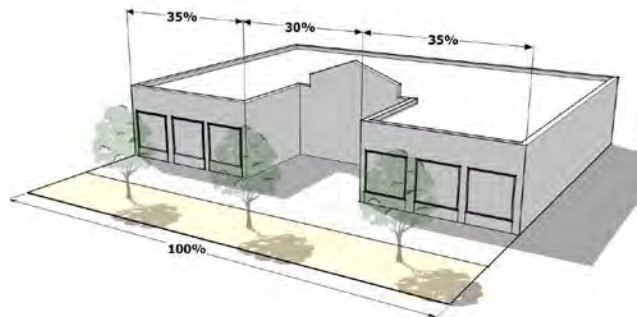


Fig. 3-27-R: Building set to sidewalk clear area

1. Public plazas or seating areas;
2. Tree wells and urban landscaping such as shrubs, live groundcover, planters, and hardscape (e.g., decorative fencing, arbors, patterned paving);
3. Street furnishings, including but not limited to waste receptacles, bicycle racks, drinking fountains, or shelters for persons using public transit.

~~3-27-06-05-03-043-28-06-05-03-04~~ **Sidewalk Entries**

~~3-27-06-05-03-04-013-28-06-05-03-04-01~~ **Spacing**

Sidewalk entries shall be provided to all buildings and individual units that front on the sidewalk.

~~3-27-06-05-03-04-023-28-06-05-03-04-02~~ **Sidewalk Entry Hierarchy**

Entrances into residential buildings in mixed-use areas are encouraged to follow a hierarchy of sizes and functions as follows:

1. **Carriage way:** A centrally located twelve-foot wide entrance at sidewalk level for visual and direct access to a private courtyard.
2. **Secondary entry:** A six-foot wide entrance with ornamental entrance gate and defined by a stoop with low cheek walls and planters at the sidewalk. Mailboxes, bike racks, and trash receptacles should be grouped around these secondary entries.
3. **Other entries:** Home office and retail storefront entries which are either at grade or stooped shall be sized to accommodate specific requirements of the individual space.

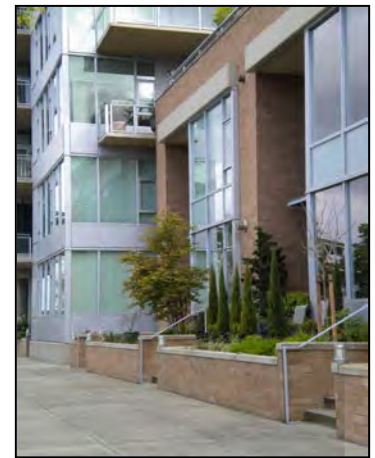


Fig. 3-27-S: Secondary entry

~~3-27-06-05-03-053-28-06-05-03-05~~ **Utilities**

Transformers, switchgear, and related utility service equipment shall not be located above-ground in pedestrian access easements. Building service panels are to be located on the inside of all buildings.

~~3-27-06-05-03-063-28-06-05-03-06~~ **Paving**

Paving is intended to highlight or accentuate special areas along the ground plane while at the same time complementing the design of adjacent building and streetscape elements.

~~3-27-06-05-03-073-28-06-05-03-07~~ **Ground-Floor Uses**

~~3-27-06-05-03-07-013-28-06-05-03-07-01~~ **Intent**

The incorporation of commercial uses such as retail shops and restaurants at the street level is strongly desired within the TOD district to promote a more active environment for pedestrians and support residential and office uses located within the same building (on upper floors) or nearby.



Fig. 3-27-T: Active street-level uses and outdoor gathering spaces

~~3-27-06-05-03-07-023-28-06-05-03-07-02~~ **Standards**

~~03-26-06-05-03-07-02-01~~ **Location**

Commercial uses shall be concentrated adjacent to transit station areas, major public spaces, and in other areas where a high level of pedestrian activity and visibility is desirable. If a limited portion of a structure's ground level will be devoted to commercial space, such space shall be located along those facades adjacent to or most visible from transit corridors, primary street frontages, or major pedestrian walkways.

~~03-26-06-05-03-07-02-02~~ **Design and Use of Commercial Space**

Although the ground-floor commercial spaces may be used for residential units/office use, they should be designed for easy conversion to retail/commercial uses and shall be constructed to commercial standards. Where provided, ground-floor area for nonresidential uses shall be constructed to nonresidential construction standards to a depth from the front wall of a minimum of 30 feet. Leasing offices, fitness centers, and related accessory uses in residential developments may count toward meeting this requirement.

~~3-27-06-05-03-083-28-06-05-03-08~~ **Residential Uses**

Residential uses, where included, shall be incorporated within a mixed-use development to be visually and/or physically integrated with nonresidential uses. This shall be achieved by ensuring that residential uses meet at least two of the following:

1. Residential uses are vertically located above street-level commercial uses;

2. Residential uses are horizontally integrated into site development to provide a transition between the highest intensity uses within the center or development and the adjacent neighborhood; and
3. A pedestrian circulation system (i.e., sidewalks, crosswalks, trails, etc.) is provided that reduces conflict between pedestrian and vehicular movements and increases pedestrian activity between residential and nonresidential uses.

~~3-27-06-05-04~~~~3-28-06-05-04~~ **PARKING DESIGN STANDARDS**

The purpose of parking area requirements is to ensure that the parking areas themselves are not the dominant feature of the TOD development.

~~3-27-06-05-04~~~~013-28-06-05-04-01~~ **Allowable Parking**

On-street parking shall not be designated per individual business or occupancy but may count toward the minimum parking requirements for the entire structure along the adjacent frontage.

~~3-27-06-05-04~~~~023-28-06-05-04-02~~ **Parking Location**

Unless specifically permitted in these standards, off-street parking is prohibited between the principal street and the corresponding street-facing facade line.

~~3-27-06-05-04~~~~033-28-06-05-04-03~~ **Parking Lot Screening**

All surface parking lots adjacent to a public street shall be screened using one of the following methods below:

1. An informal hedge at least three feet in height at maturity consisting of a double row of shrubs planted three feet on-center in a triangular pattern; or
2. Berming of the grade to at least 2 ½ feet in height above the finish grade of the parking lot, and with slopes no greater than 2:1. Slopes shall be covered with shrubs spaced a maximum of three feet on center. Trees and flowering plants may be included in the berm plantings where the Community and Economic Development Director finds that long-term maintenance will be provided.

~~3-27-06-05-04~~~~043-28-06-05-04-04~~ **Parking Structure Design**

The off-street parking required by mixed-use and non-residential development may be located in a parking structure. Such structure shall be subject to the following standards:

~~3-27-06-05-04~~~~04-013-28-06-05-04-04-01~~ **Design**

1. Parking structures shall be constructed of materials of similar quality and shall be compatible in appearance with adjacent

- buildings and shall contain lighting sufficient for security as approved by the county.
2. Ground floor facades of parking structures not occupied by active public uses shall be articulated through the use of three or more of the following architectural features.
 - a. Windows or window-shaped openings with decorative mesh or similar features as approved by the Community and Economic Development Director;
 - b. Masonry columns;
 - c. Decorative wall insets or projections;
 - d. Awnings;
 - e. Changes in color or texture of materials;
 - f. Approved public art;
 - g. Integrated landscape planters; or
 - h. Other similar features approved by the Community and Economic Development Director.

~~3-27-06-05-04-04-023-28-06-05-04-04-02~~ **Entry Design**

Vehicle entries to off-street parking structures shall be integrated into the placement and design of adjacent buildings or oriented away from the primary street frontage. At a minimum, parking structures shall have user vehicles access from a location that minimizes conflicts with pedestrian circulation.

~~3-27-06-05-04-04-033-28-06-05-04-04-03~~ **Wrapping of**

Parking Structure

Where feasible, the ground floor of parking structures in mixed-use or non-residential districts shall be wrapped with active public uses along at least 60 percent of the ground-floor street frontage. Parking structures with ground floors that are not wrapped with active public uses on the sides facing a public



Fig.3-27-U: Parking structure wrapped with active uses

street or open to public view shall not:

1. Abut street intersections or public/civic use areas,
2. Be adjacent to public squares, or
3. Occupy sites that are the terminus of a street vista.

~~3-27-06-05-05~~~~3-28-06-05-05~~ **BUILDING DESIGN**~~3-27-06-05-05-01~~~~3-28-06-05-05-01~~ **Four-Sided Design**

1. All sides of a building shall be architecturally finished with equal levels of materials and detailing. Blank walls void of architectural details or other variation are prohibited.
2. Exceptions from the above standard may be granted for those areas of the building envelope that the applicant can demonstrate are not visible from adjacent development and public spaces.
3. Corporate or franchise architecture is discouraged in favor of architecturally compatible designs. The Community and Economic Development Director may require photographic examples of the more minimized corporate architecture in the designs and completed structure by the same company in other communities.

~~3-27-06-05-05-02~~~~3-28-06-05-05-02~~ **Consistent Architectural Theme**

1. The architectural design within a multi-building development of structures (including freestanding outparcel structures) shall be organized around a consistent architectural theme in terms of the character, materials, texture, color, and scale of buildings. Themed restaurants, retail chains, and other franchise-style structures shall adjust their standard architectural model to be consistent with a development's architectural character.
2. All buildings in a single development, whether developed at a single time or in phases, shall share at least four architectural features in order to create continuity within the overall development. These features include, but are not limited to, the following:
 - a. Overhangs,
 - b. Canopies or porticos,
 - c. Recesses/projections,
 - d. Arcades,
 - e. Raised corniced parapets over the entrance,
 - f. Peaked roof forms,
 - g. Arches,
 - h. Outdoor patios,
 - i. Tower elements (at strategic locations),
 - j. Display windows,



Fig. 3-27-V: Franchise design consistent with surrounding

- k. Integral planters that incorporate landscaped areas or seating areas, and
- l. Public art/sculptures.

~~3-27-06-05-05-033-28-06-05-05-03~~ **Building Materials and Colors**

~~3-27-06-05-05-03-013-28-06-05-05-03-01~~ **Mix of Materials**

1. No single building material shall cover more than 80 percent of the front building façade. Windows and doors shall not be counted as additional building materials.
2. Structures 20,000 square feet or less shall require a minimum of two distinct building materials on all facades to provide architectural detail and interest.
3. Structures over 20,000 square feet shall require a minimum of three distinct building materials on all facades to provide architectural detail and interest.

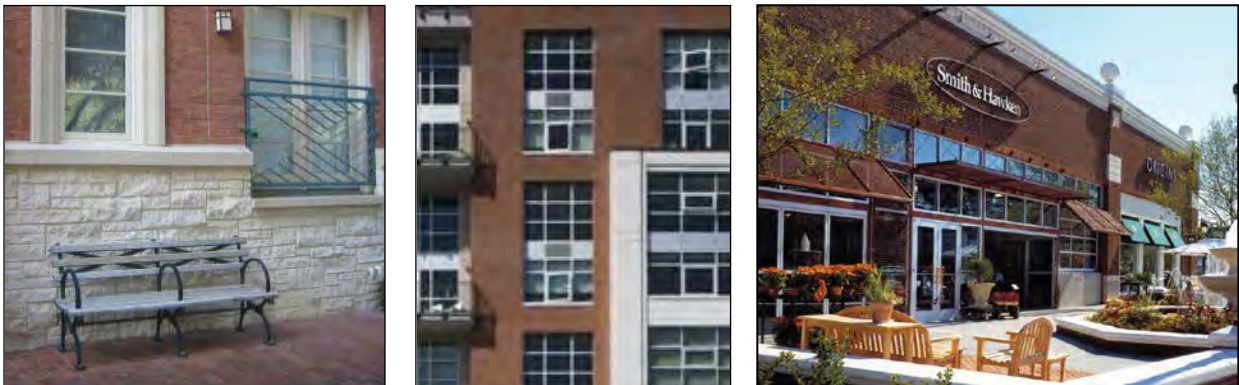


Fig. 3-27-W: Mix of building materials

~~3-27-06-05-05-03-023-28-06-05-05-03-02~~ **Prohibited Materials**

The following materials are prohibited as primary cladding or roofing materials:

1. Aluminum siding or cladding,
2. Plastic or vinyl siding,
3. Exposed aggregate, and
4. Wood shingles.

~~3-27-06-05-05-03-033-28-06-05-05-03-03~~ **Façade Colors**

1. Colors of paint, stains, and other finishes or materials shall complement each other.
2. Generally, no more than four colors per building are permitted.
3. Fluorescent colors are prohibited.
4. Primary colors are prohibited.
5. The use of stark white is discouraged.

3-27-06-05-05-03-043-28-06-05-05-03-04 Transparency and Glazing

1. At least 25 percent of all walls facing a public street shall contain windows or doorways.
2. Glazing shall be effectively clear, and shall not exceed 40 percent reflectance. Divided-light windows are encouraged. Materials that create noticeable glare or which restrict the ability of the public to view the inside of a structure from the outside are generally prohibited but may be allowed in limited locations in structures intended for financial or other uses with documentable safety concerns.
3. Energy conserving window films and coatings are permissible within these standards.

3-27-06-05-05-043-28-06-05-05-04 Gateways

1. Buildings located at entrances to a development demarcate a gateway that will create an overall identity, set the tone for the development, and mark arrival or entry.
2. At major entry points of a development with three or more buildings, buildings shall be organized along the street and at the intersection to create a gateway.
3. Architectural features shall be incorporated into the facades of buildings at major entry points to help emphasize arrival or entry points into the development. These features may include, but are not limited to:
 - a. Eaves,
 - b. Planters,
 - c. Mounted signs,
 - d. Pilasters,
 - e. Tower elements,
 - f. Water features, or
 - g. Arcades.

**3-27-06-05-063-28-06-05-06 BUILDING MASSING
AND FORM****3-27-06-05-06-013-28-06-05-06-01 Vertical Articulation**

Buildings greater than two stories or taller than 30 feet shall be designed to reduce apparent mass by including a clearly identifiable base,



Fig. 3-27-X: Vertical articulation

body, and top, with horizontal elements separating these components as illustrated in Figure 3-26-X. The component described as the body must constitute a minimum of 50 percent of the total building height.

3-27-06-05-06-023-28-06-05-06-02 Horizontal Articulation

Buildings shall be designed to reduce apparent mass by dividing facades into a series of smaller components. No individual component shall have a length of more than 60 feet. Components shall be distinguished from one another through two or more of the following:

1. Variations in roof form and parapet heights;
2. Pronounced recesses and projections;
3. Distinct changes in texture and color of wall surfaces;
4. Ground level arcades and second floor galleries/balconies;
5. Protected and recessed entries; and
6. Vertical accents or focal points.

3-27-06-05-06-033-28-06-05-06-03 Relationship to Surrounding Development

1. New developments that two stories or taller than adjacent existing development shall provide a development transition using an appropriate combination of the following techniques designed to achieve height and mass compatibility with the lower-scaled adjacent development:
2. Wrapping the ground floor with a building element or integrated architectural feature (e.g., pedestrian arcade) that is the same height as the adjacent structure; or
3. Graduating building height and mass in the form of building step-backs or other techniques so that new structures have



Fig. 3-27-Y: Appropriate transition in building height and mass



Fig. 3-27-Z Entrance design

- a comparable scale with existing structures; or
4. Orienting porches, balconies, and other outdoor living spaces away from the shared property line to protect the privacy of adjacent residents where applicable.

~~3-27-06-05-06-043-28-06-05-06-04~~ **Entrances and Pedestrian Areas**

1. Primary entries and pedestrian frontages shall be clearly visible from the street and accentuated from the overall building facade by:
 2. Differentiated roof, awning, or portico;
 3. Covered walkways or arcades;
 4. Projecting or recessed entries from the surrounding building facade;
5. Detailed doors and doorways with transoms, sidelights, trim details, and/or framing; and
6. Windows within doorways equivalent in size to 50 percent of door surface area.
7. Secondary entrances shall have minor architectural detailing that adds visual interest to that portion of the façade.

~~3-27-06-05-06-053-28-06-05-06-05~~ **Roofs**

~~3-27-06-05-06-05-013-28-06-05-06-05-01~~ **Roofline Articulation**

Variations in roof lines shall be used to add interest and reduce the scale of large buildings. Roof features shall complement the character of the overall development.

~~3-27-06-05-06-05-023-28-06-05-06-05-02~~ **Flat Roofs**

Flat roofs shall include parapets that adhere to articulation requirements for the main face of the structure. The average height of the parapet shall not exceed 15 percent of the height of the supporting wall, unless rooftop equipment cannot be sufficiently screened. A three-dimensional cornice treatment is encouraged for parapets. Parapets shall look complete from all sides if visible at any distance from the ground.

~~3-27-06-05-06-05-033-28-06-05-06-05-03~~ **Roof Materials**

1. Asphalt shingles, industry-approved synthetic shingles, standing seam metal or tile roofs are allowed.
2. Wood shingles are prohibited. Corrugated metal, tar paper, and brightly-colored asphalt shingles may be permitted by the Community and Economic Development Director where they will not be visible from a roadway, public park, or residential district or use.

~~3-27-06-05-06-063-28-06-05-06-06~~ **Awnings, Canopies, Arcades, and Overhangs**

Structural awnings are encouraged at the ground level to enhance the articulation of the building and provide shade.

1. The material of awnings and canopies shall complement the building.
2. Awnings shall not be internally illuminated.
3. Canopies shall not exceed 40 linear feet without a break.
4. Awnings shall not extend more than five feet over the sidewalk, unless otherwise approved by the Community and Economic Development Director, up to a maximum of 10 feet, and are in keeping with the architectural style of the building.
5. Canopies shall respect the placement of street trees and lighting and shall not interfere with them.
6. All large canopies that require structural columns for support shall have a minimum six-foot masonry (or other approved material) finish measured from the finished grade. Materials used on columns and canopies shall be complementary to the building.

~~3-27-06-05-073-28-06-05-07~~ **RESIDENTIAL COMPATIBILITY STANDARDS**

~~3-27-06-05-07-013-28-06-05-07-01~~ **Applicability**

The residential compatibility standards in this subsection apply when nonresidential or mixed-use development is proposed adjacent to lots used by or zoned for detached or attached single-family structures in a residential district.

~~3-27-06-05-07-023-28-06-05-07-02~~ **Use Limitations**

Where these compatibility standards apply, the following uses or features shall be prohibited as principal or accessory uses:

1. Public address/loudspeaker systems;
2. Outdoor storage; and
3. Uses providing delivery services via large tractor trailers (not including package delivery services).

~~3-27-06-05-07-033-28-06-05-07-03~~ **Off-Street Parking Location**

1. Off-street parking shall be established in one or more of the locations listed below. The locations are listed in priority order; the applicant shall select the highest feasible location from this list, and shall demonstrate why that application was selected over other alternative locations.
2. Adjacent to off-street parking lots serving nonresidential uses on abutting lots;
3. Adjacent to lot lines abutting nonresidential development;
4. Adjacent to lot lines abutting mixed-use development;

5. Behind the building;
6. In front of the building; or
7. Adjacent to lot lines abutting residential uses.
8. In cases where an off-street parking lot serving a nonresidential use is located on an abutting lot, connection between the two parking areas via a cross-accessway with a minimum width of 12 feet and a maximum width of 24 feet is strongly encouraged. A cross-access easement shall be recorded.

~~3-27-06-05-07-043-28-06-05-07-04~~ **Relationship to Surrounding Uses**

1. Multi-building developments shall be configured to locate the tallest and largest structures within the core of the site and provide a gradual decrease in building height and mass towards adjacent residential land uses as required by Section 3-26-06-05-07-03, *Relationship to Surrounding Development*.



Fig. 3-27-AA: Gradual decrease in building height and mass towards adjacent residential uses

2. Horizontally integrated mixed-use developments shall locate nonresidential uses away from lots in adjacent residential areas.
3. Medium to high density housing shall be incorporated to the maximum extent feasible both within and around the development to facilitate connections between residential and non-residential uses.
4. Nonresidential structures taller or larger than adjacent residential uses shall be broken up into modules or wings with the smaller or shorter portions of the structure located adjacent to residential uses.

~~3-27-06-05-07-053-28-06-05-07-05~~ **Facade Configuration**

1. Service functions like refuse collection, incidental storage, and similar functions shall be integrated into the architecture of the building unless an alternate location places these functions farther from adjacent residential uses.
2. Windows shall be arranged to avoid direct lines-of-sight into abutting residential uses.
3. Multi-story structures with balconies, patios, or other public gathering spaces more than 24 feet above grade shall orient these features to

avoid direct views into lots in low- and medium-density residential districts.

~~3-27-06-05-07-063-28-06-05-07-06~~ **Landscaping/Screening**

1. Screening shall not interfere with public sidewalks, vehicular cross-accessways, or improved pedestrian connections.
2. Any parking designated for trucks, recreational vehicles and other large vehicles shall be placed in a location which is not adjacent to either any street or to any residentially zoned property.

~~3-27-06-05-07-073-28-06-05-07-07~~ **Operation**

1. Nonresidential uses with outdoor components (e.g., outdoor dining, performance venues) located adjacent to lots in a residential district shall curtail outdoor activities by 10:00 pm.
2. Loading or unloading activities shall take place only between the hours of 7:00 am and 11:00 pm.
3. Alternate hours of activities may be approved through the conditional use permit process.

~~3-27-06-05-07-083-28-06-05-07-08~~ **Sustainable Development Practices**

To the maximum extent practicable, new buildings are encouraged to incorporate one or more of the following features:

1. Opportunities for the integration of renewable energy features in the design of buildings or sites, such as: solar, wind, geothermal, biomass, or low-impact hydro sources;
2. Energy-efficient materials, including recycled materials that meet the requirements of these regulations;
3. Materials that are produced from renewable resources;
4. Low-Impact Development (LID) stormwater management features;
5. A green roof, such as a vegetated roof, or a cool roof;
6. Materials and design meeting the U.S. Green Building Council's LEED-NC certification requirements; or
7. A greywater recycling system.



Fig. 3-27-BB: LID stormwater management feature

3-29 NEIGHBORHOOD PARK (NP)

3-29-01 PURPOSE

The purpose of the Neighborhood Park (NP) Zone District is to provide a district focused on open space, park and recreational uses that are compatible in a residential or mixed-use setting. These parks are typically centrally located within neighborhoods, along collector streets, along trail corridors, or in more urban areas. Active and passive recreational uses are permitted, as well as structures that support these recreational uses. Neighborhood parks are intended to be owned and operated by a public or quasi-public park, open space or recreation department or district and generally are open for all to use.

3-29-02 PERMITTED PRINCIPAL AND CONDITIONAL USES

Refer to the Use Chart to determine which uses are permitted uses in a Neighborhood Park District, subject to building permit review and approval, and which uses are permitted subject to the issuance of a Conditional Use Permit from the Board of County Commissioners and building permit review and approval. More than one principal use may be permitted per lot.

3-29-03 PERMITTED ACCESSORY USES

In association with a permitted principal use, the following accessory uses are permitted, subject to building permit review and approval.

1. Institutional Uses, Accessory
2. Recreation Uses, Accessory
3. Incidental Sales related to a permitted use

3-29-04 PERMITTED SPECIAL/TEMPORARY USES

Special uses are permitted in a Neighborhood Park District, subject to the issuance of a Special Use Permit from the Board of Adjustment. Temporary uses are permitted in a Neighborhood District, subject to the issuance of a Temporary Use Permit from the Director of Community and Economic Development. Examples of Temporary Uses that can be approved by the Director of Community and Economic Development include, but are not limited to, events open to the public with or without tickets, educational tours, incidental sales, races, and the like. The Director may require the Temporary Use meet performance standards for similar uses permitted by these standards and regulations.

3-29-05 PROHIBITED USES

All uses: (1) not expressly identified as permitted uses in the Use Chart; or (2) determined to be permitted by the Director of Community and Economic Development pursuant to Section 3-05-01 of these standards and regulations, are prohibited.

3-29-06 AREA AND HEIGHT STANDARDS

3-29-06-01 MINIMUM LOT SIZE REQUIREMENTS

There is no minimum lot size requirement in a Neighborhood Park District.

3-29-06-02 MINIMUM LOT WIDTH REQUIREMENTS

There is no minimum lot width requirement in a Neighborhood Park District.

3-29-06-03 SETBACK AND DIMENSIONAL REQUIREMENTS FOR A PRINCIPAL STRUCTURE

3-29-06-03-01 MINIMUM FRONT SETBACK

The minimum front setback for a principal structure in a Neighborhood Park District shall be twenty (20) feet.

3-29-06-03-02 MINIMUM SIDE CORNER SETBACK

The minimum side corner setback for a principal structure in a Neighborhood Park District shall be twenty (20) feet.

3-29-06-03-03 MINIMUM SIDE SETBACK

The minimum side setback for a principal structure in a Neighborhood Park District shall be five (5) feet.

3-29-06-03-04 MINIMUM REAR SETBACK

The minimum rear setback for a principal structure in a Neighborhood Park District shall be fifteen (15) feet.

3-29-06-03-05 MINIMUM R.O.W SETBACK

The minimum setback for a principal structure in a Neighborhood Park District from an arterial right-of-way shall be fifty (50) feet except a section line arterial right-of-way where the minimum setback shall be one-hundred-twenty (120) feet. The minimum setback from a collector or local road shall be twenty (20) feet.

3-29-06-03-06 **MINIMUM SETBACK FROM SECTION LINE FOR ALL STRUCTURES**

The minimum setback from a section line for a principal structure in a Neighborhood Park District shall be one-hundred-twenty (120) feet. Variations may be permitted if the Department of Public Works determines no additional right-of-way is required.

3-29-06-04 **SETBACK AND DIMENSIONAL REQUIREMENTS FOR ACCESSORY STRUCTURES OR AGRICULTURE BUILDINGS**

3-29-06-04-01 **MINIMUM FRONT SETBACK**

The minimum front setback for accessory structures in a Neighborhood Park District shall be no less than the existing or proposed setback of the principal structure.

3-29-06-04-02 **MINIMUM SIDE SETBACK**

The minimum side setback for accessory structures in a Neighborhood Park District shall be no less than the existing or proposed setback of the principal structure.

3-29-06-04-03 **MINIMUM REAR SETBACK**

The minimum rear setback for accessory structures in a Neighborhood Park shall be no less than the existing or proposed setback of the principal structure.

3-29-06-04-04 **MINIMUM R.O.W SETBACK**

The minimum ROW setback for accessory structures in a Neighborhood Park District shall be no less than the existing or proposed setback of the principal structure. The minimum setback from a section line for all accessory structures in a Neighborhood Park District shall be one-hundred-twenty (120) feet. Variations may be permitted if the Department of Public Works determines no additional right-of-way is required.

3-29-06-04-05 MINIMUM SETBACK FROM SECTION LINE FOR ALL ACCESSORY STRUCTURES

The minimum setback from a section line for all accessory structures in a Neighborhood Park District shall be one-hundred-twenty (120) feet. Variations may be permitted if the Department of Public Works determines no additional right-of-way is required. Accessory buildings shall not be constructed prior to the principal structure on a lot.

3-29-06-05 MAXIMUM HEIGHT

3-29-06-05-01 PRIMARY AND ACCESSORY STRUCTURES

The maximum height of primary and accessory structures in the Neighborhood Park District shall be twenty-five (25) feet. There shall be no height limit for agriculture structures.

3-29-06-05-02 MAXIMUM STRUCTURE COVERAGE

In no case shall an accessory building exceed twice the floor area of the principal structure on the lot. Structure coverage is limited to 35% of the gross parcel size. Accessory buildings shall not be constructed prior to the principal structure on a lot.

3-29-06-06 FLOOR AREA

There is no minimum or maximum floor area in the Neighborhood Park District.

3-29-07 RELATIONSHIP TO DESIGN REQUIREMENTS AND PERFORMANCE STANDARDS

All design requirements and performance standards for specific uses contained in Chapter 4 of these standards and regulations shall apply in an Neighborhood Park District unless inconsistent

with a provision contained in Section 3-08, in which case the specific standard or requirement contained in Section 3-08 shall apply.

3-30 REGIONAL PARK (RP)

3-30-01 PURPOSE

The purpose of the Regional Park Zone District is to provide facilities and recreational amenities intended to serve a broader area drawing users from the County as a whole and the region. Unique uses are also appropriate in this zone district, including but not limited to, indoor commercial recreation/entertainment, outdoor commercial recreation, fairgrounds, agricultural demonstration areas, agritourism uses, entertainment, cultural, educational uses, institutional uses and sports facilities with limited commercial uses so long as the uses are primarily operated by a public or quasi-public park, open space or recreation department or district on land owned by a public or quasi-public park, open space or recreation department or district. Additionally, regional parks may protect large areas with natural resource value of regional importance and include trails and opportunities for nature-based and play area-based recreation.

3-30-02 PERMITTED PRINCIPAL AND CONDITIONAL USES

Refer to the Use Chart to determine which uses are permitted uses in a Regional Park District, subject to building permit review and approval, and which uses are permitted subject to the issuance of a Conditional Use Permit from the Board of County Commissioners and building permit review and approval. More than one principal use may be permitted per lot.

3-30-03 PERMITTED ACCESSORY USES

In association with a permitted principal use, the following accessory uses are permitted, subject to building permit review and approval.

1. Agricultural Uses, Accessory
2. Institutional Uses, Accessory
3. Recreation Uses, Accessory
4. Incidental Sales related to a permitted use

3-30-04 PERMITTED SPECIAL/TEMPORARY USES

Special uses are permitted in a Regional Park District, subject to the issuance of a Special Use Permit from the Board of Adjustment. Temporary uses are permitted in a Regional Park District, subject to the issuance of a Temporary Use Permit from the Director of Community and Economic Development. Examples of Temporary Uses that can be approved by the Director of

Community and Economic Development include, but are not limited to, events open to the public with or without tickets, outdoor Farmer’s Market, educational tours, incidental sales, races, and the like. As approved by the Director of Community and Economic Development. The Director may require the accessory use meet performance standards for similar uses permitted by these standards and regulations.

3-30-05 PROHIBITED USES

All uses: (1) not expressly identified as permitted uses in the Use Chart; or (2) determined to be permitted by the Director of Community and Economic Development pursuant to Section 3-05-01 of these standards and regulations, are prohibited.

3-30-06 AREA AND HEIGHT STANDARDS

3-30-06-01 MINIMUM LOT SIZE REQUIREMENTS

The minimum lot size requirement in a Regional Park District shall be thirty-five (35) acres.

3-30-06-02 MINIMUM LOT WIDTH REQUIREMENTS

There is no minimum lot width requirement in a Regional Park District.

3-30-06-03 SETBACK AND DIMENSIONAL REQUIREMENTS FOR A PRINCIPAL STRUCTURE

3-30-06-03-01 MINIMUM FRONT SETBACK

The minimum front setback for a principal structure in a Regional Park District shall be thirty (30) feet.

3-30-06-03-02 MINIMUM SIDE CORNER SETBACK

The minimum side corner setback for a principal structure in a Regional Park District shall be thirty (30) feet.

3-30-06-03-03 MINIMUM SIDE SETBACK

The minimum side setback for a principal structure in a Regional Park District shall be twenty (20) feet.

3-30-06-03-04 MINIMUM REAR SETBACK

The minimum rear setback for a principal structure in a Regional Park District shall be thirty (30) feet.

3-30-06-03-05 MINIMUM R.O.W SETBACK

The minimum setback for a principal structure in a Regional Park District from an arterial right-of-way shall be fifty (50) feet except a section line arterial right-of-way where the minimum setback shall be one-hundred-twenty (120) feet. The minimum setback from a collector or local road shall be fifty (50) feet.

3-30-06-03-06 MINIMUM SETBACK FROM SECTION LINE FOR ALL STRUCTURES

The minimum setback from a section line for all structures in a Regional Park District shall be one-hundred-twenty (120) feet. Variations may be permitted if the Department of Public Works determines no additional right-of-way is required. Accessory buildings shall not be constructed prior to the principal structure on a lot.

3-30-06-04 SETBACK AND DIMENSIONAL REQUIREMENTS FOR ACCESSORY STRUCTURES OR AGRICULTURE BUILDINGS

3-30-06-04-01 MINIMUM FRONT SETBACK

The minimum front setback for accessory structures and agricultural buildings in a Regional Park District shall be no less than the existing or proposed setback of the principal structure.

3-30-06-04-02 MINIMUM SIDE SETBACK

The side front setback for accessory structures and agricultural buildings in a Regional Park District shall be no less than the existing or proposed setback of the principal structure.

3-30-06-04-03 MINIMUM REAR SETBACK

The minimum rear setback for accessory structures and agricultural buildings in a Regional Park District shall be no less than the existing or proposed setback of the principal structure.

3-30-06-04-04 MINIMUM R.O.W SETBACK

The minimum ROW setback for accessory structures and agricultural buildings in a Regional Park District shall be no less than the existing or proposed setback of the principal structure. The minimum setback from a section line for all accessory structures in a Regional Park District shall be one-hundred-twenty (120) feet. Variations may be permitted if the Department of Public Works determines no additional right-of-way is required.

3-30-06-04-05 MINIMUM SETBACK FROM SECTION LINE

The minimum setback from a section line for all accessory structures and agricultural buildings in a Regional Park District shall be one-hundred-twenty (120) feet. Variations may be permitted if the Department of Public Works determines no additional right-of-way is required. Accessory buildings shall not be constructed prior to the principal structure on a lot.

3-30-06-05 **MAXIMUM HEIGHT**

There is no maximum height in a Regional Park District.

3-30-06-06 **MAXIMUM STRUCTURE COVERAGE**

There is no maximum structure coverage on a lot in a Regional Park District. Accessory buildings shall not be constructed prior to the principal structure on a lot.

3-30-06-07 **FLOOR AREA**

There is no minimum or maximum floor area in the Regional Park District.

3-30-07 **RELATIONSHIP TO DESIGN REQUIREMENTS AND PERFORMANCE STANDARDS**

All design requirements and performance standards for specific uses contained in Chapter 4 of these standards and regulations shall apply in a Regional Park District unless inconsistent with a provision contained in Section 3-09, in which case the specific standard or requirement contained in Section 3-09 shall apply.

3-31 **NATURAL AREAS (NA)**

3-31-01 **PURPOSE**

The purpose of the Natural Areas Zone District is to provide for the preservation of open space and critical natural areas in Adams County. These areas may represent diverse types of land and possess varied physical and geographical conditions and are an important resource which should be protected. Because of the diversity of Adams County's ecology and environment, lot sizes will vary in this zone district to enable effective water conservation, preservation, and protection of the environment and wildlife. Development and active uses are limited in this

zone district, and passive recreation is generally allowed. The most intensive uses of these areas will normally be for outdoor recreation activities or passive uses not requiring significant infrastructure such as roads or utility services.

3-31-02 PERMITTED PRINCIPAL AND CONDITIONAL USES

Refer to the Use Chart to determine which uses are permitted uses in a Natural Area Zone District, subject to building permit review and approval, and which uses are permitted subject to the issuance of a Conditional Use Permit from the Board of County Commissioners and building permit review and approval. More than one principal use may be permitted per lot.

3-31-03 PERMITTED ACCESSORY USES

In association with a permitted principal use, the following accessory uses are permitted, subject to building permit review and approval.

1. Institutional Uses, Accessory
2. Recreation Uses, Accessory

3-31-04 PERMITTED SPECIAL/TEMPORARY USES

Special uses are permitted in a Natural Area Zone District, subject to the issuance of a Special Use Permit from the Board of Adjustment. Temporary uses are permitted in Natural Area District, subject to the issuance of a Temporary Use Permit from the Director of Community and Economic Development. Examples of Temporary Uses that can be approved by the Director of Community and Economic Development include, but are not limited to, educational tours, races, and the like. The Director may require the temporary use meet performance standards for similar uses permitted by these standards and regulations.

3-31-05 PROHIBITED USES

All uses: (1) not expressly identified as permitted uses in the Use Chart; or (2) determined to be permitted by the Director of Community and Economic Development pursuant to Section 3-05-01 of these standards and regulations, are prohibited.

3-31-06 AREA AND HEIGHT STANDARDS

3-31-06-01 MINIMUM LOT SIZE REQUIREMENTS

There is no minimum lot width requirement in a Natural Area District.

3-31-06-02 MINIMUM LOT WIDTH REQUIREMENTS

There is no minimum lot width requirement in a Natural Area District.

3-31-06-03 SETBACK AND DIMENSIONAL REQUIREMENTS FOR A PRINCIPAL STRUCTURE

3-31-06-03-01 MINIMUM FRONT SETBACK

The minimum front setback for a principal structure in a Natural Area District shall be fifty (50) feet.

3-31-06-03-02 MINIMUM SIDE CORNER SETBACK

The minimum side corner setback for a principal structure in a Natural Area District shall be fifty (50) feet.

3-31-06-03-03 MINIMUM SIDE SETBACK

The minimum side setback for a principal structure in a Natural Area District shall be twenty (20) feet.

3-31-06-03-04 MINIMUM REAR SETBACK

The minimum rear setback for a principal structure in a Natural Area District shall be fifty (50) feet.

3-31-06-03-05 MINIMUM R.O.W. SETBACK

The minimum setback for a principal structure in a Natural Area District from an arterial right-of-way shall be fifty (50) feet except a section line arterial right-of-way where the minimum setback shall be one-hundred-twenty (120) feet. The minimum setback from a collector or local road shall be fifty (50) feet.

3-31-06-03-06 **MINIMUM SETBACK FROM SECTION LINE FOR ALL PRINCIPAL STRUCTURES**

The minimum setback from a section line for a principal structure in a Natural Area District shall be one-hundred-twenty (120) feet. Variations may be permitted if the Department of Public Works determines no additional right-of-way is required.

3-31-06-04 **SETBACK AND DIMENSIONAL REQUIREMENTS FOR ACCESSORY STRUCTURES**

3-31-06-04-01 **MINIMUM FRONT SETBACK**

The minimum side setback for accessory structures in a Natural Area District shall be no less than the existing or proposed setback of the principal structure.

3-31-06-04-02 **MINIMUM SIDE SETBACK**

The minimum side setback for accessory structures in a Nature Area District shall be no less than the existing or proposed setback of the principal structure.

3-31-06-04-03 **MINIMUM REAR SETBACK**

The minimum side setback for accessory structures in a Nature Area District shall be no less than the existing or proposed setback of the principal structure.

3-31-06-04-04 **MINIMUM R.O.W. SETBACK**

The minimum setback for all accessory structures in a Natural Area District from an arterial right-of-way shall be fifty (50) feet except a section line

arterial right-of-way where the minimum setback shall be one-hundred-twenty (120) feet. The minimum setback from a collector or local road shall be fifty (50) feet.

3-31-06-04-05 **MINIMUM SETBACK FROM SECTION LINE FOR ALL ACCESSORY STRUCTURES**

The minimum setback from a section line for all accessory structures in a Natural Area District shall be one-hundred-twenty (120) feet. Variations may be permitted if the Department of Public Works determines no additional right-of-way is required. Accessory buildings shall not be constructed prior to the principal structure on a lot.

3-31-06-05 **MAXIMUM HEIGHT**

3-31-06-05-01 **PRIMARY AND ACCESSORY STRUCTURES**

The maximum height of primary and accessory structures in the Natural Area District shall be twenty-five (25) feet. There shall be no height limit for agriculture structures.

3-31-06-05-02 **MAXIMUM STRUCTURE COVERAGE**

In no case shall an accessory building exceed twice the floor area of the principal structure on the lot. Structure coverage is limited to 10% of the gross parcel size. Accessory buildings shall not be constructed prior to the principal structure on a lot.

3-31-06-06 **FLOOR AREA**

The maximum floor area on a parcel in the Natural Areas District shall be twelve hundred (1,200) square feet.

3-31-07 **RELATIONSHIP TO DESIGN REQUIREMENTS AND PERFORMANCE STANDARDS**

All design requirements and performance standards for specific uses contained in Chapter 4 of these standards and regulations shall apply in a Nature Area

District unless inconsistent with a provision contained in Section 3-41, in which case the specific standard or requirement contained in Section 3-41 shall apply.

3-283-32 CONSERVATION DISTRICT (CO)

3-28-013-32-01 PURPOSE

The purpose of the Conservation District is to encourage the preservation of environmentally sensitive areas from development. These areas may be of exceptional agricultural or environmental value, or are hazardous to develop. Areas eligible for

designation include farm or ranch land, wildlife habitat, view corridors or important view areas, lands with historic or archeological value, contaminated areas, areas subject to flooding, or areas, if developed, that should be developed in an environmentally sensitive manner in order to provide an ample supply of open space, protect natural features and processes, provide active and passive recreational opportunities, conserve agricultural resources, protect and enhance important wildlife corridors, and generally sustain a high quality natural environment.

Lands developed in the Conservation District shall be developed in a manner to preserve critical natural areas including trees and other natural features of a site, conserve important agricultural lands, and protect public health and safety.

3-28-023-32-02 PERMITTED ACCESSORY USES

In association with a principal permitted use, the following accessory uses are permitted, subject to building permit review and approval:

1. Agricultural Uses, Accessory, No structures
2. Institutional Uses, Accessory, No structures

3-28-033-32-03 AREA AND HEIGHT STANDARDS

3-28-03-013-32-03-01 MINIMUM LOT SIZE REQUIREMENTS

There are no minimum lot size requirements in a Conservation District.

3-28-03-023-32-03-02 MINIMUM LOT WIDTH REQUIREMENTS

There are no minimum lot width requirements in a Conservation District.

~~3-28-03-033-32-03-03~~ **LOT SETBACK AND DIMENSIONAL REQUIREMENTS**

~~3-28-03-03-013-32-03-03-01~~ **MINIMUM FRONT SETBACK**

The minimum front setback for a structure in a Conservation District shall be thirty (30) feet.

~~3-28-03-03-023-32-03-03-02~~ **MINIMUM SIDE CORNER SETBACK**

The minimum side corner setback for a structure in a Conservation District shall be thirty (30) feet.

~~3-28-03-03-033-32-03-03-03~~ **MINIMUM SIDE SETBACK**

The minimum side setback for a structure in a Conservation District shall be twenty (20) feet.

~~3-28-03-03-043-32-03-03-04~~ **MINIMUM REAR SETBACK**

The minimum rear setback for a structure in a Conservation District shall be twenty (20) feet.

~~3-28-03-03-053-32-03-03-05~~ **MINIMUM ARTERIAL SETBACK**

The minimum setback for all structures in a Conservation District from an arterial right-of-way shall be fifty (50) feet except a section line arterial right-of-way where the minimum setback shall be eighty (80) feet. The setback from a collector or local road right-of-way shall be fifty (30) feet. Variations may be permitted if full right-of-way has already been acquired by the County for a section line.

~~3-28-03-043-32-03-04~~ **MAXIMUM HEIGHT**

The height of a structure in a Conservation District shall be established by Conditional Use Permit.

~~3-28-043-32-04~~ **RELATIONSHIP TO PERFORMANCE STANDARDS**

All design requirements and performance standards for specific uses contained in Chapter 4 of these standards and regulations shall apply in the Conservation District unless inconsistent with a provision contained in Section 3-27, in which case the specific standard or requirement contained in Section 3-27 shall apply.

3-293-33 PUBLIC LANDS, PARKS, OPEN SPACE, AND FACILITIES DISTRICT (PL)

3-29-013-33-01 PURPOSE

The purpose of the Public Lands, Parks, Open Space, and Facilities District is to protect established public lands and to provide an area in the County for location of parks, public open space, government buildings and facilities, schools and school grounds, quasi-public buildings and facilities, and related open space.

3-29-023-33-02 PERMITTED ACCESSORY USES

In association with a principal permitted use, the following accessory uses are permitted, subject to building permit review and approval.

1. Agricultural Uses, Accessory
2. Institutional Uses, Accessory
3. Recreational Uses, Accessory

3-29-033-33-03 AREA AND HEIGHT STANDARDS

3-29-03-013-33-03-01 MINIMUM LOT SIZE REQUIREMENTS

There are no minimum lot size requirements in a Public Lands, Parks, Open Space, and Facilities District.

3-29-03-023-33-03-02 MINIMUM LOT WIDTH REQUIREMENTS

There are no minimum lot width requirements in a Public Lands, Parks, Open Space, and Facilities District.

3-29-03-033-33-03-03 LOT SETBACK AND DIMENSIONAL REQUIREMENTS

3-29-03-03-013-33-03-03-01 MINIMUM FRONT SETBACK

The minimum front setback for a structure in a Public Lands, Parks, Open Space, and Facilities District shall be thirty (30) feet.

3-29-03-03-023-33-03-03-02 MINIMUM SIDE CORNER SETBACK

The minimum side corner setback for a structure in a Public Lands, Parks, Open Space, and Facilities District shall be thirty (30) feet.

3-29-03-03-033-33-03-03-03 MINIMUM SIDE SETBACK

The minimum side setback for a structure in a Public Lands, Parks, Open Space, and Facilities District shall be fifteen (15) feet.

~~3-29-03-03-043-33-03-03-04~~ **MINIMUM REAR SETBACK**

The minimum rear setback for a structure in a Public Lands, Parks, Open Space, and Facilities District shall be twenty (20) feet or the same as the minimum rear setback requirement for the adjacent zone district, whichever is greater.

~~3-29-03-03-053-33-03-03-05~~ **MINIMUM ARTERIAL SETBACK**

The minimum setback for all structures in a Public Lands, Parks, Open Space, and Facilities District from an arterial right-of-way shall be fifty (50) feet except a section line arterial right-of-way where the minimum setback shall be seventy-five (75) feet. Variations may be permitted if full right-of-way has already been acquired by the County for section lines.

~~3-29-03-043-33-03-04~~ **MAXIMUM HEIGHT**

~~3-29-03-04-013-33-03-04-01~~ **PRINCIPAL STRUCTURE**

The maximum height of a principal structure in a Public Lands, Parks, Open Space, and Facilities District shall be thirty-five (35) feet or the same as the maximum height requirement for a principal structure in the adjacent zone district, whichever is less.

~~3-29-03-04-023-33-03-04-02~~ **ACCESSORY BUILDINGS**

The maximum height of accessory buildings in a Public Lands, Parks, Open Space, and Facilities District shall be twenty (20) feet or the same as the maximum height requirement for accessory buildings in the adjacent zone district, whichever is less.

~~3-29-043-33-04~~ **RELATIONSHIP TO PERFORMANCE STANDARDS**

All design requirements and performance standards for specific uses contained in Chapter 4 of these standards and regulations shall apply in the Public Lands, Parks, Open Space, and Facilities District unless inconsistent with a provision contained in Section 3-29, in which case the specific standard or requirement contained in Section 3-29 shall apply.

3-303-34 **PLANNED UNIT DEVELOPMENT (P.U.D.)**

3-30-013-34-01 **GENERAL PROVISIONS**

In accordance with the Planned Unit Development Act of 1972, the objective of a Planned Unit Development is to establish an area of land, controlled by one or more landowners, to be developed under unified control or unified plan of development for a number of dwelling units, commercial, educational, recreational, or industrial uses, or any combination of the foregoing, the plan for which does not correspond in lot size, bulk, or type of use, density, lot coverage, open space, or other restriction to the existing land use regulations.

The purpose and objective of a Planned Unit Development (P.U.D.) is to encourage the development of land as a single unit. A P.U.D. allows greater flexibility in the design of a development, more variety and diversification in the relationships between buildings, open spaces and uses, and conservation and retention of historical and natural topographic features while meeting the goals, policies and objectives of the comprehensive plan.

3-30-023-34-02 **MINIMUM REQUIREMENTS**

A P.U.D. is a form of a customized zone district. The P.U.D. Documents as approved by the Board of County Commissioners may waive or modify specifications, standards and requirements of the Adams County Standards and Regulations such as site area, density, setbacks, height restrictions, improvement standards and related requirements that would be otherwise applicable to a particular zone district or land use, if such waiver or modification furthers the objectives of these P.U.D. regulations.

3-30-02-013-34-02-01 **MINIMUM SITE AREA**

The minimum site area within a P.U.D. shall be one (1) acre.

3-30-02-023-34-02-02 **PERMITTED PRINCIPAL, ACCESSORY, CONDITIONAL, SPECIAL AND PROHIBITED USES**

All uses that are in general conformity with the Adams County Comprehensive Plan including, but not limited to the contemplated density or intensity of land use, and compatible with the site's physical and environmental characteristics may be allowed within the P.U.D. The proposed land uses shall be compatible or designed to mitigate externalities with the existing, allowed or conditional land uses adjacent to the proposed development. The P.U.D document for the specific development shall establish the permitted uses. The uses shall be specifically defined and approved as part of the P.U.D.

~~3-30-02-033-34-02-03~~ **MINIMUM LOT SIZE REQUIREMENTS**

The minimum lot size shall be established by P.U.D.

~~3-30-02-043-34-02-04~~ **MINIMUM LOT WIDTH REQUIREMENTS**

The minimum lot width shall be established by P.U.D.

~~3-30-02-053-34-02-05~~ **MINIMUM SETBACKS**

The minimum required setbacks shall be established by P.U.D.

~~3-30-02-063-34-02-06~~ **MAXIMUM HEIGHT**

The maximum height of structures shall be established by P.U.D.

~~3-30-033-34-03~~ **GENERAL SITE DESIGN STANDARDS**

The following general site design standards shall be met by all P.U.D.s.

~~3-30-03-013-34-03-01~~ **SUPERIOR DESIGN**

~~3-30-03-01-013-34-03-01-01~~ **USE OF FLEXIBILITY TO IMPROVE DESIGN**

Accomplish, by flexible and varied design, a planned development that is as good or better than one resulting from the traditional lot-by-lot development, with total net improvement to be gained by combinations and options of: placement, type and bulk of building structures, coordinated open space, recreation facilities, other public facilities (such as walkways), controlled circulation, conservation of natural features, decreased water and air pollution, aesthetic features, harmonious design and similar elements.

~~3-30-03-01-023-34-03-01-02~~ **REDUCE IMPACT TO PUBLIC INFRASTRUCTURE AND SERVICES**

Avoid an overburden on the present or planned projected capacity of public utilities, services and roads, as compared to one which would be required by lot-by-lot development of the underlying land use district.

~~3-30-03-01-033-34-03-01-03~~ **COMPATIBLE WITH ADJACENT USES**

The perimeter of the project shall be compatible or designed to mitigate externalities with the land use of adjacent properties. Compatibility includes, but is not limited to, size, scale, intensity of land use, off-site impacts, mass, and architectural design.

~~3-30-03-01-043-34-03-01-04~~ **SCREENING REQUIRED**

Improvements on the site shall be sight-screened with adequate landscaping so as to provide a compatible visual effect as seen from the adjoining properties.

3-30-03-023-34-03-02 ROADS**3-30-03-02-013-34-03-02-01 PUBLIC ROADS REQUIRED**

All roads shall be public roads and the configuration and design of such facilities shall be consistent with Adams County Road Construction Standards (Chapter 8). Private roads within the P.U.D. may be approved by the County only if the following criteria are met:

1. Physical limitations of the site preclude the possibility of future linkage with existing public roads or proposed public roads which are part of the County's adopted transportation plan;
2. The proposed road design, pedestrian access and layout represents a superior design which meets the objectives of the Adams County standards;
3. A direct and tangible public benefit will accrue from the proposed street design; and
4. The developer includes a maintenance agreement including, but not limited to snow removal and road repairs, which will be recorded against the property.

3-30-03-02-023-34-03-02-02 CONNECTIONS TO OFF-SITE ROADS

Connections to existing off-site roads abutting the subject property shall be required where practicable, except through critical areas and/or their buffers.

3-30-03-033-34-03-03 PEDESTRIAN AND BICYCLE AMENITIES**3-30-03-03-013-34-03-03-01 PEDESTRIAN AND BICYCLE ACCESS TO SITE**

Pedestrian and bicycle access onto the site shall be maximized in all proposed projects. This may be accommodated through the provision of on-site walkways, trails, paths or sidewalks, and bike lanes originating at the property boundary.

3-30-03-03-023-34-03-03-02 INTERNAL PEDESTRIAN AND BICYCLE CIRCULATION

Internal pedestrian and bicycle circulation shall be facilitated through appropriately sealed walkways, paths, trails or sidewalks, and bike lanes. Special emphasis shall be placed on providing pedestrian and bicycle access to proposed recreational and/or open space areas and/or transit facilities.

3-30-03-043-34-03-04 PARKING

All provisions for vehicle parking shall be in designated parking areas and shall meet the minimum parking criteria contained within the P.U.D.

~~3-30-03-053-34-03-05~~ **OPEN SPACE**

~~3-30-03-05-013-34-03-05-01~~ **ACCEPTABLE OPEN SPACE**

No open area may be accepted as common open space within a planned unit development unless it meets the following requirements:

1. The location, size and character of the common open space is suitable for the planned unit development; and
2. The common open space is for preservation of natural flora and fauna, amenity or recreational purposes, and the uses authorized are appropriate to the scale and character of the planned unit development, considering its size, density, expected population, topography and the number and type of dwellings provided.

~~3-30-03-05-023-34-03-05-02~~ **IMPROVEMENT OF OPEN SPACE**

Common open space will be suitably improved for its intended use, except for common open space containing natural features worthy of preservation may be left unimproved. The buildings, structures and improvements to be permitted in the common open space are those appropriate to the uses authorized for the common open space.

~~3-30-03-05-033-34-03-05-03~~ **USE OF OPEN SPACE**

At least twenty-five percent (25%) of the minimum required open space shall be designated for active recreation purposes, and no more than fifty percent (50%) shall be so utilized, in order to preserve a reasonable proportion of natural areas on the site. The purposes for which open space areas are proposed shall be documented.

~~3-30-03-05-043-34-03-05-04~~ **CONCENTRATION OF OPEN SPACE**

Where practical, open space shall be concentrated in large usable areas.

~~3-30-03-05-053-34-03-05-05~~ **CONTIGUITY OF OPEN SPACE**

Where possible, open space shall connect to adjacent off-site open space areas and designated greenways.

~~3-30-03-05-063-34-03-05-06~~ **PERCENTAGE OF OPEN SPACE REQUIRED**

A minimum of 30% Open Space shall be required in all P.U.D.s or as determined by the Board of County Commissioners.

~~3-30-03-05-073-34-03-05-07~~ **PRIORITIZATION OF OPEN SPACE TYPES**

The following list represents the relative desirability of different types of open space, and should be used as the basis for determining the optimum location for open space areas within a proposed P.U.D.

1. Critical areas including riparian areas and floodplain.

2. Pastures and farmland currently or traditionally used for agriculture.
3. Trails and greenways.
4. Significant stands of trees.
5. Mature vegetation on ridgelines.
6. Former solid and/or hazardous waste disposal sites.

~~3-30-03-05-083-34-03-05-08~~ **CALCULATION OF OPEN SPACE AREA**

The calculation of open space area shall include all common public or privately held open space areas, all provisions for the right-of-way for public roads and the easement width for private roads, storm water facilities, recreational areas, trails and greenways. Individual private residential or commercial lot areas shall not be included in the open space calculation unless the open space areas located on private lots are subject to open space easements and restrictions.

~~3-30-03-05-093-34-03-05-09~~ **OWNERSHIP OF OPEN SPACE**

Land shown in the final development plan as common open space, and landscaping and/or planting contained therein, shall be permanently maintained by and conveyed to one of the following:

1. An association of owners shall be formed and continued for the purpose of maintaining the common open space. The association shall be created as an association of owners under the laws of the state and shall adopt and propose articles of incorporation or association and bylaws, and adopt and improve a declaration of covenants and restrictions on the common open space acceptable to the County in providing for the continuing care of the space. No common open space may be put to a use not specified in the final P.U.D. unless the final P.U.D. is first amended to permit the use. No change of use may be considered as a waiver of any of the covenants limiting the use of common open space areas, and all rights to enforce these covenants against any use permitted are expressly reserved to the County, as well as the owners.
2. A public agency, which agrees to maintain the common open space and any buildings, structures or other improvements, which have been placed on it.

~~3-30-03-05-103-34-03-05-10~~ **MAINTENANCE OF OPEN SPACE**

A maintenance plan shall be submitted and approved as part of the P.U.D process. The maintenance plan shall meet the landscape and open space maintenance requirements contained in Chapter 4.

~~3-30-03-06~~~~3-34-03-06~~ **CLUSTER DEVELOPMENT AND TRANSFER OF DEVELOPMENT RIGHTS**

STANDARDS

The following section outlines cluster development standards, designation of sending areas, designation of receiving areas, zoning requirements for receiving sites, and procedures for obtaining transferred development rights.

~~3-30-03-06~~~~013-34-03-06-01~~ **CLUSTER DEVELOPMENT STANDARDS**

Clustering of lots may occur in areas designated as Agriculture or Residential Estate on the Future Land Use Map of the Comprehensive Plan. The following standards shall be adhered to in submittal of a cluster development as a P.U.D. application:

1. In order to be eligible for additional density from clustering, a property owner must apply for and receive approval for a Planned Unit Development (P.U.D.) on the parcel.
2. All provisions of Section 3-38 shall apply to a P.U.D.
3. Uses approved as part of the P.U.D. shall be limited to those uses consistent with the RE, A-1, or A-2 Zone Districts.
4. The maximum increase in the allowable number of residential units on a clustering site is 100.
5. The number of additional units allowed on a clustering site shall be calculated as follows:
 - a. The number of dwelling units permitted on a site shall not exceed one unit per 17.5 acres. For example, if a property consists of 350 acres, ten (10) dwelling units would be permitted in the A-3 Zone District. Clustering of lots would permit a maximum number of twenty (20) units on the site. The twenty (20) units would have a maximum lot size of five (5) acres, constituting a total development area of one hundred (100) acres. The remaining two-hundred-fifty (250) acres would be placed into a Conservation Easement.
 - b. The maximum lot size shall be limited to five (5) acres and the applicant shall endeavor to develop smaller lot sizes, not less than two-and-one-half (2.5) acres considering the requirements for a 300-year water supply.
 - c. All section line roads shall be constructed in accordance with the Adams County Transportation Plan.
 - d. All interior roads shall be constructed to County standards and paved, if required.
 - e. Additional development rights shall be granted upon approval of the Final Development Plan (P.U.D.) by the Board of County Commissioners upon conveyance of a Conservation Easement (in a form acceptable to the County) to the County or a land trust recognized by Great Outdoors Colorado as an independent third party

and is certified by the National Land Trust Alliance. All conservation easements shall be granted in perpetuity.

- f. The Conservation Easement, which defines the limitation on the development of the sending site, including the number of development rights severed from said parcel, shall be recorded in the real property records for the sending site at the Office of the Adams County Clerk and Recorder. The sending area shall also be included in the rezoning of the property to P.U.D.

~~3-30-03-06-023-34-03-06-02~~ **DESIGNATION OF SENDING AREAS**

The sending areas to be preserved and protected through the application of these regulations are shown on the attached Transfer of Development Rights Map in the Comprehensive Plan with one of the following designations.

1. Designated Sending Areas:
 - a. Airport Influence Zone: Includes the noise overlay for Denver International Airport and the Airport Influence Zone surrounding the Colorado Air and Space Port;
 - b. Important Farmlands: Includes farmlands of national or state importance and ranches and grazing lands of local or regional importance. The areas are based on geographic data from the 1999 Metro Vision Open Space Plan (DRCOG);
 - c. Natural Resource Conservation Overlay: Includes mapped floodplains in the western area of the County and areas east of the Barr Lake Buffer Zone;
 - d. Barr Lake/South Platte River: Includes the floodplain and important habitat area around the South Platte River as well as the Barr Lake Buffer Zone.

All sending areas are restricted to land west of Yellowjacket Mile Road (west of Range 61 West). The sending area ratios for transferring development rights shall be as follows:

2. Sending Area Ratios:
 - a. Airport Influence Zone – 5:1
 - b. Important Farmlands – 10:1
 - c. Natural Resource Conservation Overlay – 15:1
 - d. Barr Lake/South Platte River – 25:1

~~3-30-03-06-033-34-03-06-03~~ **DESIGNATION OF RECEIVING AREAS**

Receiving areas are shown on the Transfer of Development Rights Map in the Comprehensive Plan and include areas in townships 1561, 1563, 1565, 1567, 1729, 1731, 1813, and 1815 and are not within a designated sending area. The receiving areas are generally described as follows:

1. The southern three (3) miles of the County around Bennett and Strasburg excluding the Colorado Air and Space Port influence zone, the

incorporated areas of Bennett, and the Natural Resource Conservation Overlay areas;

2. Areas east of the northern noise overlay zone for the Denver International Airport from 120th Avenue to 168th Avenue to Schumaker Mile Road., which excludes the floodplain area of Box Elder Creek;
3. Areas one-half (1/2) mile north and south of 144th Avenue from Schumaker Mile Road to Strasburg Mile Road;
4. Areas one-half (1/2) mile north and south of 88th Avenue from Highway 79 to Strasburg Mile Road;
5. Areas one-half (1/2) mile east and west of Highway 79 from 48th Avenue to 144th Avenue; and
6. Areas one-half (1/2) mile east and west of Strasburg Mile Road from 48th Avenue to 144th Avenue.

~~3-30-03-06-043-34-03-06-04~~ **ZONING REQUIREMENTS FOR RECEIVING SITES**

1. In order to be eligible for additional density from development rights, a property owner must apply for and receive approval for a Planned Unit Development (P.U.D.) on the parcel.
2. All provisions of Section 3-37 shall apply to a P.U.D.
3. Uses approved as part of the P.U.D. shall be limited to those uses consistent with the RE, A-1, or A-2 Zone Districts.
4. The maximum increase in the allowable number of residential units on a receiving site is 200.
5. Receiving areas shall be a minimum of 160 acres for inclusion in the P.U.D. However, receiving areas may be as small as 40 acres provided the site is contiguous to rural residential development at densities of one (1) unit per ten (10) acres or greater or part of an Overall Development Plan.

~~3-30-03-06-053-34-03-06-05~~ **PROCEDURE FOR OBTAINING TRANSFERRED DEVELOPMENT**

RIGHTS

1. Development rights may be transferred to an approved sending site only after the applicant obtains a Final Development Plan (P.U.D.) approval by the Board of County Commissioners.
2. The potential number of development rights available for transfer from a sending site is one (1) development right for each thirty-five (35) acres, fractions of development rights cannot be transferred, and if the remainder portion of a sending site is less than thirty-five (35) acres, no units could be built on the site. For example, a fifty (50) acre sending site could only transfer one unit and a residential unit could not be built on the sending site because the remainder portion would only be fifteen (15) acres, less than the required thirty-five (35) acres. However, if the remnant conservation area meets or exceeds 35 acres and is split by more than one sending area designation, the applicable different ratios may be

applied to the remnant parcel. For example, a fifty (50) acre sending site split into twenty-five (25) acres of Important Farmland (10:1) and twenty-five (25) acres of Natural Resource Conservation Overlay (15:1) would receive a credit as follow:

Important Farmland: 25 acres/50 acres = 50% at 10:1 = 5 units

Natural Resource Conservation Overlay: 25 acres/50 acres = 50% at 15:1 = 7.5 units

Total Units = 12.5 (no rounding up permitted) for a total unit credit of 12.

3. Additional development rights shall be granted upon approval of the Final Development Plan (P.U.D.) by the Board of County Commissioners and upon conveyance of a Conservation Easement (in a form acceptable to the County) to the County or a land trust recognized by Great Outdoors Colorado as an independent third party and is certified by the National Land Trust Alliance. All conservation easements shall be granted in perpetuity.
4. The Conservation Easement, which defines the limitation on the development of the sending site, including the number of development rights severed from said parcel, shall be recorded in the real property records for the sending site at the Office of the Adams County Clerk and Recorder. The sending area shall also be included in the rezoning of the property to P.U.D.
5. Adams County shall not issue a building permit for a residential unit unless there are sufficient development rights attached to the property.

3-313-35 AVIATION (AV)

3-31-013-35-01 PURPOSE

This section is intended to provide for non-residential land uses associated with aviation operations while minimizing risks to public safety and hazards to aviation users including those employed at public aviation facilities.

3-31-023-35-02 BOUNDARIES

The boundaries of the Aviation District shall, at a minimum, encompass runways, clear zones, aprons, aviation related structures including terminals and hangars, and other aviation-related services and support facilities as depicted on the approved Airport Layout Plan. Minimum areas to be included within the Aviation District are illustrated in Figure 3-1. The size of the area may vary according to the type of aviation facility. The Board of County Commissioners, following a review and recommendation for action by the Planning Commission, establishes the official boundary of the Aviation District at the time the aviation facility is zoned. Changes in the size of the Aviation District are reviewed through the Zone Map Amendment process.

3-31-033-35-03 PERMITTED PRINCIPAL USES

The following uses are permitted uses in an Aviation District, subject to the plans, terms, and conditions of the Airport Layout Plan and subject to building permit review and approval:

1. Air cargo terminals and freight forwarding facilities
2. Air passenger terminal buildings, hangars, and air traffic control facilities
3. Aircraft sales, repair, service, storage
4. Aviation related manufacturing and distribution uses
5. Farming, no structures
6. Flight kitchens and related facilities
7. Ground transportation facilities such as taxi and bus terminals
8. Noise and weather monitoring devices, navigational aids
9. Outside storage of non-hazardous materials not to exceed 10% of the building area
10. Parking areas for employees and passengers
11. Public and quasi-governmental buildings, structures, and uses essential to the operations including fire stations, pump stations, water tanks, and public utility facilities
12. Ranching, no structures

13. Retail and personal service outlets catering to aviation passengers and employees
14. Runways, taxiways, takeoff and landing areas, aprons, clear zones, and; aircraft tie-down areas
15. Snack shops, restaurants, and lounges for airport clientele
16. Support facilities essential for aviation operations such as fuel storage, hangar use, and associated offices
17. Training schools relating to aircraft operations and service work
18. Underground fuel tanks
19. Traditional Farming, No structures
20. Solar energy facilities

3-31-043-35-04 PROHIBITED USES

All uses: (1) not expressly identified as permitted uses in this section; (2) determined to be permitted by the Director of Community and Economic Development pursuant to Section 3-05-01 of these standards and regulations, or (3) permitted by the Airport Layout Plan established for the particular lot(s) in question, are prohibited.

3-31-053-35-05 AREA AND HEIGHT STANDARDS

3-31-05-013-35-05-01 MINIMUM LOT SIZE REQUIREMENTS

Established by the Airport Layout Plan.

3-31-05-023-35-05-02 SETBACK FOR STRUCTURES, RUNWAYS, TAXIWAYS, TAKE OFF AND LANDING AREAS

3-31-05-02-013-35-05-02-01 SETBACK FROM PROPERTY LINES FOR AIRPORT RUNWAYS, TAXIWAYS, AND RELATED FACILITIES

The setback for airport runways, taxiways, and related facilities in an Aviation District shall be seven hundred (700) feet from centerline of the runway or taxiway.

3-31-05-02-023-35-05-02-02 SETBACK FOR HELICOPTER TAKE OFF AND LANDING AREAS

The setback for helicopter takeoff and landing areas in an Aviation District shall be three hundred (300) feet.

3-31-05-02-033-35-05-02-03 SETBACK TO NEAREST RESIDENTIAL USES AND STRUCTURES

The setback from airport runways, taxiways, and related facilities to the nearest residential uses and structures in an Aviation District shall be seventeen hundred (1,700) feet from the centerline of the runway or taxiway. The setback from helicopter takeoff and landing areas to the nearest

residential uses and structures in an Aviation District shall be thirteen hundred (1,300) feet from the takeoff and landing areas.

~~3-31-05-02-043-35-05-02-04~~ **MINIMUM FRONT SETBACK**

The minimum front setback for structures in an Aviation District shall be established by a P.U.D.

~~3-31-05-02-053-35-05-02-05~~ **MINIMUM SIDE CORNER SETBACK**

The minimum side corner setback for structures in an Aviation District shall be established by a P.U.D.

~~3-31-05-02-063-35-05-02-06~~ **MINIMUM SIDE SETBACK**

The minimum side setback for structures in an Aviation District shall be established by a P.U.D.

~~3-31-05-02-073-35-05-02-07~~ **MINIMUM REAR SETBACK**

The minimum rear setback for structures in an Aviation District shall be established by a P.U.D.

~~3-31-05-02-083-35-05-02-08~~ **MINIMUM ARTERIAL SETBACK**

The minimum setback for all structures in an Aviation District from an arterial right-of-way shall be fifty (50) feet except a section line arterial right-of-way where the minimum setback shall be eighty (80) feet, or as otherwise established by a P.U.D. Variations may be permitted if full right-of-way has already been acquired by the County for section lines.

~~3-31-05-02-093-35-05-02-09~~ **MAXIMUM HEIGHT**

The maximum height of structures in an Aviation District shall be one hundred (100) feet or as restricted by FAA requirements. Air Traffic Control Towers and Navigation Aids are subject to FAA requirements.

~~3-31-05-033-35-05-03~~ **GENERAL SITE DESIGN AND PERFORMANCE STANDARDS**

The following general site design and performance standards shall be met by all uses within an Aviation District.

~~3-31-05-03-013-35-05-03-01~~ **MANUFACTURING AND DISTRIBUTION FACILITIES**

No manufacturing or distribution operation shall:

1. Conduct an activity that involves the generation or storage of animal, vegetable, or other wastes, which attract insects, rodents, or birds, or otherwise create a hazard to aircraft operations.
2. Conduct an activity, which emits smoke, fly ash, dust, vapor, gases, or other forms of air pollution, which would interfere with the safe

operation of aircraft, or may conflict with present or planned operations of the airport.

3. Conduct an activity, which involves water impoundments, solid waste disposal, or other uses, which attract birds or other animal species, which may present a hazard to aircraft operations.
4. Conduct an activity, which emits glaring light or employs highly reflective surfaces, which interfere with a pilot's ability to locate runways or landing pads.
5. Conduct an activity, which creates electronic interference with communications among aviators and ground control personnel.

~~3-31-05-03-023-35-05-03-02~~ **ACCESSORY STORAGE**

~~3-31-05-03-02-013-35-05-03-02-01~~ **Enclosed**

Accessory storage shall be enclosed and concealed by a six (6) foot to eight (8) foot-closed fence to prevent views of the interior.

~~3-31-05-03-02-023-35-05-03-02-02~~ **Screening Materials**

Screen fencing shall be maintained in an attractive condition. Fencing material shall be approved in advance by the Director of Community and Economic Development.

~~3-31-05-03-02-033-35-05-03-02-03~~ **Height of Storage Materials**

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.

~~3-31-05-03-033-35-05-03-03~~ **FENCING**

A perimeter fence sixty (60) inches or taller shall be erected to surround the Aviation District area.

~~3-31-063-35-06~~ **RELATIONSHIP TO DESIGN REQUIREMENTS AND PERFORMANCE STANDARDS**

All design requirements and performance standards for specific uses contained in Chapter 4 of these standards and regulations shall apply in an Aviation District.

3-323-36 **DENVER INTERNATIONAL AIRPORT (DIA)**

3-32-013-36-01 **PURPOSE**

This section is intended to provide for non-residential land uses associated with aviation operations, roadways, or passive uses while minimizing risks to public safety and hazards to aviation users including those employed at public aviation facilities. The uses and standards established and enforced in the DIA District are enumerated below and in Article IV of the Intergovernmental Agreement on the New Airport.

3-32-023-36-02 **BOUNDARIES**

The boundaries of the DIA District are limited to those areas described in Exhibit 'A' in Article IV entitled "Annexation and Land Acquisition"; A Part of the Adams County/Denver Intergovernmental Agreement on a new Airport signed and dated April 21, 1988.

3-32-033-36-03 **PERMITTED PRINCIPAL USES**

The following uses are permitted uses in a DIA District, subject to building permit review and approval:

1. Easements to permit public rights-of-way for roads and trails
2. Farming, No structures
3. Installation, operation, or maintenance of aviation-related weather reporting equipment
4. Installation, operation, or maintenance of navigation or other aids used by aircraft for landing at or taking off from the New Airport
5. Installation, operation, or maintenance of noise monitoring equipment
6. Installation, operation, or maintenance of other equipment required by the FAA for the safe operation of the New Airport
7. Passive uses, including utilities
8. Ranching, No structures
9. Traditional Farming, No structures
10. Solar energy facilities

3-32-043-36-04 **GENERAL SITE DESIGN AND PERFORMANCE STANDARDS**

The following general site design and performance standards shall be met by all uses within the DIA District.

~~3-32-04-01~~3-36-04-01 **ROAD AND TRAILS**

No road or trail may be closer than twenty-seven hundred (2,700) feet from the end of any runway.

~~3-32-04-02~~3-36-04-02 **INTERFERENCE OF USE**

Uses may not interfere with airport operations, nor interfere with aerial approaches.

3-33-37 AIRPORT HEIGHT OVERLAY (AHO)

3-33-013-37-01 PURPOSE

The Airport Height Overlay is intended to provide for protection of residential and non-residential land uses in areas which may be subjected to frequent overflights by aircraft flying low to the ground upon an approach to landing, upon takeoff, or operating in a traffic pattern at an aviation facility. Within this area, the hazards of natural and man-made objects may create severe hazards to aviation and must be regulated accordingly.

3-33-023-37-02 BOUNDARIES

The Airport Height Overlay area includes all land where the height of structures or natural features may obstruct or otherwise influence aviation activities. The extent of this area is determined by applying the standards and criteria listed in Title 14 of the Code of Federal Regulations, Subchapter E, F.A.R. Part 77 entitled “Objects Affecting Navigable Airspace”. Figure 3-2 illustrates how the geographic extent of the navigable airspace is determined. The geographic extent of the Airport Height Overlay for each aviation facility affecting Adams County is drawn to the nearest quarter-section of land lying outside the Airport Height Overlay as illustrated on the Adams County Zoning Map.

3-33-033-37-03 PERMITTED USES

All uses permitted by the underlying zone as permitted uses or conditional uses are permitted in the Airport Height Overlay unless specifically prohibited, subject to building permit review and approval.

3-33-043-37-04 GENERAL SITE DESIGN AND PERFORMANCE STANDARDS

The following general site design and performance standards shall be met by all uses within an Airport Height Overlay District.

3-33-04-013-37-04-01 PROPOSED DEVELOPMENT TO COMPLETE AERONAUTICAL STUDY

Applicants requesting zone changes, conditional uses, temporary and special uses, certificates of designation, site plans, site specific development plans, and building permits must complete an FAA aeronautical study on obstructions to determine if the proposed development could be a hazard to air navigation. If no hazard is determined, the proposed development may proceed, pending compliance with other County requirements. If a hazard to air navigation is found to exist by the FAA, then:

1. The applicant may alter the proposal in a manner which does not present a hazard to air navigation and may proceed subject to compliance with other County requirements; or
2. If alternative designs or locations do not pose compelling reasons to allow the use or structure within the Airport Height Overlay District, the County will prepare Findings of Fact, to be entered in the application record by the Director of Community and Economic Development citing the reasons why the use is compatible with the intent of the Airport Height Overlay District. Factors to consider in these findings include the importance of services provided by the proposed facility to the community, and the compatibility of the proposed use with the airport layout plan, and the Adams County Comprehensive Plan. The Director of Community and Economic Development or Manager of the pertinent aviation facility shall be notified of the denial.

~~3-33-04-023-37-04-02~~ **PROPOSED DEVELOPMENT TO DOCUMENT ELEVATIONS**

Applicants for development shall fully document site elevations in relation to the F.A.R. Part 77 height restrictions. Documentation of site elevations shall consist of a topographic map of the site showing contours for every five (5) feet of elevation change to illustrate the elevation above mean sea level; the location and height of any proposed buildings or structures, as well as natural features that impinge upon the Part 77 surfaces; and the elevation of the aviation facility affecting the applicant's property.

~~3-33-04-033-37-04-03~~ **LANDOWNERS TO INSTALL MARKERS**

Landowners may be required to install, operate, and maintain, at the owner's expense, such markers and lights which may be necessary to indicate to flyers the presence of a hazard which affects the aviation facility. This marking and lighting requirement may also extend to objects of natural growth (trees, primarily) on site.

~~3-33-04-043-37-04-04~~ **AIRPORT MANAGER GIVE OPPORTUNITY TO REVIEW APPLICATIONS**

Applications for zone changes, conditional uses, temporary and special uses, certificates of designation, site plans, and site-specific development plans will be forwarded to the director of the aviation facility(ies) for review and comment concerning the impact of the proposal on aviation operations.

~~3-33-04-053-37-04-05~~ **EASEMENT REQUIRED TO OBTAIN BUILDING PERMIT**

A signed and recorded aviation easement must be filed prior to issuance of a building permit.

3-33-053-37-05 RELATIONSHIP TO DESIGN REQUIREMENTS AND PERFORMANCE STANDARDS

All design requirements and performance standards for specific uses contained in Chapter 4 of these standards and regulations shall apply in an Airport Height Overlay District unless inconsistent with a provision contained in Section 3-33, in which case the specific standard or requirement contained in Section 3-33 shall apply.

3-343-38 AIRPORT INFLUENCE ZONE (AIZ)

3-34-013-38-01 PURPOSE

The Airport Influence Zone Overlay District is intended to provide areas within the County suitable for the economical development and safe operation of air carrier and/or general aviation airports for public use without adversely affecting the activities upon surrounding properties.

The Airport Influence Zone is also intended to provide for notice and disclosure of the airport location to owners of residential and non-residential properties in areas which may be subjected to aircraft activities of such duration and frequency which would constitute a nuisance to residential and other uses.

3-34-023-38-02 BOUNDARIES

The Airport Influence Zone includes all land impacted by the location of the Colorado Air and Space Port and the noise created by low-flying aircraft. The general boundaries of the Airport Influence Zone are as follows: 80th Avenue on the north, Interstate 70 (County line) on the south, Harback Mile Road on the east, and Hayesmount Mile Road on the west.

The Airport Influence Zone also contains two Restriction Areas, which further restrict the land uses within the overlay zone district. The geographic extent of the Airport Influence Zone and the Restriction Areas are delineated on the official Adams County Zoning Map.

3-34-033-38-03 PERMITTED USES

All uses permitted by the underlying zone are permitted in the Airport Influence Zone unless specifically prohibited or restricted by Restriction Area One or Restriction Area Two, subject to building permit review and approval.

3-34-043-38-04 PROHIBITED USES

All uses: (1) not expressly identified as permitted uses in the underlying zone district; or (2) determined to be permitted by the Director of Community and Economic Development pursuant to Section 3-05-01 of these standards and regulations, are prohibited.

3-34-053-38-05 GENERAL SITE DESIGN AND PERFORMANCE STANDARDS

The following general site design and performance standards shall be met by all uses within an Airport Influence Zone Overlay District.

3-34-05-013-38-05-01 RESTRICTION AREA ONE

No structures designed for full or part-time occupation for residential, commercial, institutional, or industrial uses shall be permitted.

3-34-05-023-38-05-02 RESTRICTION AREA TWO

Prohibits the construction of residences, except existing residences may be occupied and new homes may be built on lots or parcels created prior to the adoption of the Airport Influence Zone, August 1, 1983 or on 35 acre parcels, which meet the requirements of the A-3 Zone District, regardless of creation date.

3-34-05-033-38-05-03 FEDERAL AVIATION ADMINISTRATION STANDARDS

All uses and building plans are subject to FAA Obstruction and Approach Zone Regulations (Part 77).

3-34-05-043-38-05-04 AFFIDAVIT REQUIRED TO OBTAIN SUBDIVISION OR BUILDING PERMIT

A signed "Aircraft Activity Covenant with Disclosure" must be filed prior to approval of a subdivision, if applicable, or the issuance of a building permit.

3-34-05-053-38-05-05 USES NOT TO INTERFERE WITH AVIATION**3-34-05-05-013-38-05-05-01 NO EMISSIONS**

Uses must not produce steam, smoke, or otherwise pose a hazard to aviators.

3-34-05-05-023-38-05-05-02 NO GLARE

Uses must not emit glaring light or employ highly reflective surfaces which may impair the visibility of aviators, nor shall the use create interference with the electronic communication among aviators and ground control.

3-34-05-05-033-38-05-05-03 NOT ATTRACTIVE TO WILDLIFE

Uses must lack the potential of attracting birds and other wildlife species which may pose a hazard to flight operations.

3-34-063-38-06 RELATIONSHIP TO DESIGN REQUIREMENTS AND PERFORMANCE STANDARDS

All design requirements and performance standards for specific uses contained in Chapter 4 of these standards and regulations shall apply in a Noise Overlay District unless inconsistent with a provision contained in Section 3-34, in which case the specific standard or requirement contained in Section 3-34 shall apply.

3-353-39 AIRPORT NOISE OVERLAY (ANO)

3-35-013-39-01 PURPOSE

The Airport Noise Overlay is intended to provide for protection of residential and non-residential land uses in areas which may be subjected to noise levels of such duration and frequency which would constitute a nuisance to residential and other uses.

3-35-023-39-02 BOUNDARIES

The Airport Noise Overlay includes all land heavily impacted by the noise created by low-flying aircraft, and lying within the sixty (60) Ldn or greater noise contour area. The extent of this area is determined based upon the measurements of sound computed by the methods contained in Title 14 of the Code of Federal Regulations, Subchapter I, Federal Aviation Regulations (F.A.R., hereafter) Part 150, "Airport Noise Compatibility Planning". These computations are based upon the fleet mix that forms the "worst case scenario" for the type and volume of aircraft activity proposed at full build-out of the facility. The geographic extent of the noise overlay for each aviation facility affecting Adams County is delineated on the official Adams County Zoning Map.

3-35-033-39-03 PERMITTED USES

All uses permitted by the underlying zone as permitted uses or conditional uses are permitted in the Airport Noise Overlay unless specifically prohibited, subject to building permit review and approval.

3-35-043-39-04 PROHIBITED USES

All uses: (1) not expressly identified as permitted uses in the underlying zone district; or (2) determined to be permitted by the Director of Community and Economic Development pursuant to Section 3-05-01 of these standards and regulations, are prohibited. In addition, the following uses are specifically prohibited in an Airport Noise Overlay Zone:

1. Neighborhood Indoor Uses
2. Institutional Care
3. Universities

3-35-053-39-05 GENERAL SITE DESIGN AND PERFORMANCE STANDARDS

The following general site design and performance standards shall be met by all uses within an Airport Noise Overlay District.

~~3-35-05-013-39-05-01~~ **RESIDENTIAL USES**

~~3-35-05-01-013-39-05-01-01~~ ***NO NEW RESIDENTIAL ZONING***

No residential rezoning shall be considered or approved.

~~3-35-05-01-023-39-05-01-02~~ ***EXISTING LOTS DEVELOPABLE***

One single family dwelling may be constructed per lot in existence at the effective date of these standards and regulations, or as may be created per Article 28, Title 30, Section 101 (10) of the Colorado Revised Statutes, as amended.

~~3-35-05-01-033-39-05-01-03~~ ***EXISTING RESIDENTIAL USE NON-CONFORMING***

Existing residential uses may continue, but shall be limited by the non-conforming use provisions of these standards and regulations.

~~3-35-05-01-043-39-05-01-04~~ ***APPROVED RESIDENTIAL USES***

Residential uses allowed in accordance with an approved Site-Specific Development Plan, or building permit effective at the time airport construction commences may be allowed if the use conforms with the performance standards listed below

~~3-35-05-01-053-39-05-01-05~~ ***NOISE REDUCTION REQUIRED***

All newly established residential uses must incorporate noise level reduction measures sufficient to achieve an interior noise level of 45 dB on the A-weighted scale. Assurance that these measures have been incorporated into the structure is illustrated by submission of noise reduction plans certified by a registered professional engineer at the time of application for a building permit, and implemented prior to issuance of a Certificate of Occupancy.

~~3-35-05-023-39-05-02~~ ***AFFIDAVIT REQUIRED TO OBTAIN BUILDING PERMIT***

A signed "Aircraft Activity Covenant with Disclosure" must be filed prior to issuance of a building permit.

~~3-35-05-033-39-05-03~~ **COMMERCIAL AND INDUSTRIAL USES TO INCORPORATE NOISE REDUCTION**

The portions of the commercial or industrial structures devoted to office uses, or occupied by members of the public must incorporate noise level reduction measures sufficient to achieve an interior noise level of 45 dB on the A-weighted scale. The noise reduction measures cited above are described in Chapter 35 of the Appendix of the Uniform Building Code, and as adopted by Adams County. Assurance that these measures have been incorporated into the structure is illustrated by submission of noise reduction plans certified by a registered

professional engineer at the time of application for a building permit, and implemented prior to issuance of a Certificate of Occupancy.

~~3-35-05-04~~3-39-05-04 **USES NOT TO INTERFERE WITH AVIATION**

~~3-35-05-04-01~~3-39-05-04-01 ***NO EMISSIONS***

Uses must not produce steam, smoke, or otherwise pose a hazard to aviators.

~~3-35-05-04-02~~3-39-05-04-02 ***NO GLARE***

Uses must not emit glaring light or employ highly reflective surfaces which may impair the visibility of aviators, nor shall the use create interference with the electronic communication among aviators and ground control.

~~3-35-05-04-03~~3-39-05-04-03 ***NOT ATTRACTIVE TO WILDLIFE***

Uses must lack the potential of attracting birds and other wildlife species which may pose a hazard to flight operations.

~~3-35-063-39-06~~ **RELATIONSHIP TO DESIGN REQUIREMENTS AND PERFORMANCE STANDARDS**

All design requirements and performance standards for specific uses contained in Chapter 4 of these standards and regulations shall apply in a Noise Overlay District unless inconsistent with a provision contained in Section 3-34, in which case the specific standard or requirement contained in Section 3-34 shall apply.

3-363-40 **FLAMMABLE GAS OVERLAY (FGO)**

3-36-013-40-01 **PURPOSE**

It is the purpose of the Flammable Gas Overlay District to establish reasonable and uniform limitations, safeguards, and controls over uses of land designated as and/or adjacent to an operating or former solid waste disposal site. Any building, excavation, construction, or other use proposed in this zone district shall require testing and/or mitigation related to flammable gas, as specified in this section, prior to obtaining a building permit and after receiving a certificate of occupancy. The requirements of this section are intended to assure the protection of life and property from such related hazards as flammable gas, gas migration, asphyxiation, and explosion.

3-36-023-40-02 **LOCATION AND BOUNDARIES OF KNOWN FLAMMABLE GAS HAZARD AREA (SOLID WASTE DISPOSAL SITES)**

Those areas identified in the report dated April 19, 1978 titled “Landfills in Which Methane Generation Has Been Documented”, prepared by Tri-County Health Department, as well as the surrounding property to within one thousand (1,000) feet are located within the Flammable Gas Overlay District. These areas are defined as:

1. Berkeley Village. The hazardous area is bounded by the Adams County line on the south and west, Clear Creek on the north, and the north-south line 500’ east of the centerline of Tennyson Street. This area corresponds to No. 1 on the Zoning Restriction Map: Overlay Restriction Flammable Gas hereinafter called Zoning Restriction Map.
2. Adams County Landfill. The hazardous area is bounded beginning at the intersection of Federal Blvd. and the Denver Salt Lake Railroad Crossing tracks, thence 6375’ east along the Denver Salt Lake Railroad tracks, thence north 1800’, thence west 2250’, thence south 1000’, thence west 3350’, thence north 200’ to Clear Creek, thence west along Clear Creek to the centerline of Federal Blvd., thence south to the point of beginning. This area corresponds to No. 2 on the Zoning Restriction Map.
3. Adams County Landfill. The hazardous area is bounded beginning at Clear Creek 900’ from the centerline of Federal Blvd., thence east along Clear Creek 3500’, thence east 300’, thence south 1700’, thence west 3350’, thence north 200’ to the point of beginning. This area corresponds to No. 3 on the Zoning Restriction Map.

4. Property Improvements, Inc. The hazardous area is bounded by the area beginning at the point of intersection of West 62nd Avenue and Huron Street, thence north along Huron 2300', thence east 3300', thence south 3300', thence west 2600' along West 60th Avenue, thence north 1000', thence west 700', to the point of beginning. This area corresponds to No. 4 on the Zoning Restriction Map.
5. Property Improvements, Inc. The hazardous area is bounded beginning at a point 900' east from the centerline of Pecos Street at Clear Creek, thence south 2300', thence east 250', thence south 650', thence east 1500', thence north 3350' along Huron Street, thence west 500' to Clear Creek, thence west 1400' along Clear Creek to the point of beginning. This area corresponds to No. 5 on the Zoning Restriction Map.
6. Landfill, Inc. The hazardous area is bounded beginning at a point at Clear Creek 150' west from the centerline of I-25, thence west along Clear Creek 4100', thence south 150', thence east 3300', thence south 650', thence east 300', thence north 2500' to the point of beginning. This area corresponds to No. 6 on the Zoning Restriction Map.
7. Western Paving. The hazardous area is bounded beginning at a point 900' east from the centerline of Pecos Street at Clear Creek, thence west along Clear Creek, thence south 1100', thence east 1750', thence north 2300' to the point of beginning. This area corresponds to No. 7 on the Zoning Restriction Map.
8. Fiore & Sons. The hazardous area is bounded by the area beginning at a point at the intersection of West 62nd Avenue and Huron, thence 700' east, thence 950' south, thence 1000' east on 60th Avenue, thence 1050' south, thence 2700' west, thence 1000' north, thence 1000' east, thence 950' north to the point of beginning. This area corresponds to No. 8 on the Zoning Restriction Map.
9. Property Improvements, Inc. The hazardous area is bounded by the area beginning at the intersection of the Brantner Ditch and East 144th Avenue, thence north 2300' along the Brantner Ditch, thence west 3000', thence south 2350', thence 1700' east to the Brantner Ditch, thence north 500' to the point of beginning. This area corresponds to No. 13 on the Zoning Restriction Map.
10. Eaton Industrial Subdivision. The hazardous area is bounded by the area beginning at a point 950' north of the intersection of 56th Avenue and Washington Street, thence 1250' east, thence 850' southeast, thence 950' south, thence 1750' southwest, thence 900' west of Washington Street, thence 1200' northwest, thence 1200' north of 56th Avenue, thence 1400' northeast to the point of beginning, excluding those areas within the City and County of Denver. This area corresponds to No. 15 on the Zoning Restriction Map.

3-36-033-40-03 UNKNOWN FLAMMABLE GAS HAZARD AREAS (SOLID WASTE DISPOSAL SITES)

The Flammable Gas Overlay District restrictions shall also apply to any site discovered to have been a solid waste disposal site or to any site which is located within one thousand (1,000) feet of a former solid waste disposal site.

3-36-043-40-04 REFERRALS OF PROPOSED CONSTRUCTION ON SOLID WASTE DISPOSAL SITE

Any proposal to construct or change the use of any lot which is or has been a solid waste disposal site shall be referred to the Community and Economic Development Department, the applicable fire district, Tri-County Health Department, and the Colorado Department of Public Health and Environment* for review and comment.

3-36-053-40-05 REVIEW RESPONSIBILITIES

3-36-05-013-40-05-01 TRI-COUNTY HEALTH DEPARTMENT

Tri-County Health Department is primarily responsible for reviewing the plan for and the results of the flammable gas investigation for the site and reviewing the plans for flammable gas control systems and shall supply safety information related to construction on or within one thousand (1,000) feet of any solid waste disposal site.

3-36-05-023-40-05-02 APPLICABLE FIRE DISTRICT

The applicable fire district is primarily responsible for reviewing the building plans; reviewing the design, operation and maintenance plans for the flammable gas control system; and reviewing the emergency procedures for buildings constructed in the Flammable Gas Overlay District. All construction or excavation is subject to inspection by the applicable fire district.

3-36-05-033-40-05-03 COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT

The Community and Economic Development Department is primarily responsible for reviewing the proposed land use. The Community and Economic Development Department shall review and keep for record a final copy of the engineering design, the plan for the flammable gas investigation and the plan for the flammable gas control system.

3-36-05-043-40-05-04 COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT*

The Colorado Department of Public Health and Environment is primarily responsible for reviewing and approving the plans in accordance with their rules and regulations.

***Adopted by the BoCC on December 13, 2010**

~~3-36-05-053-40-05-05~~ **COMMENTS CONCERNING DEVELOPMENT PROPOSALS**

The Community and Economic Development Department, Tri-County Health Department the applicable fire district, and the Colorado Department of Public Health and Environment shall prepare and submit comments and recommendations to the Chief Building Official for review within 30 days following receipt of the request for review and comments.

No new residential zoning shall be considered or approved unless the property owner demonstrates, based on the criteria in Section 3-36-06-01, flammable gas is not present and the potential does not exist for the buildup of flammable gases to reach twenty (20) percent of the lower explosive limit in the soil surrounding the proposed building(s).

~~3-36-063-40-06~~ **BUILDING PERMITS AND CONSTRUCTION ON OR WITHIN ONE THOUSAND (1,000) FEET OF A FORMER SOLID WASTE DISPOSAL SITE**

The Chief Building Official shall issue a building permit for construction within a Flammable Gas Overlay District within the boundaries of or within one thousand (1,000) feet of a former solid waste disposal site only after receiving comments from the Community and Economic Development Department, Tri-County Health Department the applicable fire district, and the Colorado Department of Public Health and Environment after determining the property owner has met the specified safety criteria (Note: These standards are based on the 20% lower explosive limit (LEL) standard formulated by the National Institute of Occupational Safety and Health of the Bureau of Mines of the U.S. Department of the Interior):

~~3-36-06-013-40-06-01~~ **SAFETY CRITERIA FOR BUILDING PERMITS**

Property owners may meet safety criteria by doing either of the following:

1. Completing a flammable gas investigation demonstrating no flammable gas is present and there is no potential for flammable gas to reach 20% of the lower explosive limit in the soil surrounding the proposed building(s).
2. The owner shall receive prior approval of the flammable gas investigation plan from the Chief Building Official. The flammable gas investigation plan shall be done by, or under the direct supervision of, a registered professional engineer with experience in evaluation and control of subsurface gas. At a minimum, the plan shall include the following:
 - a. A description of representative soils at the site.

- b. Monitoring for flammable gas to the depth of the fill material or to bedrock, whichever is more applicable, and a rationale for the number and location of proposed monitoring probes. Tri-County Health Department shall be given the opportunity to oversee installation of the probes, and probes shall remain undisturbed, intact and accessible for a minimum of three weeks to provide Tri-County Health Department the opportunity to conduct sampling for flammable gas.
 - c. A detailed description of the sampling methodology and data collection techniques to be utilized.
 - d. If any flammable gas is detected, a rationale for why there is no potential for flammable gas to reach 20% of the lower explosive limit in the soil surrounding proposed building(s).
3. Submitting building plans to include all necessary flammable gas control systems to protect against buildup of over 1% of flammable gas in the buildings. The building plans shall also include an automatic gas detection system to alert building occupants in the event of buildup of 1% of flammable gas in the structure. An operation and maintenance plan for the flammable gas control system, including emergency procedures, shall also be submitted with the building plan. The building plans and operation and maintenance plan for the flammable gas control system shall be prepared by a registered professional engineer with experience in the design of subsurface gas control systems.
- a. The building plans for all buildings shall meet the following minimum standards, or propose an equivalent design which will prevent flammable gas migration into the building:
 - i. A geomembrane or equivalent system with low permeability to flammable gas shall be installed between the concrete floor slab of the building and the subgrade;
 - ii. A venting system to provide venting to the outside of the building. The system shall consist of a permeable layer of open graded material of clean aggregate with a minimum thickness of 12 inches;
 - iii. A geotextile filter shall be utilized to prevent the introduction of fines into the permeable layer;
 - iv. Perforated venting pipes shall be constructed with the ability to be connected to an induced draft exhaust system;
 - v. Automatic methane gas sensors shall be installed inside the building to trigger an audible alarm when methane gas concentrations are detected.
 - vi. Unenclosed buildings are exempt from requirements i. through v. above. Enclosed rooms located within the

unenclosed building shall comply with all of the above requirements.

- b. The operation and maintenance plan for the flammable gas control system shall address testing, maintenance and service procedures consistent with the manufacturer's current written specifications.
- c. All buildings which are required to have a flammable gas control system shall have established emergency procedures which shall be subject to the approval of the fire department. The emergency procedures shall include, but not be limited to, the following:
 - i. Assignment of a responsible person as safety director to work with the fire department in the establishment, implementation and maintenance of an emergency plan.
 - ii. Conspicuous posting of the fire department's telephone number in areas designated by the fire department.
 - iii. Conspicuous posting of emergency plan procedures approved by the fire department.

~~3-36-06-023-40-06-02~~ **SAFETY PRACTICES DURING CONSTRUCTION**

If it has not been demonstrated flammable gas is not present, the following health and safety practices shall be followed:

- A. A flammable gas indicator will be utilized at all times during trenching, excavation, drilling, or when working within ten (10) feet of an open excavation.
- B. Before personnel are permitted to enter an open trench or excavation, the trench or excavation will be monitored to ensure flammable gas is not present in concentrations exceeding one (1) percent and oxygen is present at a minimum concentration of nineteen and one-half (19.5) percent. When in an excavation or trench, each work party will work no more than five (5) feet from a continuous flammable gas and oxygen monitor.
- C. When trenching, excavating, or drilling deeper than two (2) feet into the fill, or in the presence of detectable concentrations of flammable gas, the soils will be wetted and the operating equipment will be provided with spark proof exhausts.
- D. A dry chemical fire extinguisher, ABC rated, will be provided on all equipment used in the landfill.
- E. Personnel within or near an open trench or drill hole will be fully clothed, and wear shoes with non-metallic soles, a hard hat and safety goggles or glasses.
- F. Exhaust blowers will be used where trenches show a concentration of 1% flammable gas or a concentration of less than 19.5% oxygen.

- G. Smoking will not be permitted in any area within one hundred (100) feet of the excavation.
- H. Personnel will be kept upwind of any open trench unless the trench is continuously monitored.
- I. All other applicable Safety and Health Regulations for Construction, as promulgated in 29 CFR by the Occupational Safety and Health Administration, shall be met. Applicable regulations include, but may not be limited to, the confined space standard (Part 1926.21(b)(6)(i) and (ii) in Subpart C); gases, vapors, fumes, dusts and mists (Part 1926.55 in Part 1926 Subpart E); fire protection and prevention (Part 1926 Subpart F); and trenching and excavation (Part 1926 Subpart P).
- J. Compliance with the Occupational Safety and Health Administration's confined space requirements for general industry, as promulgated in 29 CFR 1910.146 and Appendices A- F.

3-36-06-033-40-06-03 INSPECTION AND CERTIFICATION OF GAS CONTROL SYSTEM

The registered engineer who designed the flammable gas control system shall be responsible for supervising installation of the approved system. After completion of the work, the engineer shall certify in writing that all flammable gas control systems designed to mitigate hazardous concentrations of flammable gas have been installed in accordance with the approved plans and specifications. The written certification shall be submitted to the Chief Building Official.

3-36-06-043-40-06-04 POST CONSTRUCTION MAINTENANCE OF FLAMMABLE GAS CONTROL SYSTEMS

The property owner shall be responsible for maintenance of flammable gas control systems to include post-construction testing, calibration and service of automatic gas detection systems in buildings, consistent with the approved operation and maintenance plan. These activities shall be conducted on a schedule to be determined by the applicable fire district, but shall occur at least quarterly. System calibration and maintenance records shall be submitted to the fire district on a schedule determined by the district, but shall be submitted at least quarterly.

3-36-073-40-07 ADDITIONAL REMEDIAL MEASURES

In the event the concentration of flammable gas in any building located in the FGO reaches or exceeds 1%, the owner shall hire a qualified engineer to investigate, recommend and implement mitigation measures. Such measures shall be subject to approval of the Chief Building Official and the fire department.

~~3-36-07-01~~3-40-07-01 **APPEAL OF FLAMMABLE GAS HAZARD BOUNDARIES**

Boundaries of the Flammable Gas Overlay District may be appealed to the Board of Adjustment based on completion of a flammable gas investigation as specified in Section 3-33-06-01(1).

~~3-36-083-40-08~~ **RELATIONSHIP TO DESIGN REQUIREMENTS AND PERFORMANCE**

All design requirements and performance standards for specific uses contained in Chapter 4 of these standards and regulations shall apply in a Flammable Gas Overlay District unless inconsistent with a provision contained in Section 3-33 in which case the specific standard or requirement contained in Section 3-33 shall apply.

3-373-41 FLOOD CONTROL OVERLAY (FCO)

3-37-013-41-01 PURPOSE

The purpose of the Flood Control Overlay Zone District is to establish reasonable limitations and controls of land uses within the 100-year floodplain. The requirements of this section reduce flood hazards, protect the public health, safety, and general welfare, minimize flood losses, promote wise use of the floodplain, and protect the storage capacity and hydraulic character of the floodplain. The Flood Control Overlay Zone District is established with the following specific intentions:

1. Reduce flood-related hazards to life and property by restricting the use of land within flood prone areas.
2. Provide notice to floodplain occupants of the type and location of hazards by delineating areas subject to flooding and regulating the manner in which buildings and utilities are constructed.
3. Protect the public from financial burden by avoiding public expenditures on flood control and minimizing damage to property.
4. Protect the flood storage capacity of floodplains by regulating the filling and modification of the floodplain and watercourses.
5. Protect the natural hydraulic characteristics of watercourses by regulating the modification of watercourses and prohibiting encroachment into watercourses.

3-37-023-41-02 APPLICABILITY

The Flood Control Overlay Zone District applies to any land located within the 100-year (1% frequency) floodplain of a water course, to land located in an area of special flood hazard, and to land located in an area of shallow flooding.

3-37-033-41-03 BOUNDARIES

The Flood Control Overlay Zone District shall include all areas delineated on the maps and profiles for the 100-year floodplain limits for the watercourse within these studies as adopted by the Board of County Commissioners. The applicable reports are listed in Appendix B-16 and declared to be part of these standards and regulations.

3-37-03-013-41-03-01 LOCATION OF STUDIES

The flood hazard area delineation studies listed above are on file at the Adams County Department of Public Works.

~~3-37-03-023-41-03-02~~ **FLOOD HAZARD DISTRICTS**

The Flood Control Overlay Zone District has been divided into the floodway and flood storage area in some flood hazard area delineation studies. Where a floodway has been delineated by a flood hazard area delineation study, greater restrictions may be placed on development or uses proposed in the floodway.

~~3-37-03-033-41-03-03~~ **CONFLICT BETWEEN STUDIES**

Where conflicts between the Flood Insurance Study, Adams County, Colorado, and other studies approved by the Board of County Commissioners exist, the more restrictive data shall apply.

~~3-37-03-043-41-03-04~~ **INTERPRETATION OF BOUNDARIES**

If for any reason the location of any Flood Control Overlay Zone District boundary line is not readily determinable from the flood hazard area delineation studies, the location of the overlay district boundary line shall be determined by the Director of Community and Economic Development in accordance with the following provisions. Where more than one of the following provisions are applicable in any given situation, the first enumerated applicable provision shall prevail over all other provisions:

1. Where a Flood Control Overlay Zone District boundary line is located with reference to a fixture, monument, elevation, or natural feature, the location of such fixture, monument, elevation, or natural feature shall control.
2. In all other circumstances, the location of the Flood Control Overlay Zone District boundary line shall be determined by scaling from the district maps.

~~3-37-03-04-013-41-03-04-01~~ **OBTAINING A BOUNDARY INTERPRETATION**

~~3-37-03-04-01-01-013-41-03-04-01-01-01~~ **Boundary Interpretation Procedure**

Before a boundary interpretation may be provided by the Director of Community and Economic Development, a request for interpretation must be submitted to the Community and Economic Development Department. After the Director of Community and Economic Development receives the request of interpretation, the Director of Community and Economic Development shall determine whether the request is complete, specific, clear and ready for review. If the Director of Community and Economic Development determines the request is not complete, a written notice shall be sent to the applicant specifying the deficiencies. The Director of Community and Economic Development shall take no further action on the request until the deficiencies are remedied.

After the request has been determined to be sufficient, the Director of Community and Economic Development shall review and evaluate the request in light of the terms and provisions of these standards and regulations and the flood hazard delineation study maps, and render a written interpretation. The Director of Community and Economic Development may consult the County Attorney and other departments before rendering an interpretation. The written interpretation shall be sent to the applicant by U.S. Mail.

~~3-37-03-04-01-023-41-03-04-01-02~~ **Contesting a Boundary Interpretation**

After receiving a written boundary interpretation from the Director of Community and Economic Development, a person may contest the location of the boundary. The person contesting shall submit an application, required fees, and supporting documentation demonstrating the correct Flood Control Overlay Zone District boundary and water surface profile. The documentation shall be certified by a registered professional engineer or land surveyor. After receiving a complete application and all supporting materials, the Director of Community and Economic Development may refer the application for review and comment to outside government agencies. The Director of Community and Economic Development shall have sixty (60) days from the date of receipt of a complete application to make a determination.

The Director of Community and Economic Development shall only allow a deviation from the boundary as mapped where the evidence clearly and conclusively establishes the mapped location is incorrect. In all cases, flood profiles and elevations shall control. Upon final determination, a written interpretation shall be sent to the applicant by U.S. Mail.

~~3-37-03-04-01-033-41-03-04-01-03~~ **Effect of Boundary Interpretation**

Interpretations not in writing shall have no force or effect. Written interpretations set no precedent and shall be limited to the property identified in the interpretation.

~~3-37-03-053-41-03-05~~ **BASE FLOOD ELEVATION DETERMINATION**

The base flood elevation shall be determined from the flood hazard area delineation studies. When base flood elevation data is not available from the flood hazard area delineation studies, the Director of Community and Economic Development may obtain, review, and reasonably utilize any base flood elevation and floodway data available from any federal, state, or other source as criteria for determining if proposed new construction, substantial improvements, or other development complies with these standards and regulations.

~~3-37-03-063-41-03-06~~ **AMENDMENTS AND REVISIONS TO FLOOD HAZARD BOUNDARY MAPS**~~3-37-03-06-013-41-03-06-01~~ ***FLOOD CONTROL OVERLAY MAP AMENDMENTS****

The boundaries of the Flood Control Overlay Zone District may be amended by resolution of the Board of County Commissioners. A Flood Control Overlay Zone District map amendment shall be processed as an amendment to the text of these Standards and Regulations (Section 3-35-03 Boundaries) in accordance with the provisions of Section 2-02-12-03-03.*

***Adopted by the BOCC June 27, 2011.**

Applications for amendment of the Flood Control Overlay Zone District shall be submitted by December 31 each year and shall be processed and scheduled for hearing before the Planning Commission in February of each year. Applications for map amendment shall be submitted with a Letter of Map Amendment (LOMA) or Letter of Map Revision (LOMR) issued by the Federal Emergency Management Agency (FEMA). Conditional Letters of Map Amendment (CLOMA) and Conditional Letters of Map Revision (CLOMR) will not be accepted as supporting documentation for a map amendment. Any LOMA or LOMR resulting from an application not reviewed by the Director of Community and Economic Development prior to submittal to FEMA shall be required to submit a copy of all documentation used to support the LOMA or LOMR application prior to consideration of a map amendment.

~~3-37-03-06-023-41-03-06-02~~ ***LETTERS OF MAP AMENDMENT AND REVISION***

Individuals who own structures located in an area designated part of the Flood Control Overlay may request FEMA to remove the floodplain designation, and to waive the requirement to purchase flood insurance through a LOMA or LOMR. All requests for LOMAs or LOMRs shall be supported by sufficient technical or scientific data to demonstrate the structures are not subject to inundation by the base flood. A LOMA or LOMR may exempt a property owner from having to obtain flood insurance, but shall not change the Flood Control Overlay Zone District boundary unless a Flood Control Overlay map* amendment is sought and obtained from Adams County. All applications for LOMA and LOMR shall be submitted to the Director of Community and Economic Development for review. After completing a review, the Director of Community and Economic Development shall submit the application to FEMA along with any comments. Requests for LOMA or LOMR shall be filed by the Director of Community and Economic Development to be accepted by FEMA. LOMA and LOMR cannot be issued for proposed structures.

***Adopted by the BoCC on June 27, 2011.**

~~3-37-03-06-033-41-03-06-03~~ **CONDITIONAL LETTERS OF MAP AMENDMENT AND REVISION**

If construction is proposed on land within the Flood Control Overlay, a CLOMA or CLOMR can be issued by FEMA provided the proposed structure meets the criteria for issuing a LOMA or LOMR on an existing structure. A CLOMA and CLOMR represent only comments on a proposed plan, and do not amend the Flood Insurance Rate Map, waive the insurance requirement, or change the Zoning Map. Individuals seeking a CLOMA or CLOMR from FEMA shall first file their request with the Director of Community and Economic Development. The Director of Community and Economic Development shall decide whether to endorse the request and file it with FEMA. Requests for CLOMA or CLOMR shall be endorsed and filed by the Director of Community and Economic Development to be accepted by FEMA. No work shall be performed after a CLOMA or CLOMR is issued by FEMA unless a floodplain use permit is obtained from the Director of Community and Economic Development. After construction of improvements proposed in a CLOMA or CLOMR, the applicant shall seek a LOMA or LOMR for the improvements. *.

* Work shall not commence on any improvements within the boundaries of the Flood Control Overlay that change any of the following prior to obtaining a CLOMR from FEMA:

1. Base flood elevation;
2. Floodway width; or
3. Floodplain width.

~~3-37-03-06-043-41-03-06-04~~ **COUNTY-INITIATED MAP AMENDMENTS**

Whenever FEMA publishes new flood insurance rate maps or new flood hazard boundary maps, the Director of Community and Economic Development may initiate a zone map amendment.

~~3-37-043-41-04~~ **GENERAL ADMINISTRATION**

~~3-37-04-013-41-04-01~~ **RECORD KEEPING**

The Director of Community and Economic Development shall obtain and record the actual elevation (in relation to the National Geodetic Vertical Datum 1929 or North American Vertical Datum 1988) of the lowest floor (including basement) of all new or substantially improved structures, verify and maintain floodproofing certifications, and maintain for public inspection all records pertaining to these Flood Control Overlay Zone District standards and regulations. All records of variances, appeals, boundary interpretations, map amendments and floodplain use permits shall also be maintained by the Director of Community and Economic Development.

3-37-04-023-41-04-02 REPORTING**3-37-04-02-013-41-04-02-01 REPORTING WATERCOURSE ALTERATIONS**

Before approval of any watercourse alterations, major or minor development, the Director of Community and Economic Development, as appropriate, shall refer the case to the adjacent communities, the Urban Drainage and Flood Control District, the Colorado Water Conservation Board, and FEMA for their comments.

3-37-04-02-023-41-04-02-02 REPORTING VARIANCES

Variations to these standards and regulations shall be reported to FEMA annually by the Director of Community and Economic Development.

3-37-04-033-41-04-03 FLOODPLAIN ADMINISTRATOR

The Director of Community and Economic Development or his designee shall be responsible for administering the Flood Control Overlay Zone District.

3-37-053-41-05 DISCLAIMER OF LIABILITY

The degree of flood protection required by these standards and regulations is considered reasonable for the protection of life and property and is based on engineering and scientific methods of study. Larger floods may occur periodically or the flood height may be increased by man-made or natural causes. These standards and regulations do not imply areas outside the designated Flood Control Overlay Zone District or land use permitted within such district will be free from flooding or flood damages. These standards and regulations shall not create liability on the part of Adams County, any officer or employee thereof, or FEMA for any flood damages resulting from reliance on these standards and regulations or any administrative decision lawfully made thereafter.

3-37-063-41-06 RELATIONSHIP TO OTHER REGULATIONS

The Flood Control Overlay Zone District standards and regulations supplement all land use restrictions associated with the underlying zone, which remain in full force and effect. Restrictions associated with the Flood Control Overlay Zone District apply to the use, performance, and design of property located within the district. In the case of conflicting requirements, the most restrictive provision shall apply.

3-37-073-41-07 GENERAL PROVISIONS

3-37-07-013-41-07-01 PERMIT REQUIRED

A floodplain use permit is required for any structure, facility, fill, development, storage or processing of materials or equipment, or change in the channel of a watercourse in the Flood Control Overlay Zone District. These uses may only be permitted if the use meets the requirements of these standards and regulations including all applicable performance standards.

3-37-07-023-41-07-02 PERMIT EXEMPTIONS

The following open and accessory uses shall be allowed within a Flood Control Overlay Zone District to the extent the use is allowed in the underlying zone district, do not require any structures, facilities, fill, storage of materials or equipment, or change in a channel of a watercourse, and meet the requirements of other County regulations. These uses are allowed without a floodplain use permit provided the use meets all other requirements and standards.

1. Agricultural uses not requiring structures, facilities, fill, storage or processing of materials, or change in the channel of a watercourse, such as general farming, pasture, truck farming, forestry, sod farming, and wild crop harvesting.
2. Industrial-commercial uses not requiring structures, facilities, fill, storage or processing of materials, or change in the channel of a watercourse, such as loading areas, parking areas, airport landing strips, runways and taxiways, railroad rights-of-way (not including freight yards or switching, storage or industrial sidings).
3. Accessory residential uses, such as lawns, gardens, driveways, and play areas.
4. Public and private recreational uses not requiring structures, facilities, fill, storage or processing of materials, or change in the channel of a watercourse, such as parks, swimming pools, golf course, driving ranges, picnic grounds, wildlife and nature preserves, game farms, fish hatcheries, shooting preserves, target ranges, trap and skeet ranges, and hunting, fishing and hiking areas.
5. Utility facilities such as: flowage areas, transmission lines, (not including support towers), pipelines, water monitoring devices, and roadways (which do not require fill and not including bridges).
6. Barbed wire and split rail fence. Other types of fences such as wooden privacy and other solid screen types are allowed only if necessary for safety or security reasons provided the fence is specially designed to minimize impeding the flow of flood waters, accumulation of debris or being subject to being easily moved during flood periods. The Developer shall obtain a building permit for all fences. Fence designs which meet

the above criteria, such as certain “breakaway” fencing or fencing with slatted design allowing water to pass through will be allowed if properly certified by a registered professional engineer as meeting the identified performance standards. *All fences in the floodway shall require a floodplain use permit.**

~~3-37-07-033-41-07-03~~ **CERTIFICATE OF OCCUPANCY REQUIRED FOR FLOOD CONTROL OVERLAY ZONE DISTRICT ACTIVITIES**

A Certificate of Occupancy shall be applied for upon completion of any project construction or site preparation for which a floodplain use permit was granted, and the approved land use shall not commence until a Certificate of Occupancy is issued.

~~3-37-07-043-41-07-04~~ **CERTIFICATION OF ENGINEER REQUIRED**

The applicant shall submit a certification by a registered professional engineer indicating the finished fill and building floor elevations, floodproofing measures, or other flood protection factors were accomplished in compliance with the provisions of these standards and regulations. Only after the Director of Community and Economic Development has received such certification shall a Certificate of Occupancy be issued.

~~3-37-07-053-41-07-05~~ **GENERAL PERFORMANCE STANDARDS**

~~3-37-07-05-013-41-07-05-01~~ **USE OF FLOOD CONTROL OVERLAY ZONE DISTRICT AS OPEN SPACE**

Development outside the urban developed areas of unincorporated Adams County shall maximize the use of Flood Control Overlay Zone District areas for open space and recreational/wildlife preservations uses, in accordance with policies of the Adams County Comprehensive Plan for use of Flood Control Overlay Zone District areas as open space corridors with minimal and no channelization of waterways allowed.

~~3-37-07-05-023-41-07-05-02~~ **CHANNELIZATION IN URBANIZED AREAS***

In those existing urbanized areas with utilities, streets, and nonconforming structures, channelization to remove these areas from the Flood Control Overlay Zone District in accordance with a major drainageway plan adopted by the Board of County Commissioners shall be encouraged subject to the following provisions:

1. Channelization and flow diversion projects shall appropriately consider issues of sediment transport, erosion, deposition, and channel migration and properly mitigate potential problems through the project as well as

upstream and downstream of any improvement activity. A detailed analysis of sediment transport and overall channel stability should be considered, when appropriate, to assist in determining the most appropriate design.

2. Channelization projects that do not convey the entire base flood flow rate must evaluate the residual 100-year floodplain.
3. Any channelization or other stream alteration activity proposed by a project proponent must be evaluated for its impact on the regulatory floodplain and be in compliance with all applicable federal, state and local floodplain rules, regulations and ordinances.
4. Any stream alteration activity shall be designed and sealed by a Colorado Registered Professional Engineer or Certified Professional Hydrologist.
5. All activities within the regulatory floodplain shall meet all applicable federal, state and County floodplain requirements and regulations.
6. Stream alteration activities shall not be constructed unless the project proponent demonstrates through a floodway analysis and report, sealed by a Colorado Registered Professional Engineer, that there is not more than a 0.00-foot rise in the proposed conditions compared to existing conditions floodway resulting from the project. This requirement only applies on stream reaches with Base Flood Elevations established.
7. A CLOMR shall be obtained for all proposed channelization or other stream alteration activity that increases or decreases the established Base Flood Elevation in excess of 0.3 vertical feet in areas for which BFE have been established and without an established floodway.
8. A CLOMR shall be obtained for all proposed channelization or other stream alteration activity that increases the established BFE more than 0.00 vertical feet or decreases the established BFE in excess of 0.3 vertical feet
9. In areas without an established floodway, whenever channelization or other stream alteration activity is known or suspected to increase or decrease the established BFE in excess of 0.3 vertical feet, a LOMR showing such changes shall be obtained in order to accurately reflect the changes on FEMA's regulatory floodplain map for the stream reach.
10. In areas with an established floodway, whenever channelization or other stream alteration activity is known or suspected to increase the established BFE in excess of 0.00 vertical feet or decrease the established BFE in excess of 0.3 vertical feet, a LOMR showing such changes shall be obtained in order to accurately reflect the changes on FEMA's regulatory floodplain map for the stream reach.

***Adopted by the BoCC on June 27, 2011.**

3-37-07-06-41-07-06 PERFORMANCE STANDARDS IN FLOODWAY**3-37-07-06-013-41-07-06-01 MAINTENANCE OF ALTERED WATERCOURSES**

Watercourses may be realigned and reworked provided there is:

1. No decrease in the efficiency or the capacity of a channel or floodway of any river, stream, tributary, drainage ditch, or any other drainage facilities or systems.
2. No increase in the base flood elevation.

The Director of Community and Economic Development shall require maintenance to be provided within any altered or relocated portion of said watercourse so the resulting flood carrying capacity is not diminished over time.

A drainageway maintenance plan shall be submitted and approved as part of any floodplain use permit for the alteration of a watercourse. The maintenance plan shall meet the Adams County Engineering Design and Construction Standards and Specifications. The maintenance plan shall provide an enforcement mechanism for failure to maintain the watercourse to the standards identified within the maintenance plan. The enforcement mechanism shall include penalties and reimbursement mechanisms to cover the costs of enforcement or maintenance for failure to maintain the watercourse. The enforcement mechanism shall be approved by the County Attorney prior to approval of the floodplain use permit.

3-37-07-06-023-41-07-06-02 NO REDUCTION IN FLOODWAY EFFICIENCY OR CAPACITY

No new construction, substantial improvement, fill, (including fill for roads and levees), deposit, obstruction, storage of materials, or other floodplain uses which acting alone or in combination with existing or future floodway uses, shall be permitted which decreases the efficiency or the capacity of a channel or floodway of any river, stream, tributary, drainage ditch, or any other drainage facilities or systems.

3-37-07-06-033-41-07-06-03 NO INCREASE IN BASE FLOOD ELEVATION

Encroachments within the floodway are prohibited, including fill, new construction, substantial improvements, and other development, unless certification by a registered professional engineer is provided demonstrating the cumulative effect of the proposed development, when combined with all other existing and anticipated development, shall not result in any increase in the base flood elevation.

~~3-37-07-06-043-41-07-06-04~~ ***NO NEW STRUCTURES OR SUBSTANTIAL IMPROVEMENTS TO STRUCTURES***

No new structures or substantial improvements to an existing structure designed for human occupancy shall be allowed in the floodway.

~~3-37-07-06-053-41-07-06-05~~ ***NO MANUFACTURED HOMES***

No manufactured homes (including such structures to be used for non-residential purposes) or any substantial improvement to a mobile home shall be allowed in the floodway.

~~3-37-07-073-41-07-07~~ **PERFORMANCE STANDARDS IN FLOOD STORAGE AREA AND FLOODWAY (FLOOD CONTROL OVERLAY)**

~~3-37-07-07-013-41-07-07-01~~ ***FLOODPROOFING***

Any portion of a non-residential* structure located less than one (1) foot above the base flood elevation shall be floodproofed so that the structure is watertight with walls impermeable to the passage of water and structural components, capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.

Floodproofing methods must be adequate to withstand the flood depths, pressures, velocities, uplift, and impact forces associated with the base flood as demonstrated by certification by a registered professional engineer. Possible floodproofing methods include: anchorage to resist flotation and lateral movement; installation of watertight doors bulkheads and shutters; reinforcement of walls to resist water pressures; use of paints, membranes or mortars to reduce seepage of water through walls; addition of mass or weight to structures to resist flotation; installation of pumps to lower water levels in structures; construction of water supply and waste treatment systems to prevent the entrance of flood waters; pumping facilities for subsurface drainage systems for buildings to relieve external foundation wall and basement floor pressures; construction to resist rupture or collapse, caused by water pressure or floating debris; cutoff valves on sewer lines or the elimination of gravity flow basement drains.

The only method of floodproofing allowed for residential structures is the elevation of the lowest floor to one (1) foot or more above the base flood elevation.*

~~3-37-07-07-023-41-07-07-02~~ ***ANCHORING REQUIRED***

All new construction and substantial improvements within the Flood Control Overlay shall be anchored to prevent flotation, collapse or lateral movement

of the structure, and be capable of resisting the hydrostatic and hydrodynamic loads.

~~3-37-07-07-033-41-07-07-03~~ **CONSTRUCTION MATERIALS AND METHODS**

~~3-37-07-07-03-01-013-41-07-07-03-01-01~~ **Materials and Equipment Resistant to Flooding**

All new construction and substantial improvements within the Flood Control Overlay shall be constructed with materials and utility equipment resistant to flood damage.

~~3-37-07-07-03-01-023-41-07-07-03-01-02~~ **Mechanical Equipment and Service Facilities**

All new construction and substantial improvements shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities, which are designed and/or located to prevent water from entering or accumulating within the components during conditions of flooding.

~~3-37-07-07-03-023-41-07-07-03-02~~ **Minimize Flood Damage**

All new construction and substantial improvements shall be constructed using methods and practices to minimize flood damage.

~~3-37-07-07-03-02-013-41-07-07-03-02-01~~ **Below-Grade Crawlspace Construction**

New construction and substantial improvement of any below-grade crawlspace shall:

- a. Have the interior grade elevation below base flood elevation, no lower than two (2) feet below the lowest adjacent grade;
- b. Have the height of the below-grade crawlspace measured from the interior grade of the crawlspace to the top of the foundation wall, not to exceed four (4) feet at any point;
- c. Have an adequate drainage system to allow floodwaters to drain from the interior area of the crawlspace following a flood;
- d. Be anchored to prevent flotation, collapse, or lateral movement of the structure and be capable of resisting the hydrostatic and hydrodynamic loads;
- e. Be constructed with materials and utility equipment resistant to flood damage;
- f. Be constructed using methods and practices to minimize flood damage;
- g. Be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities, which are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding; and

- h. Be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria:
1. A minimum of two (2) openings having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding shall be provided;
 2. The bottom of all openings shall be no higher than one (1) foot above grade; and
 3. Openings must be equipped with screens, louvers, or other coverings or devices and shall permit the automatic entry and exit of floodwaters.

~~3-37-07-07-043-41-07-07-04~~ **UTILITIES**

~~3-37-07-07-04-013-41-07-07-04-01~~ **Water Supply**

All new and replacement water supply systems within the Flood Control Overlay Zone District shall be designed to minimize or eliminate infiltration of flood waters into the system.

~~3-37-07-07-04-023-41-07-07-04-02~~ **Sanitary Sewer**

All new and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into flood waters.

~~3-37-07-07-04-033-41-07-07-04-03~~ **Individual Sewage Disposal**

On-site wastewater treatment systems are prohibited within the Flood Control Overlay Zone District.

~~3-37-07-07-053-41-07-07-05~~ **ROADS, ACCESS, AND PARKING LOT CONSTRUCTION**

Private access drives and parking lots within a proposed development shall be built no lower than eighteen (18) inches above the base flood elevation. Public roads, bridges, and other access ways shall be built in accordance with the standards and regulations for storm drainage design.

~~3-37-07-07-063-41-07-07-06~~ **FILLS AND DEPOSITS**

~~3-37-07-07-06-013-41-07-07-06-01~~ **Beneficial Purpose**

Fills or deposits of materials shall have some beneficial purpose and the amount shall not be greater than is necessary to achieve the intended purpose. The plans submitted by the owner shall show the final dimensions of the proposed fill or other material and the specific use to which the filled land will be put.

~~3-37-07-07-06-023-41-07-07-06-02~~ ***No Encroachment into Flow Areas***

The fill or deposit of materials shall not encroach on any portion of a Flood Control Overlay Zone District which would have significant flow during the base flood, and which for that reason would help convey the flood waters (any filling which potentially reduces the hydraulic capacity requires appropriate hydraulic studies and a review of the urban impact of such reduction).

~~3-37-07-07-06-033-41-07-07-06-03~~ ***Not Restrict Flood Waters***

No fill shall restrict floodwaters from reaching the major watercourse in an area.

~~3-37-07-07-06-043-41-07-07-06-04~~ ***Fill Protected by Rip-Rap***

The fill or other materials shall be protected against erosion by riprap, strong vegetative cover or bulkheading.

~~3-37-07-07-073-41-07-07-07~~ ***STORAGE AND PROCESSING***

The storage or processing of materials which are buoyant, flammable, hazardous, explosive, or those materials defined as solid waste by the Colorado Health Department, or those materials in times of flooding could be injurious to human, animal, or plant life, shall be located at or above the base flood elevation.

~~3-37-07-07-083-41-07-07-08~~ ***RESIDENTIAL STRUCTURES (EXCEPT MANUFACTURED HOMES)***

The lowest floor, including basement, of any new residential construction or substantial improvement to any residential structure shall be elevated at least one (1) foot above the base flood elevation. A registered professional engineer shall certify to the Director of Community and Economic Development the lowest floor of the structure will be elevated to the base flood elevation prior to issuance of a floodplain use permit.

~~3-37-07-07-093-41-07-07-09~~ ***MANUFACTURED HOMES***

The following standards apply to all manufactured homes or those to be substantially improved on:

1. Sites located outside of a manufactured home park or subdivision.
2. Sites located in a new manufactured home park or subdivision.
3. Sites located in an expansion to an existing manufactured home park or subdivision.
4. Sites where a manufactured home has incurred substantial damage as the result of a flood.

~~3-37-07-07-09-013-41-07-07-09-01~~ **Elevation**

All manufactured homes shall be elevated on a permanent foundation with the lowest floor of the manufactured home elevated at least one (1) foot above the base flood elevation.

~~3-37-07-07-09-023-41-07-07-09-02~~ **Anchoring**

All manufactured homes shall be elevated and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces. Specific requirements may be:

1. Over-the-top ties are provided at each of the four (4) corners of the manufactured home, with two (2) additional ties per side at intermediate locations. Manufactured homes more than fifty (50) feet long shall require one (1) additional tie per side.
2. Frame ties shall be provided at each corner of the home with, at minimum, five (5) additional ties per side at intermediate points. Manufactured homes more than fifty (50) feet long require, at minimum, four (4) ties per side.
3. All components of the anchoring system shall be capable of carrying a force of five thousand (5,000) pounds.

Any additions to the manufactured home shall be similarly anchored.

~~3-37-07-07-103-41-07-07-10~~ **MANUFACTURED HOMES PLACED/REPLACED IN EXISTING
MANUFACTURED HOME PARKS OR MANUFACTURED HOME SUBDIVISIONS
DEVELOPED PRIOR TO MAY 1, 1990**

~~3-37-07-07-10-013-41-07-07-10-01~~ **Elevation**

All manufactured homes placed or replaced in a manufactured home park or subdivision developed prior to May 1, 1990 shall be elevated so that either the lowest floor of the manufactured home is at or above the base flood elevation or the manufactured home chassis shall be supported by reinforced piers or other foundation elements that are no less than thirty-six (36) inches in height above grade and are securely anchored to foundation to resist flotation, collapse, and lateral movement as certified by a registered professional engineer.

~~3-37-07-07-10-023-41-07-07-10-02~~ **Anchoring**

All manufactured homes shall be elevated and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state and

local anchoring requirements for resisting wind forces. Specific requirements may be:

1. Over-the-top ties are provided at each of the four (4) corners of the manufactured home, with two (2) additional ties per side at intermediate locations. Manufactured homes more than fifty (50) feet long shall require one (1) additional tie per side.
2. Frame ties shall be provided at each corner of the home with, at minimum, five (5) additional ties per side at intermediate points. Manufactured homes more than fifty (50) feet long require, at minimum, four (4) ties per side.
3. All components of the anchoring system shall be capable of carrying a force of five thousand (5,000) pounds.

Any additions to the manufactured home shall be similarly anchored.

~~3-37-07-07-113-41-07-07-11~~ **NON-RESIDENTIAL STRUCTURES**

~~3-37-07-07-11-013-41-07-07-11-01~~ **Critical Facilities***

The lowest floor, including basement for all new non-residential construction or substantial improvement of any non-residential structure shall be: (1) elevated at least two (2) feet above the base flood elevation; or (2) floodproofed so that all portions of the structure less than two (2) feet above the base flood elevation, including the attendant utility and sanitary facilities, are watertight. Walls shall be substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.

~~3-37-07-07-11-023-41-07-07-11-02~~ **Non-Critical Facilities***

The lowest floor, including basement for all new construction of non-critical facilities or substantial improvement to any non-critical facility shall be:

1. Elevated at least one (1) feet above the base flood elevation; or
2. Floodproofed to an elevation one (1) foot above the base flood elevation, including all attendant utility and sanitary facilities. Floodproofed exterior walls shall be substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.
3. Elevation to one (1) foot or more above the BFE is the only type of floodproofing allowed for residential structures.

A registered professional engineer shall certify to the Director of Community and Economic Development the design and methods of construction are in

accordance with accepted standards of practice for meeting these standards prior to the issuance of a floodplain use permit.

~~3-37-07-07-123-41-07-07-12~~ **EXTRACTION/EXCAVATION OF SAND AND GRAVEL**

~~3-37-07-07-12-013-41-07-07-12-01~~ **No Reduction in Flood Storage Capacity**

Gravel mining or grading/hauling/excavating operations shall meet the specific performance standards and guidelines described in the "Technical Review Guidelines for Gravel Mining Activities Within or Adjacent to 100 Year Floodplains" prepared by Wright Water Engineers, Inc., for Urban Drainage and Flood Control District dated December 1987, or shall meet comparable standards as recommended by the Executive Director of Urban Drainage and Flood Control District for unique situations not anticipated within the "Technical Review Guidelines" referenced above, but which accomplish the same purpose (to protect rivers and streams from erosion and degradation which may result from such operations).

~~3-37-07-07-12-023-41-07-07-12-02~~ **No Encroachment into Flow Areas**

The storage or deposit of extracted materials, or site grading shall not encroach on any portion of a Flood Control Overlay Zone District which may have significant flow during the base flood, and which may subsequently help convey the flood waters (any filling that potentially reduces the hydraulic capacity requires appropriate hydraulic studies and a review of the urban impact of such reduction).

~~3-37-07-07-12-033-41-07-07-12-03~~ **Not Restrict Flood Waters**

No storage or deposit of extracted materials, or site grading shall restrict floodwaters from reaching the major watercourse in an area.

~~3-37-07-07-133-41-07-07-13~~ **SUBDIVISIONS**

All subdivision proposals shall be consistent with the need to minimize flood damage. For instance, all subdivisions approved for development shall have adequate land area within each lot for the type of development allowed by the underlying zone district as constrained by the requirements of the Flood Control Overlay Zone District. All subdivisions shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage. All subdivisions shall have adequate drainage provided to reduce exposure to flood damage. Base flood elevation data and floodplain delineation plans shall be provided for all subdivision proposals.

~~3-37-07-07-143-41-07-07-14~~ **OTHER USES NOT IDENTIFIED**

The Director of Community and Economic Development may require any structure, use, or activity being conducted within the Flood Control Overlay

Zone District to comply with such conditions and restriction deemed necessary to protect the public health, safety and welfare provided they are consistent with these standards and regulations.

~~3-37-07-07-153-41-07-07-15~~ ***NONCONFORMING USES WITHIN THE FLOODWAY OR FLOOD STORAGE AREA (FLOOD OVERLAY DISTRICT)***

The lawful use of an existing structure or premises not in conformity with the provisions of this section may be continued subject to the following provisions.

~~3-37-07-07-15-013-41-07-07-15-01~~ ***No Expansion of Nonconforming Uses***

No such use shall be expanded or enlarged except in conformity with the provisions of these standards and regulations.

~~3-37-07-07-15-023-41-07-07-15-02~~ ***Change in Nonconforming Use Limited***

Any substantial improvement to any nonconforming structure or use in the Flood Control Overlay Zone District shall require the structure or use be converted to a conforming use.

~~3-37-07-07-15-033-41-07-07-15-03~~ ***Discontinued Use***

If a nonconforming use is discontinued for six (6) consecutive months, any future use of the structure and land shall conform to these regulations and standards.

~~3-37-07-07-15-043-41-07-07-15-04~~ ***Public Nuisances***

Uses, or their accessory uses, in the Flood Control Overlay Zone District, which are public nuisances, shall not be permitted to continue as nonconforming uses.

~~3-37-07-07-15-053-41-07-07-15-05~~ ***Floodproofing of Alterations, Additions or Repairs***

Any alteration, addition, or repair to any existing nonconforming structure in a Flood Control Overlay Zone District shall be protected, where applicable, by approved floodproofing measures. Substantial improvements shall be subject to additional restrictions as described in the standards for new construction and improvements in a Flood Control Overlay

3-383-42 **MINERAL CONSERVATION OVERLAY (MCO)**

3-38-013-42-01 **PURPOSE**

The purpose of this district is to establish reasonable and uniform limitations, safeguards, and controls for the conservation and wise utilization of natural resources and for rehabilitation of excavated land. Land within this classification is designated as containing commercial mineral deposits in sufficient size parcels and in areas where extraction and rehabilitation can be undertaken while still protecting the health, safety, and welfare of the inhabitants of the area and the County. In cases where the location of the district or use abuts other zoning or use of land, structures, excavation, and rehabilitation may be restricted to be compatible with and protect the adjoining area.

3-38-023-42-02 **MINERAL CONSERVATION AREA**

Pursuant to state law, those areas identified with resource classification "1" on maps contained in Special Publications 5A and 5B "Atlas of Sand, Gravel, and Quarry Aggregate Resources, Colorado Front Range Counties" (1975) prepared by the Colorado Geological Survey are designated to be within the Mineral Conservation Overlay District.

3-38-033-42-03 **AREAS EXEMPTED FROM THESE RESTRICTIONS**

3-38-03-013-42-03-01 **AREAS EXEMPTED BY THE DIRECTOR**

The Director of Community and Economic Development shall exempt lands meeting the following criteria from the restrictions of the Mineral Conservation Overlay District.

1. Any parcel of land intended for uses that were allowed in the underlying zone district prior to July 1, 1973.
2. Any parcels of land five (5) acres or less in size in existence as a separate parcel prior to July 1, 1973.
3. Any parcel of land in excess of five (5) acres where it can be demonstrated the mineral resource is not of commercial quality and quantity.

The Director of Community and Economic Development may require competent proof a lot meets these criteria, including a written opinion from the State Geological Survey, where deemed appropriate.

3-38-03-023-42-03-02 AREAS EXEMPTED BY THE BOARD OF ADJUSTMENT

The Board of Adjustment may exempt any lot from the restrictions of the Mineral Conservation Overlay District where a property owner can demonstrate the restriction would make it impossible to develop the land for any reasonable economic and compatible use in the area including gravel extraction.

3-38-043-42-04 RESTRICTION ON USES

For any land within the Mineral Conservation Overlay, no permanent structures or permanent uses may be allowed except:

1. Fences, not needed during excavation and rehabilitation, subject to the minimum requirements of the underlying zone district. For fencing requirements during excavation and rehabilitation see Section .
2. Structures within two hundred (200) feet of a public maintained and constructed road or an existing principal structure subject to the structures and use being in conformance with the requirements of the underlying zone district.
3. Non-permanent use of the land, provided such use is in conformance with the underlying zone district and would not prohibit the eventual extraction of commercial mineral deposits.

3-38-053-42-05 EXCAVATION AND REHABILITATION

The extraction of commercial mineral deposits with necessary accessory uses shall be allowed in all zone districts as a conditional use upon approval and in conformance with an approved excavation and rehabilitation plan.

3-38-063-42-06 OPERATION AND REHABILITATION STANDARDS FOR ALL MINING OPERATIONS

Mining and necessary accessory uses shall be subject to the restrictions contained in the approved excavation and reclamation plan. In addition, all mineral extraction operations shall comply with the following restrictions.

3-38-06-013-42-06-01 MINING PERMIT REQUIRED

All mining operations shall have a permit to excavate issued by the State of Colorado prior to beginning mineral extraction.

3-38-06-023-42-06-02 EXCAVATION SETBACK FROM ADJACENT PROPERTY

No excavation or deposit of overburden within twenty-five (25) feet of the boundary of adjacent property, easement, irrigation ditch or right-of-way is permitted unless written agreement of the owner(s) of such property, easement, irrigation ditch, or right-of-way is obtained by the mining operation.

~~3-38-06-033-42-06-03~~ **EXCAVATION SETBACK FROM NEARBY RESIDENCE**

No excavation within one-hundred-twenty-five (125) feet of any existing residence is permitted unless written agreement of the owners and occupants of such residence are obtained.

~~3-38-06-043-42-06-04~~ **ROCK CRUSHERS SETBACK FROM NEARBY RESIDENCE**

No excavation involving the use of rock crushers or other similar equipment shall take place within two-hundred-fifty (250) feet of a residence.

~~3-38-06-053-42-06-05~~ **HAULING ROADS**

Hauling roads within the premises shall be maintained in a reasonably dust free condition.

~~3-38-06-063-42-06-06~~ **HOURS OF OPERATION**

Mineral excavation, crushing, hauling, loading, sorting or similar operation shall only occur between the hours of 6:00 a.m. to 10:00 p.m. Shorter hours of operation may be imposed in urbanized areas, as part of conditional use approval.

~~3-38-06-073-42-06-07~~ **TWO FEET OF WATER BEARING STRATA**

All sand and gravel shall be excavated in such a manner as to have an average of two (2) feet of undisturbed sand and gravel to provide a water bearing strata, unless the reclamation plan provides for a permanent lake or a landfill.

~~3-38-06-083-42-06-08~~ **CUT SLOPES**

In no event shall a slope of less than 2:1 be left for dry pits, or a slope of 3:1 to a depth of ten (10) feet and 2:1 thereafter for a wet pit when operations are completed, except as provided herein.

~~3-38-06-093-42-06-09~~ **HAULING ROUTE**

The operator shall submit a route plan to the Director of Community and Economic Development and receive permission to use for haulage any public right-of-way not designated for such haulage by reason of load limit, dust, right-of-way or pavement width or other relevant factors. The Director of Community and Economic Development may place reasonable restrictions on such right-of-way use.

~~3-38-06-103-42-06-10~~ **EXCAVATION PIT FLOOR**

The floor of excavation pits whether wet or dry shall be left in a reasonably smooth condition.

~~3-38-06-113-42-06-11~~ FLOODING AND DRAINAGE

The operator shall not excavate, store overburden, or excavate materials or dike in such a manner as to increase any drainage or flooding on property not owned by the operator or damage to public facilities.

~~3-38-06-123-42-06-12~~ FENCING

Prior to starting excavation, the operator shall fence gravel pit operations with a "V" mesh or chain link fence to a height of seventy-two (72) inches topped with three strands of barbed wire canted to a forty-five (45) degree angle outward. Where the operation is adjacent to subdivided and/or developed commercial, residential, or industrial property (except I-3) a solid screen fence will be erected to prevent the visibility of the mining operation if deemed necessary by the Community and Economic Development Department. The operator may fence the entire area immediately, or fence only areas of excavation; however, no fence shall be removed until rehabilitation has been completed.

~~3-38-06-133-42-06-13~~ NOISE

All operations shall conform to noise, vibration, and other standards in the performance standards section of these standards and regulations.

~~3-38-06-143-42-06-14~~ RECLAMATION OF SPENT AREAS NEAR EXISTING DEVELOPMENT

Where the operation is adjacent to subdivided property and/or to developed commercial, residential or industrial (except I-3), once mining has been completed, said site is not to be used as an area to stockpile sand and gravel resources. The mining operator shall reclaim the area as soon as possible after mining has been completed to prevent soil erosion and nuisance conditions. In all cases, reclamation shall occur no later than five (5) years after mining has been completed.

~~3-38-06-153-42-06-15~~ AIR EMISSIONS

All air emissions shall conform to standards established by the Colorado Department of Public Health and Environment.

~~3-38-06-163-42-06-16~~ WATER QUALITY

All water uses and discharges shall conform to standards established by the State Water Quality Control Commission and the water laws of the State of Colorado.

~~3-38-06-173-42-06-17~~ SLOPE STABILIZATION

All slopes shall be stabilized and land remaining in the natural water level must be revegetated in a manner compatible with the surrounding area, and subject

to the approval of the Adams County Community and Economic Development Department.

~~3-38-06-183-42-06-18~~ **REVEGETATION**

The revegetation plan must meet the standards of the Colorado State University Extension Agency. After revegetation of an area, the area must be maintained for a period of three (3) years or until all vegetation is firmly established in the reclaimed area.

~~3-38-06-193-42-06-19~~ **RECLAMATION TIME FRAME**

A time limit for reclamation will be placed on each project. This time limit will be dependent upon the type of reclamation effort.

~~3-38-06-203-42-06-20~~ **ANNUAL RECLAMATION REPORT**

An annual report shall be submitted to the Community and Economic Development Department to ascertain whether the approved reclamation plan is progressing satisfactorily. This report shall be the same report as is submitted to the Land Reclamation Board.

~~3-38-073-42-07~~ **APPEAL OF MINERAL CONSERVATION DISTRICT BOUNDARIES**

The boundaries of the Mineral Conservation Overlay District may be appealed to the Board of Adjustment based on technical information

~~3-38-083-42-08~~ **RELATIONSHIP TO DESIGN REQUIREMENTS AND PERFORMANCE STANDARDS**

All design requirements and performance standards for specific uses contained in Chapter 4 of these standards and regulations shall apply in a Mineral Conservation Overlay District unless inconsistent with a provision contained in Section 3-38, in which case the specific standard or requirement contained in Section 3-38 shall apply.

3-39-43 **NATURAL RESOURCES CONSERVATION OVERLAY (NRCO) DISTRICT**

3-39-013-43-01 **PURPOSE**

The purpose of the Natural Resources Conservation Overlay is to (1) provide for the protection of natural, wildlife, agricultural, and cultural resources, which are an essential component of the community's economic base and establish the character of the community; and (2) preserve and enhance the quality of life for County residents.

3-39-023-43-02 **NRCO DISTRICT CREATED**

There is hereby established a Natural Resources Overlay District, which, in areas where it applies, shall overlay all other base zone districts established by these standards and regulations. Included within the NRCO District are: (1) important wildlife areas; (2) designated floodplains and associated riparian areas; and (3) important reservoir sites to provide wetlands and other habitat areas.

3-39-033-43-03 **NRCO DISTRICT MAP**

3-39-03-013-43-03-01 **GENERAL**

The general location of (1) important wildlife areas; (2) designated floodplains and associated riparian areas; and (3) important reservoir sites to provide wetlands and other habitat areas are identified on the Natural Resources Conservation Overlay (NRCO) District Map, which is incorporated herein by reference.

3-39-03-023-43-03-02 **GENERAL NRCO DISTRICT MAP/SITE SPECIFIC REVIEW IS REQUIRED**

The NRCO District Map is a general map, which identifies, on a general scale, the locations of those areas protected by the NRCO District. Its purpose is to place the landowner on notice the land may be within the NRCO District and to assist in the general administration of this Section. A site-specific Resources Review to determine whether land is included within the NRCO District is required, prior to review of the first development application for the land.

3-39-043-43-04 **DEVELOPMENT EXEMPTIONS IN THE NRCO**

In addition to all other standards required by these standards and regulations, all development within the NRCO shall comply with the standards of Section 3-39, unless exempted. Exemptions are as follows:

~~3-39-04-013-43-04-01~~ **REMODELING OR EXPANSION OF EXISTING STRUCTURES**

Remodeling or expansion of structures existing prior to the adoption date of these standards and regulations shall be exempt from the provisions of this subsection.

~~3-39-04-023-43-04-02~~ **AGRICULTURAL OPERATIONS**

Agricultural operations and uses shall be exempt.

~~3-39-053-43-05~~ **STANDARDS**

All development within the NRCO District shall comply with the following standards:

~~3-39-05-013-43-05-01~~ **SITE CAPACITY**

The maximum density of any use in any zone district is controlled by the maximum density set forth in the zone district. For lands located within the NRCO District, the density calculations are based on the net available land as determined by applying the Natural Resource Protection Factor to the protected resource area and subtracting the resulting land area from the total area of the property.

~~3-39-05-023-43-05-02~~ **METHODOLOGY FOR CALCULATING NATURAL RESOURCE CONSERVATION AREA**

All land area consisting of natural resources or natural features (i.e., floodplains, hydric soils, wetlands, riparian areas, lakes, and reservoirs) lying within a site proposed for development shall be measured. The total acreage of each resource type shall be multiplied by its respective natural resource protection factor to determine the amount of resource protection land or area required to be kept in open space in order to protect the resource or feature. In conducting this calculation, if two (2) or more resources are present on the same area of land, only the most restrictive natural resource protection factor shall be used. For example, if floodplain and riparian area occupy the same space on a site, the resource protection standard would be 1.5, which represents the higher of the two standards.

~~3-39-05-02-013-43-05-02-01~~ **NATURAL RESOURCE PROTECTION FACTORS**

The following natural resource protection factors shall be used to calculate natural resource conservation areas as noted above:

1. 100-Year Floodplains: 1.0
2. Riparian Areas: 1.5
3. Wetlands: 2.0
4. Lakes/Reservoirs: 1.5
5. Hydric Soils: .7

ⁱ Adopted by the BOCC on December 16, 2014

ⁱⁱ Adopted by the BOCC on December 16, 2014

CHAPTER 4—DESIGN REQUIREMENTS AND PERFORMANCE STANDARDS

Table of Contents

4-01	DESIGN REQUIREMENTS AND PERFORMANCE STANDARDS.....	7
4-02	GENERAL PERFORMANCE STANDARDS.....	8
4-02-01	Change In Use.....	8
4-02-02	Junk and Trash.....	8
4-02-03	Graffiti.....	9
4-02-04	Construction Trailers.....	9
4-02-05	Sales / Office Trailers.....	10
4-03	ACCESSORY USES PERFORMANCE STANDARDS.....	12
4-03-01	General Provisions.....	12
4-03-02	Accessory Uses, Agricultural.....	12
4-03-03	Accessory Uses, Residential.....	17
4-03-04	Accessory Uses, Commercial.....	32
4-03-05	Accessory Uses, Industrial.....	36
4-04	SPECIAL USES PERFORMANCE STANDARDS.....	40
4-04-01	General Provisions.....	40
4-04-02	Performance Standards for Specific Special Uses.....	41
4-05	TEMPORARY USES PERFORMANCE STANDARDS.....	46
4-05-01	General Provisions.....	46
4-05-02	Performance Standards for Specific Temporary Uses.....	47
4-06	AGRICULTURAL USES PERFORMANCE STANDARDS.....	59
4-06-01	General Performance Standards.....	59
4-06-02	Performance Standards by Use Category.....	62

4-07	RESIDENTIAL USES PERFORMANCE STANDARDS.....	69
4-07-01	General Performance Standards	69
4-07-02	Performance Standards by Use Category.....	73
4-08	INSTITUTIONAL USES PERFORMANCE STANDARDS	91
4-08-01	General Performance Standards	91
4-08-02	Performance Standards by Use Category.....	95
4-09	COMMERCIAL USES PERFORMANCE STANDARDS.....	105
4-09-01	General Performance Standards	105
4-09-02	Performance Standards by Use Category.....	110
4-10	MIXED-USE PERFORMANCE STANDARDS	136
4-10-01	General Performance Standards	136
4-10-02	Performance Standards by Use Category.....	140
4-11	INDUSTRIAL USES PERFORMANCE STANDARDS.....	144
4-11-01	General Performance Standards	144
4-11-02	Performance Standards by Use Category.....	147
4-12	OTHER DESIGN STANDARDS AND CONSIDERATIONS.....	206
4-12-01	Open Space Residential Developments	206
4-12-02	Natural, Agricultural, and Cultural Resources Protection	208
4-13	PARKING, LOADING, AND CURB CUT REQUIREMENTS.....	220
4-13-01	Applicability.....	220
4-13-02	General Standards.....	220
4-13-03	Single- and Two-Family Dwellings	222
4-13-04	Multi-Family Residential and Non-Residential	223
4-14	OPERATIONAL STANDARDS	235
4-14-01	Lighting	235
4-14-02	Vibration	235
4-14-03	Noise	235

4-14-04	Dust and Debris Control.....	236
4-14-05	Electromagnetic and Electrical Interference.....	237
4-14-06	Humidity, Heat, Glare, Smoke, or Radiation.....	237
4-14-07	Odor.....	237
4-14-08	Moving Buildings or Structures.....	237
4-14-09	Moving and Culvert Installation Permit for Oil and Gas Wells.....	237
4-15	SIGNS AND OUTDOOR COMMERCIAL ADVERTISING DEVICES.....	239
4-15-01	Purpose.....	239
4-15-02	Applicability.....	239
4-15-03	Exempted Signs.....	239
4-15-04	Prohibited Sign Types.....	241
4-15-05	General Sign Requirements.....	242
4-15-06	Types and Areas of Permanent Signs.....	246
4-16	OFF-PREMISE ADVERTISING DEVICES (BILLBOARD).....	254
4-16-01	Purpose.....	254
4-16-02	Applicability.....	254
4-16-03	Maximum Number of Signs.....	254
4-16-04	Maximum Size.....	254
4-16-05	Maximum Height and Minimum Clearance.....	254
4-16-06	Electronic Sign Standards*.....	255
4-16-07	Other Limitations.....	256
4-16-08	Other Uses.....	256
4-16-09	Review Process.....	256
4-16-10	Advertising Billboard (Horizontal Billboard).....	257
4-16-11	Location.....	257
4-16-12	Maximum Size of an Advertizing Banner and Minimum Size of Property.....	258
4-16-13	Maximum Height of an Advertizing Banner.....	258
4-16-14	Other Limitations.....	258
4-16-15	Other Uses.....	259
4-17	LANDSCAPING.....	260
4-17-01	Purpose.....	260

4-17-02	Applicability.....	260
4-17-03	Existing Vegetation.....	261
4-17-04	Landscape Materials & Location.....	261
4-17-05	Xeriscaping	262
4-17-06	Bufferyards	263
4-17-07	Required Lot Landscaping	264
4-17-08	General Performance Standards for All Uses.....	267
4-17-09	Landscaping Performance Standards for Specific Uses	269
4-17-10	Landscaping Plan Required	273
4-17-11	Landscaping Installation and Certificate of Occupancy	274
4-17-12	Landscaping Phasing	274
4-17-13	Development Abutting Adams County Trail System	275
4-17-14	Required Lot Landscaping	275
4-17-15	Administrative Relief.....	275
4-17-16	Recommended Plant Materials	277
4-18	WEEDS AND DANGEROUS TREES.....	279
4-18-01	Weeds and Offending Vegetation	279
4-18-02	Dangerous Trees.....	279
4-19	MARIJUANA BUSINESSES	281
4-19-01	Purpose.....	281
4-19-02	Licensing	281
4-19-03	Performance Standards	281
4-20	SEXUALLY ORIENTED BUSINESSES	287
4-20-01	Sexually Oriented Businesses By Zone District	287
4-20-02	Misdemeanor Offenses.....	287
4-20-03	Measurements and Distances	287
4-20-04	Nonconforming Use	287
4-20-05	EXCLUSIONS.....	288
4-21	SITE DESIGN CONSIDERATIONS	289
4-21-01	Lot Design Standards.....	289
4-21-02	Access.....	290

4-21-03	Drainage.....	290
4-21-04	Utilities.....	290
4-21-05	Site Grading	291
4-21-06	Pedestrian and Bicycle Amenities	292
4-22	OFF-ROAD UTILITY, DUMPSTER, RECYCLING, AND TRASH HANDLING FACILITIES	294
4-23	ANIMAL KEEPING	295
4-23-01	Household Pets and Other Animals.....	295
4-23-02	Guard Dogs	295
4-23-03	Pigeon Keeping.....	296
4-23-04	Private Kennels and Catteries.....	296
4-23-05	Commercial Kennel and Catteries	297
4-23-06	Non-Commercial Animal Feeding Operation (AFO) And Concentrated Animal Feeding Operation (CAFO), Livestock.....	298
4-23-07	Non-Commercial Animal Feeding Operation (AFO) And Concentrated Animal Feeding Operation (CAFO), Chickens	299
4-23-08	Keeping of Bees	302
4-23-09	Tabulation of Animal Unit Densities	305
4-24	MANAGEMENT PLANS	312
4-24-01	Purpose.....	312
4-24-02	Applicability.....	312
4-24-03	Process.....	312
4-24-04	Review Criteria	313
4-24-05	Final Approval.....	313
4-24-06	Amendments	313
4-25	NONCONFORMING CONDITIONS	315
4-25-01	Continuation of Use	315
4-25-02	Repair, Maintenance and Reconstruction of Nonconforming Structures or Uses	315
4-25-03	Extension or Enlargement of Nonconforming Conditions.....	316
4-25-04	Change in Use	321

4-25-05	Abandonment of Use and Discontinuance of Nonconforming Situation	322
4-25-06	Nonconforming Lot	323
4-25-07	Non-Conforming Uses, Structures, and Natural Objects Located Within the Aviation Influence Area	323

Chapter 4—DESIGN REQUIREMENTS AND PERFORMANCE STANDARDS**4-01 DESIGN REQUIREMENTS AND PERFORMANCE STANDARDS**

These regulations are applicable to all zone districts, including new and established districts, except as otherwise noted. In addition to compliance with other regulations imposed by these standards and regulations, all uses, structures, buildings, and accessory uses shall comply with the design requirements and performance standards required by this Chapter. Where a design requirement or performance standard for a specific use conflicts with a general design requirement or performance standard, the design requirement or performance standard for the specific use shall control. Where any design requirement or performance standard conflicts with another design requirement or performance standard, the more restrictive design requirement or performance standard shall control. Wherever residential use of adjacent property is related to restrictions or certain non-residential uses, determination of residential use shall be based on the classification of land by the County Assessor. All Variance requests are subject to Section 2-02-19 of the Adams County Standards and Regulations, excluding Sexually Oriented Businesses, Marijuana Businesses and Halfway Houses.ⁱ These regulations shall be subject to limitations regarding the number of marijuana businesses and/or the type of businesses as set forth by the BOCC in resolution.

4-02 GENERAL PERFORMANCE STANDARDS

4-02-01 CHANGE IN USE

A change in use of property occurs whenever the essential character or nature of the activity conducted on a lot changes. All changes in use require zoning review and building permit approval. A change in use is required when:

1. Active and continuous operations are not carried on in a building or property during a continuous period of six (6) months.
2. The change is from one principally permitted use category to another.
3. If the property consists of multiple buildings/tenants:
 - a. The required amount of parking stalls is increased by twenty-five (25) percent or more.
 - b. The gross floor area is increased by fifty (50) percent or more.
4. As determined within the Nonconforming Conditions Section of Chapter 4.

4-02-02 JUNK AND TRASH

4-02-02-01 NO DUMPING

No junk, materials, waste, or trash shall be disposed of on any property or public right-of-way except in an authorized landfill or other approved waste or waste recovery facility.

4-02-02-02 NO OUTDOOR STORAGE

No junk or waste shall be stored outdoors except as otherwise authorized by these standards and regulations.

4-02-02-03 TRASH IN THE FRONT YARD AND TRASH CONTAINERS

No trash container, firewood, or other related waste or materials shall be located within the front yard of any dwelling for more than a 24-hour period. All trash containers shall be covered. The requirements of this section do not apply in the A-3 Zone District.

4-02-02-04 TRASH CONTAINERS FOR CONSTRUCTION PURPOSES

Containers for construction waste may be permitted in the front and side yards of a residential dwelling for no more than a 14-day period. All trash containers shall be covered. Containers shall not be located within the public right-of-way.

4-02-02-05 STORAGE AND PARKING OF VEHICLES IN RESIDENTIAL DISTRICTS

The storage and parking of motor vehicles shall meet the requirements of Section 4-03-03-02-14.

4-02-02-06 SALE OF PRODUCTS FROM STANDS

The sale of any products from a temporary stand, motor vehicle, or trailer is prohibited, except by Special Use Permit or as otherwise permitted by these standards and regulations.

4-02-02-07 OBSTRUCTION OF VIEWS ALONG A PUBLIC RIGHT-OF-WAY

The erection of any fence, tree, shrub, hedge, or any object, which obstructs the view of traffic, authorized traffic control devices, or otherwise constitutes a hazard to drivers or pedestrians is prohibited. Should said obstruction occur, the Director of Public Works shall send a letter requiring the owner of the property abutting the right-of-way to trim or remove within ten (10) days, at the owner's expense, any object which constitutes a traffic hazard.

4-02-02-08 STORAGE CONTAINERS

Portable, movable, or temporary metal, wood, and plastic storage containers greater than one hundred twenty (120) square feet for the purpose of outside storage, are not allowed. Any storage container less than one hundred twenty (120) square feet in size is allowed but shall not exceed ten (10) days on any one property.

4-02-03 GRAFFITI

Graffiti as defined in Chapter 11 shall not be permitted. It shall be the responsibility of the property owner to remove or conceal the graffiti. If the property owner chooses to conceal the graffiti, the same color of the original surface shall be used.

4-02-04 CONSTRUCTION TRAILERS

4-02-04-01 BUILDING AND ELECTRICAL PERMIT REQUIRED

Construction trailers intended to be in operation shall obtain Building and Electrical Permits from the Community and Economic Development Department.

4-02-04-02 MINIMUM LOT AREA

No construction trailer shall be located on a parcel of land less than one thousand (1,000) square feet in size.

4-02-04-03 LOCATION

The construction trailer shall be located within or adjacent to the development project the trailer is associated with and is only permitted for the duration of the project.

4-02-04-04 PERIOD OF OPERATION

A construction trailer shall expire one year from the date of approval, unless renewed. Renewals of construction trailers may only be issued for a maximum of one year at a time.

4-02-04-05 NO ACCOMMODATIONS IN TRAILER

The construction trailer shall contain no sleeping or cooking accommodations.

4-02-04-06 OTHER SETBACKS

The setbacks for the zone district shall apply.

4-02-04-07 WATER AND SANITATION

All construction trailers shall have adequate water and sanitation approved by Tri-county Health Department, which may include bottled water and/or portable toilet facilities.

4-02-04-08 SIGNAGE

All signs associated with Construction and/or Sales Office Trailers shall be consistent with Section 4-05-01-06.

4-02-05 SALES / OFFICE TRAILERS

4-02-05-01 BUILDING AND ELECTRICAL PERMIT REQUIRED

Sales/office trailers intended to be in operation shall obtain Building and Electrical Permits from the Community and Economic Development Department.

4-02-05-02 MINIMUM LOT AREA

No office trailer shall be located on a parcel of land less than one thousand (1,000) square feet in size.

4-02-05-03 LOCATION

The office trailer shall be located within or adjacent to the development project the office or shed is associated with and is only permitted for the duration of the project.

4-02-05-04 PERIOD OF OPERATION

An office/sales trailer shall expire one year from the date of approval unless renewed. Renewals of construction trailers may only be issued for a maximum of one year at a time.

4-02-05-05 NO ACCOMMODATIONS IN OFFICE

The office trailer shall contain no sleeping or cooking accommodations.

4-02-05-06 SETBACKS

The setbacks of the zone district shall apply.

4-02-05-07 WATER AND SANITATION

All offices shall have adequate water and sanitation approved by Tri-County Health Department, which may include bottled water and/or portable toilet facilities.

4-02-05-08 SIGNAGE

All signs associated with office/sales trailers shall be consistent with Section 4-05-01-06.

4-02-05-09 COMPLIANCE WITH AMERICANS WITH DISABILITIES ACT

All office trailers shall comply with the regulations and requirements of the American with Disabilities Act.

4-03 ACCESSORY USES PERFORMANCE STANDARDS

4-03-01 GENERAL PROVISIONS

4-03-01-01 INCIDENTAL TO MAIN USE

An accessory use shall be customarily incidental to a main use.

4-03-01-02 LOCATED ON SAME LOT AS MAIN USE

An accessory use shall be located on the same lot or zoning lot as the main use, except as otherwise provided in this section.

4-03-01-03 ACCESSORY STRUCTURES

Accessory structures shall meet the following requirements:

1. *Setbacks:* An accessory structure shall meet required setbacks for the zone district in which it is located.
2. *Percentage of Yards:* No accessory structure shall occupy more than fifty percent (50%) of the area of the rear yard.
3. *Height:* An accessory structure shall meet required height limitations for the zone district in which it is located.
4. *Compliance with Building Code:* Any accessory structure on residentially used property exceeding two hundred (200) square feet shall obtain a building permit. Any accessory structure on commercially or industrially used property exceeding one hundred and twenty (120) square feet shall obtain a building permit. All accessory structures shall comply with adopted Building Code, as amended.
5. *Construction of Accessory Structure:* No permit for construction of an accessory structure shall be issued prior to construction of a principal building except in the A-3 Zone District.

4-03-02 ACCESSORY USES, AGRICULTURAL

4-03-02-01 GENERAL ACCESSORY USES PERMITTED

The following general accessory uses are permitted in Agricultural Districts:

1. ~~1.~~ Animal Keeping (see Section 4-222 Animal Keeping for detailed performance standards)
2. ~~2.~~ Animal Slaughter, for Individual Consumption
3. ~~3.~~ Barns (see Section 4-03-02-02-01 Accessory Uses, Agricultural for detailed performance standards)
4. ~~4.~~ Class Instruction (see Section 4-03-03 Accessory Uses, Residential for detailed performance standards)

5. ~~5.~~—Communication Tower, Non-Commercial (see Section 4-03-02-02-02 Accessory Uses, Agricultural for detailed performance standards)
6. ~~6.~~—Day Care Homes (see Section 4-03-03-02-03 Accessory Uses, Residential for detailed performance standards)
7. ~~7.~~—Family Foster Homes
8. ~~8.~~—Farm Employee Dwelling (see Section 4-03-02-02-03 Accessory Uses, Agricultural for detailed performance standards)
9. ~~9.~~—Garages (see Section 4-03-03-02-04 Accessory Uses, Residential for detailed performance standards)
10. ~~10.~~—Garage or Yard Sale (see Section 4-03-03-02-05 Accessory Uses, Residential for detailed performance standards)
11. ~~11.~~—Greenhouses, Private (see Section 4-03-03-02-06 Accessory Uses, Residential for detailed performance standards)
12. ~~12.~~—Home Occupations (see Section 4-03-03-02-07 Accessory Uses, Residential for detailed performance standards)
13. ~~13.~~—Household Pets (see Section 4-03-03-02-08 Accessory Uses, Residential for detailed performance standards)
14. ~~14.~~—Kennel, Private (see Section 4-03-03-02-09 Accessory Uses, Residential for detailed performance standards)
- ~~15.~~ ~~15.~~—Parking (see 4-13 Parking and Loading for detailed performance standards)
- ~~15.~~ ~~16.~~ [Safe Parking Site \(see Section 4-03-04-02-03 Accessory Uses, Commercial for detailed performance standards\)](#)
- ~~16.~~ ~~17.~~ ~~16.~~—Signs (see Section 4-01 Signs and Outdoor Commercial Advertising Devices for detailed performance standards)
- ~~17.~~ ~~18.~~ ~~17.~~—Solar Energy Systems (see Section 4-03-03-02-11 Accessory Uses, Residential for detailed performance standards)
- ~~18.~~ ~~19.~~ ~~18.~~—Stables (see Section 4-03-02-02-04 Accessory Uses, Agricultural for detailed performance standards)
- ~~19.~~ ~~20.~~ ~~19.~~—Storage, Private (see Section 4-03-03-02-13 Accessory Uses, Residential for detailed performance standards)
- ~~20.~~ ~~21.~~ ~~20.~~—Swimming Pools, Private (see Section 4-03-03-02-15 Accessory Uses, Residential for detailed performance standards)
- ~~21.~~ ~~22.~~ ~~21.~~—Temporary Use. All temporary uses shall meet the temporary use performance standards contained in Section 4-05 and shall be required to obtain a Special Use Permit unless the temporary use is a permitted principal use within the zone district in which it will be located.
- ~~22.~~ ~~23.~~ ~~22.~~—Vending and Produce Stands (see Section 4-03-02-02-05 Accessory Uses, Agricultural for detailed performance standards)
- ~~23.~~ ~~24.~~ ~~23.~~—Wind Powered Generators (see Section 4-03-02-02-06 Accessory Uses, Agricultural for detailed performance standards)
- ~~24.~~ ~~25.~~ ~~24.~~—Accessory Dwelling Unit (see Section 4-03-03-02-01 Accessory Uses, Residential for performance standards)

~~25-26.~~ ~~25.~~ Other accessory uses approved by the Director of Community and Economic Development. The Director of Community and Economic Development may require the accessory use meet performance standards for similar uses permitted by these standards and regulations.

4-03-02-02 PERFORMANCE STANDARDS FOR THE GENERAL ACCESSORY USES

4-03-02-02-01 **BARNs**

1. *Setback from Residence on Property:* All barns shall be set back twenty-five (25) feet from any residence on the property.
2. *Setback from Adjacent Property:* All barns shall be set back one hundred (100) feet from any dwelling or pool on an adjacent property.
3. *Height Restrictions:* All barns shall meet the height restrictions for the zone district in which the barn will be located.

4-03-02-02-02 **COMMUNICATION TOWER, NON-COMMERCIAL**

1. *Maximum Height:* Non-commercial communication towers shall be a maximum of ninety (90) feet in height.
2. *Maximum Number of Antennae:* A maximum of two (2) antennae may be mounted on a non-commercial communication tower.
3. *Setback Encroachment Prohibited:* No portion of the non-commercial tower or its antennae may encroach into the required front, side, or rear setback. All towers shall be setback from all lot lines or zoning lot lines a minimum of the height of the tower.
4. *Marking of Cables and Wires:* Cables, ropes, or wires used to secure the tower shall be appropriately and conspicuously marked to prevent injury. No cables or wires shall cross any public rights-of-way or properties not owned by the same property owner as the property on which the tower is located.

4-03-02-02-03 **FARM EMPLOYEE DWELLING**

1. Mobile Home as Farm Employee Dwellings (Temporary or Seasonal)
 - a. *Permit Required:* A Special Use Permit shall be required for the use of a mobile home as a farm employee dwelling.
 - b. *Minimum Unit Size:* The mobile home shall be a minimum of six hundred (600) square feet in size.
 - c. *Condition:* All mobile homes shall be provided with potable water meeting the pressure requirements of the 1997 Uniform Building Code, as amended, and meeting the minimum drinking water quality standards established by the Colorado Department of Public Health and Environment. All homes shall be provided with sanitary sewer or an on-site wastewater treatment system meeting the requirements of the Tri-County Health Department. Mobile homes shall be in sound condition

- and shall be placed on a concrete pad, blocked, and properly anchored and skirted.
- d. *Setbacks*: All mobile homes shall meet the setbacks for accessory structures.
2. Permanent Structures as Farm Employee Dwellings
 - a. *Permit Required*: A Conditional Use Permit approval shall be required for the use of an additional single family or multiple family dwelling as a farm employee dwelling.
 - b. *Compliance*: A single family dwelling intended as such must comply with the minimum requirements of the R-1-C District. All permanent structures shall meet the setbacks for accessory structures and the requirements of the 1997 Uniform Building Code, as amended.
 - c. *Provision of Water and Sewer*: Proof of adequate provisions for water, sewer, fire protection, other utilities and access shall be provided.
 - d. *Conformance to Subdivision and Zoning Code*: No farm employee dwelling shall be deeded, leased, or rented without conforming to Adams County subdivision and zoning standards and regulations.

4-03-02-02-04

STABLES

1. *Setback from Residence on Property*: All stables shall be set back twenty-five (25) feet from any residence on the property.
2. *Setback from Adjacent Property*: All stables shall be set back one hundred (100) feet from any dwelling or pool on an adjacent property.
3. *Maintenance*: All animal and food waste shall be handled and disposed of in a sanitary manner as approved by Tri-County Health Department. When in use, stables shall be cleaned weekly.
4. *Pest Control*: Environmental and/or chemical and scientific controls shall be provided for pest control.
5. *Drainage*: Adequate drainage facilities or improvements shall be constructed to protect any adjacent rivers, streams, or other bodies of water from pollution. Stables shall be well drained and dry, and shall not be located within or cross drainages whether intermittent or perennial.
6. *Care of Animals*: All animals shall be cared for in a humane and sanitary manner as approved by Adams County Animal Management.

4-03-02-02-05

VENDING AND PRODUCE STANDS

1. *Minimum Lot Area*: No vending or produce stand shall be located on a parcel of land less than four hundred (400) square feet in size.
2. *Location*: The stand shall be located on a gravel, recycled asphalt, or paved parking lot or on agricultural land. The stand shall not block or be located within any right-of-way or public sidewalk.
3. *Period of Operation*: The stand shall operate for no more than ninety (90) days annually.

4. *Hours of Operation:* The stand shall limit its hours of operation to 7:00 a.m. to 7:00 p.m.
5. *Setbacks:* The setbacks for the zone district in which the stand is located shall apply.
6. *Signage:* All signs shall be affixed to the stand. The total sign area shall not exceed sixteen (16) square feet in area.
7. *Parking:* Parking for the stand shall not block or be located within any right-of-way or public sidewalk. At least five (5) off-road parking spaces shall be provided per two hundred (200) square feet of stand area.
8. *Access:* All vending and produce stands shall have highway, arterial, or collector road access.
9. *Other Requirements:* All temporary vending and produce stands shall also comply with the requirements of Section 4-05-02-07.

4-03-02-02-06

WIND POWERED GENERATORS

1. *Maximum Height of Generator:* The height of the generator, including blades, shall not exceed the height limit of the zone district in which the generator is located, unless a height exemption is granted by the Board of Adjustment. The maximum height of the generator may be further restricted if located within an aviation zone district.
2. *Minimum Height of Blades Above Ground:* Twenty (20) feet.
3. *Minimum Setbacks:* No wind generator shall be located closer than the height of the generator from any property line, unless granted by the Board of Adjustment.
4. *Number of Generators Permitted:* Only one (1) generator per lot or parcel is permitted unless a Conditional Use Permit is approved.
5. *Location:* The generator serving the structure shall be located on the same lot as the structure it serves.
6. *Liability Coverage:* The County shall be provided with a copy of rider to owner's insurance showing coverage of liability prior to issuance of a building permit for construction of a wind powered generator.
7. *High Wind Mitigation:* The County shall be provided with assurance from the manufacturer all safety features to mitigate the effects of high wind conditions have been designed for the particular generator prior to issuance of a building permit for construction of a wind powered generator.
8. *Storage Batteries:* Storage batteries, if applicable, shall be housed in accordance with the following standards:
 - a. *Location:* The structure shall be accessory to and detached from the residence by a minimum of twenty (20) feet.
 - b. *Ventilation:* Adequate ventilation shall be provided in the structure to eliminate the accumulation of explosive gases.

9. *Noise Levels:* Permitted noise levels shall meet the performance standards of these standards and regulations.
10. *Electromagnetic and Electrical Interference:* No equipment shall be operated in such a manner as to adversely affect the operation of any off-premises electrical, radio or television equipment. No use may be made of land or water within the County, which will create electrical interference with navigational signals for radio communications between an aviation facility and aircraft.
11. *Manual Shut-off Required:* Any individual wind powered generator shall include a manual shut-off, which may be utilized by utility company personnel.
12. *Utility Company Approval:* The local utility provider of gas and electric service shall provide written approval prior to construction.

4-03-03 ACCESSORY USES, RESIDENTIAL

4-03-03-01 GENERAL ACCESSORY USES PERMITTED

The following general accessory uses are permitted in Residential Districts:

1. Accessory Dwelling Unit (see Section 4-03-03-02-01 Accessory Uses, Residential for detailed performance standards)
2. Animal Keeping (see Section 4-22 Animal Keeping for detailed performance standards)
3. Barns (see Section 4-03-02-02-01 Accessory Uses, Agricultural for detailed performance standards)
4. Class Instruction (see Section 4-03-03 Accessory Uses, Residential for detailed performance standards)
5. Communication Tower, Non-Commercial (see Section 4-03-02-02-02 Accessory Uses, Agricultural for detailed performance standards)
6. Day Care Homes (see Section 4-03-03-02-03 Accessory Uses, Residential for detailed performance standards)
7. Family Foster Homes
8. Garages (see Section 4-03-03-02-04 Accessory Uses, Residential for detailed performance standards)
9. Garage or Yard Sale (see Section 4-03-03-02-05 Accessory Uses, Residential for detailed performance standards)
10. Greenhouses, Private (see Section 4-03-03-02-06 Accessory Uses, Residential for detailed performance standards)
11. Home Occupations (see Section 4-03-03-02-07 Accessory Uses, Residential for detailed performance standards)
12. Household Pets (see Section 4-03-03-02-08 Accessory Uses, Residential for detailed performance standards)

13. Kennel, Private (see Section 4-03-03-02-09 Accessory Uses, Residential for detailed performance standards)
14. Parking (see Section 4-13 Parking and Loading for detailed performance standards)
- 14.15. [Safe Parking Site \(see Section 4-03-04-02-03 Accessory Uses, Commercial for detailed performance standards\)](#)
- 15.16. [Short-Term Rental \(see Section 4-03-03-02-01 Accessory Uses, Residential for detailed performance standards\)](#)
- 16.17. [Signs \(see Section 4-01 Signs and Outdoor Commercial Advertising Devices for detailed performance standards\)](#)
- 17.18. [Solar Energy Systems \(see Section 04-03-03-02-11 Accessory Uses, Residential for detailed performance standards\)](#)
- 18.19. [Stables \(see Section 04-03-02-02-04 Accessory Uses, Agricultural for detailed performance standards\)](#)
- 19.20. [Storage, Private \(see Section 04-03-03-02-13 Accessory Uses, Residential for detailed performance standards\)](#)
- 20.21. [Storage, Vehicle and Machine \(see Section 04-03-03-02-14 Accessory Uses, Residential for detailed performance standards\)](#)
- 21.22. [Swimming Pools, Private \(see Section 04-03-03-02-15 Accessory Uses, Residential for detailed performance standards\)](#)
- 22.23. [Temporary Use. All temporary uses shall meet the temporary use performance standards contained in Section 4-05 and shall be required to obtain a Special Use Permit unless the temporary use is a permitted principal use within the zone district in which it will be located.](#)
- 23.24. [Vending and Produce Stands \(see Section 4-03-02-02-05 Accessory Uses, Agricultural for detailed performance standards\)](#)
- 24.25. [Wind Powered Generators \(see Section 4-03-02-02-06 Accessory Uses, Agricultural for detailed performance standards\)](#)
- 25.26. [Other accessory uses approved by the Director of Community and Economic Development. The Director of Community and Economic Development may require the accessory use meet performance standards for similar uses permitted by these standards and regulations.](#)

4-03-03-02 PERFORMANCE STANDARDS

4-03-03-02-01 **ACCESSORY DWELLING UNIT (ADU)**

1. *Purpose:* The purpose of the accessory dwelling unit (ADU) provisions are to:
 - (1) provide homeowners with an opportunity for companionship and security;
 - (2) better utilize existing infrastructure and community resources;
 - (3) provide a housing type that responds to changing needs and lifestyles (e.g., small families, retirees, caretakers);
 - (4) add to the County's stock of affordable dwelling units; and
 - (5) protect neighborhood character and

stability by ensuring that visible ADUs are compatible with surrounding land uses.

2. *Applicability:* One ADU on an existing legal lot is permitted as an accessory use to single family residential uses in any zoning districts, in addition to legal nonconforming single-family structures in those zones as allowed by these regulations. As the purpose of an ADU is to be an accessory use/structure to a primary dwelling, an ADU shall not be platted for individual sale through the condominium platting process.
3. *Process:*
 - a. New ADU. Subject to review, public notification and approval through a building permit and shall conform to all of the following standards.
 - b. Existing (Undocumented) ADUs. If an ADU was created without being part of a project for which a building permit was finalized, the County shall require a building permit and public notification to determine if the structure meets the requirements of this section and building code. Adherence to these development standards is required.
4. *Public Notification:* At time of review of building permit application, the County shall notify by mail residents and property owners directly adjacent to the property for which a complete building permit application has been submitted. Notified parties, and other interested parties, may comment on items concerning the required development and design standards for ADUs. The comment period shall close when the building permit application is resolved in issuance or denial.
5. *Development Standards:*
 - a. Building Type: ADU building types shall not include mobile or manufactured homes. Site built and modular construction is allowed.
 - b. Number: One ADU shall be allowed in each residential lot as a subordinate use in conjunction with any new or existing detached single-family dwelling unit,
 - c. Provision of Water and Sewer: Proof of adequate provisions for water, sewer, fire protection, other utilities and access shall be provided.
 - d. Size:
 - i. Attached or Internal. ADUs shall not exceed 40% of the principal dwelling unit's residential floor area in addition to the underlying development standards for the lot, including, but not limited to, lot coverage, height, and setback requirements for the zone in which they reside.
 - ii. Detached. ADUs shall not exceed 1,500 square feet of the residential floor area or 40% of the primary dwelling unit's residential floor area, whichever is less.
 - e. Location: The ADU may be added to or included within the primary unit, or located in a detached structure on the same lot as the primary

- dwelling unit. If detached, the ADU is required to meet all accessory structure setbacks for the zone district.
- f. Parking: One off-street parking space is required for an ADU in addition to the parking required for the primary dwelling unit. Parking spaces must be paved and may include private garages, carports, or all weather-surfaced, off-street areas reserved for vehicles. Tandem parking is allowed.
 - g. Home Occupations: The ADU and/or primary residence may contain a home occupation if the home occupation is reviewed and approved per these regulations.
 - h. Other development standards:
 - i. Accessory Dwelling Units shall meet all other development standards (e.g. setbacks, lot coverage etc.) for buildings in the zoning district, except in the following circumstances:
 - 1. The gross floor area of the ADU shall not count towards the maximum accessory building coverage, but rather the maximum principal structure.
 - 2. The height of a detached ADU shall not exceed twenty-five (25) feet.
 - 3. If detached the ADU shall be setback at least 10' to the rear of the front structure line of the principal dwelling unit.
 - ii. For legal nonconforming situations, ADUs shall also adhere to the following requirements:
 - 1. Legal Nonconforming Primary Single-Family Uses:
 - a. It is recognized that in some zones, an existing primary single-family use may be considered legal nonconforming. In the event that an existing, legal nonconforming, single family use requests an ADU per these standards, it shall be an allowed accessory use to the legal nonconforming use. If the legal nonconforming primary use ceases to exist, the ADU, shall also cease to exist.
 - b. Conformance with Section 4-24-03 Extension or Enlargement of Nonconforming Conditions applies to the primary use.
 - 2. ADUs in Existence Prior to these Regulations:
 - a. Existing ADUs shall meet the requirements of these regulations.
 - b. A building permit is required for the Building Official to determine if the structure meets the adopted building code requirements. As-built information about the

existing structure shall be required as part of the building permit submittal.

- c. Additional improvements may be required by the applicant in order for the ADU to meet adopted building codes.
3. Previously approved Caretaker Dwelling Units may be extended in accordance with Section 2-02-08 Conditional Use Permit.
 - i. *Design Standards:*
 1. New Detached Structures, Exterior Alterations and Additions to Existing Structures: The development of a newly constructed detached ADU and exterior alterations and additions to existing structures for ADU development shall be designed consistent with the existing color, façade treatment, roof pitch, siding, lighting, and windows of the primary dwelling unit.

4-03-03-02-02

CLASS INSTRUCTION

1. *Incidental Use:* The class instruction shall be clearly incidental and secondary to the use of the dwelling for dwelling purposes and shall not change the character of the dwelling.
2. *Indoor Activities:* All activities related to the class instruction shall be conducted entirely within a dwelling.
3. *Employees:* The class instruction shall be conducted by the inhabitants of the dwelling and shall have only one (1) additional employee.
4. *Exterior Advertising:* There shall be no exterior advertising other than identification of the class instruction with a sign not exceeding 6 square feet which must be located on the face of the home.
5. *No Sales on Premises:* There shall only be incidental sales of stocks, supplies or products conducted on the premises.
6. *No Outdoor Storage:* There shall be no exterior storage on the premises of material or equipment used as a part of the class instruction.
7. *No Offensive Impacts:* There shall be no offensive noise, vibration, smoke, dust, odors, heat or glare noticeable at or beyond the property line.

4-03-03-02-03

DAY CARE CENTERS AND HOMES (ADULT* AND CHILD)

1. General
 - a. *Licensing:* Day care facilities must be properly licensed by the State of Colorado.
 - b. *Drop-Off/Pick-Up Areas:* Day care facilities must provide adequate drop-off and pick-up areas. The required area shall be based upon the maximum number of individuals cared for at a single time. Specifically, there shall be one-hundred-sixty (160) square feet of signed off-road

- drop-off/pick-up area for every eight individuals. All drop-off space shall meet the requirements of these standards and regulations and be approved by the Director of Community and Economic Development.
- c. *Outdoor Recreation Facilities:* Where outside recreation facilities are provided, a six-foot high sight-obscuring fence around the recreation area shall be required to be maintained and the recreation area shall be situated in the rear half of the site.
 - d. *Residential Appearance:* Existing residential structures shall not be significantly modified in appearance.
 - e. *New Construction in Residential Area:* Any new construction allowed in an agricultural or residential zone district for the operation of a day care center shall substantially resemble a conventional single-family dwelling.
2. **Child Day Care Home**
 - a. *Maximum Number of Children not Attending School Fulltime:* The maximum number of children shall be twelve (12), including the caretaker's children under sixteen (16) years of age not attending full-day school.
 3. **Adult Day Care Home**
 - a. *Maximum Number of Adults:* Elderly day care homes shall be permitted as an accessory use, provided the maximum number of elderly persons receiving care, protection, and supervision in any such home shall not exceed four (4) at any given time.
 - b. *Criminal Background Investigation:* The Adams County Sheriff's Office shall complete a Criminal Background Investigation and shall issue identification cards to all employees/operators.
 - c. *Annual Reporting:* The applicant/operator shall provide an annual report for review by the Director of Community and Economic Development and the Adams County Sheriff's Office. Reports shall include recertification of any education requirements, revised Criminal Background Investigation, and issuance of identification cards to any new employees.

4-03-03-02-04

GARAGES

1. *Maximum Height:* Twenty-four (24) feet unless otherwise restricted by the zone district.
2. *Maximum Rear Yard Coverage:* A garage may not occupy more than thirty percent (30%) of any rear yard.

4-03-03-02-05

GARAGE OR YARD SALES

1. *Maximum Sales Permitted per Year:* No more than two (2) garage or yard sales shall be permitted per calendar year for any one residence.
2. *Period of Operation:* A garage or yard sale shall not exceed a period of three (3) consecutive days.

3. *Hours of Operation:* The garage or yard sale shall limit its hours of operation to 7:00 a.m. to 7:00 p.m.
4. *Signage:* The total sign area shall not exceed sixteen (16) square feet in area. All signage shall be located on private property and not within the public right-of-way.

4-03-03-02-06 GREENHOUSES, PRIVATE

1. *Location:* The greenhouse shall not be located in any front yard.

4-03-03-02-07 HOME OCCUPATIONS

1. *Maximum Floor Area:* The area to be used for home occupation activities shall not exceed one-half (1/2) the floor area of the dwelling unit.
2. *Incidental Use:* A home occupation shall be clearly incidental and secondary to the use of the dwelling for dwelling purposes and shall not change the character of the dwelling.
3. *Indoor Activities:* All activities related to a home occupation shall be conducted entirely within a dwelling, garage, or other accessory building. If conducted in an accessory building, the building shall meet the accessory building requirements of these standards and regulations.
4. *Employees:* A home occupation shall be conducted by the inhabitants of the dwelling.
5. *Exterior Advertising:* There shall be no exterior advertising other than identification of the business with a sign not exceeding six (6) square feet which must be located on the face of the home.
6. *No Sales on Premises:* There shall only be incidental sales of stocks, supplies or products conducted on the premises.
7. *No Outdoor Storage:* There shall be no exterior storage on the premises of material or equipment used as a part of the home occupation.
8. *No Truck Storage:* There shall be no interior or exterior keeping, parking, or storage on the premises of any vehicles in excess of seven thousand (7,000) pounds Gross Vehicle Weight (G.V.W) , used for a commercial purpose in the Agricultural and Residential Zone Districts in conjunction with a home occupation.
9. *No Offensive Impacts:* There shall be no offensive noise, vibration, smoke, dust, odors, heat or glare noticeable at or beyond the property line.
10. *Permitted Home Occupations:* The following uses are examples permitted of home occupations:
 - a. Art Studio
 - b. Class Instruction (See Section 4-03-03-02-02 for detailed performance standards for class instruction)
 - c. Dressmaking or Millinery Work
 - d. Professional Office
 - e. Office for Insurance or Real Estate Sales

- f. Teaching
- 11. *Uses Not Considered Home Occupations:* The following uses are not considered home occupations:
 - a. Animal Hospital
 - b. Long-Term Care Facility
 - c. Restaurant
 - d. Bed & Breakfast (A bed and breakfast is considered a principally permitted use.)
 - e. Group Living Facility (A group home is considered a principally permitted use, depending upon occupancy.)
 - f. Auto Painting, Repair, Sales, Service, or Storage
 - g. Truck Repair, Sales, Service, or Storage

4-03-03-02-08

HOUSEHOLD PETS

- 1. *Permitted Number of Household Pets:* See the Animal Density in Section 4-20 to calculate the number of permitted household pets.
- 2. *Less than 35 Acre Parcel:* All household pets shall be penned or confined to their owner's property, except when on a leash and in the control of the owner.
- 3. *Conformance with Private Kennel Standards:* The keeping of more than ten (10) dogs and/or cats, shall conform to private kennel performance standards (See Section 4-03-03-02-09).
- 4. *Other Standards:* All animal keeping shall conform to Section 4-20 of these standards and regulations.

4-03-03-02-09

KENNELS, PRIVATE

- 1. *Permitted Number of Dogs and/or Cats:* See the Animal Density in Section 4-22 to calculate the number of permitted household pets.
- 2. *Building Permit Required:* A building permit shall be obtained for all kennels, pens, shelters, or other similar structures.
- 3. *Prohibited Animals:* Boarding dogs and/or cats other than those animals owned by the resident and/or owner and immediate family shall be prohibited.
- 4. Minimum Space Requirements
 - a. *Dogs:* Each dog shall be provided a minimum space equal to the following equation:
 - (1) Width of Kennel = Length of dog from nose to base of tail + 2 feet.
 - (2) Length of Kennel = Width of Kennel + 2 feet.
 - (3) Height of Kennel = Head height of dog standing on all four legs + 1 foot.
 - b. *Cats:* Each adult cat shall be provided a minimum of six (6) cubic feet of area. Adult female cats with kittens below three (3) months of age shall be provided with a minimum of eight (8) cubic feet of area.

5. *Garbage Disposal:* All animal and food waste shall be handled and disposed of in a sanitary manner as approved by Tri-County Health Department.
6. *Pest Control:* Environmental and/or chemical and scientific controls shall be provided for pest control.
7. *Drainage:* Adequate drainage facilities or improvements shall be constructed to protect any adjacent rivers, streams, or other bodies of water from pollution.
8. *Mixing of Dogs and Cats:* Dogs and cats shall not be housed in the same primary enclosure.
9. *Care of Animals:* All dogs and/or cats shall be cared for in a humane and sanitary manner as approved by Adams County Animal Management.
10. *Other Standards:* All animal keeping shall conform to Section 4-22 of these standards and regulations.

4-03-03-02-10

PIGEON AND ANIMAL KEEPING

1. *Permitted Number of Pigeons or Animals:* See the Animal Density Table in Section 4-20 to calculate the number of permitted household pets.
2. *Loft Floor Space:* There shall be at least one (1) square foot of loft floor space for each mature pigeon.
3. *Loft Design:* The pigeon loft shall be of such sufficient size and design, and constructed of such material, so it can be easily maintained in a clean and sanitary condition.
4. *Loft Compliance:* The loft shall be in compliance at all times with all applicable Tri-County Health regulations.
5. *Setback from Residential Structure:* The loft shall be set back a minimum of twenty-five (25) feet from any residential structure.
6. *Lot Line Setbacks:* The loft shall be set back from all lot lines in accordance with the accessory setbacks for the zone district in which it is located.
7. *Pigeon Feed:* All pigeon feed shall be stored in such containers as to protect against intrusion by rodents and other vermin.
8. *Pigeon Feeding:* All pigeons shall be fed within the confines of the loft.
9. *Pigeon Release for Flying:* Pigeons will not be released for flying for four (4) hours after feeding.
10. *Pigeon Confinement:* All pigeons shall be confined to the loft, except for limited periods necessary for exercise, training, and competition. At no time shall pigeons be allowed to perch or linger on the buildings or property of individuals other than the owner of the pigeons.
11. *Other Standards:* All pigeon and animal keeping shall conform to Section 4-20 of these standards and regulations.

4-03-03-02-11 **SHORT-TERM RENTAL**

A short-term rental as an accessory use in any dwelling. Short-term rentals are only allowed by obtaining a valid license from the County, and conform to the following requirements:

1. *License.* At least thirty (30) days prior to any advertising for or lease of a short-term rental property, the owner shall file a written application for a Short-Term Rental License with the Community & Economic Development Department. The application shall not be deemed complete until all required information is submitted. An application for renewal of a Short-Term Rental License shall be submitted at least thirty (30) days prior to expiration of the existing permit. A Short-Term Rental License shall expire one (1) year following the year of initial permit issuance, or when title of the short-term rental property transfers to a new owner, whichever occurs first. An application for renewal of a Short-Term Rental License shall be submitted at least thirty (30) days prior to expiration of the existing permit.

Initial complaints concerning a short-term rental property shall be directed to the responsible agent. The agent shall respond to the complaint, including visiting the site if necessary.

If an initial complaint is not resolved, a formal complaint may be filed with the Community & Economic Development Department or designee. The formal complaint shall describe in detail the violation(s) of this Section alleged to have occurred on the short-term rental property. Within three (3) business days of receipt of such a complaint, the County shall provide a copy of the formal complaint to the owner and agent.

The County may investigate any formal complaint received, in order to determine if it is a substantiated complaint that represents a documented violation of any County regulations. Violations shall be subject to the code enforcement provisions, in accordance with all remedies provided by law, including but not limited to withholding any development approvals, inspections or permits and issuing stop work orders. If violations are not corrected or if there are repeat offenders of County requirements, Adams County may pursue formal action and by applicable law. If there is one or more unresolved substantiated complaints for a short-term rental property, or if upon review at any time, the County determines that the permit holder has failed to comply with any of the performance standards or conditions, the County may take such action as is deemed necessary to remedy the noncompliance, including but not limited to revocation of the permit. The

Community & Economic Development Department may revoke the permit for that short-term rental property upon written notice to the owner. The County shall notify an owner, in writing, of any revocation. The owner may appeal any revocation by filing an Appeal from Administrative Decision, as described in Chapter 2 of these Regulations. For a minimum of two (2) years following revocation of a short-term rental license, the County shall not accept an application for a new permit for the same short-term rental property; with the exception that a new application by a new property owner, proven to be unaffiliated with the property owner whose permit was revoked, may be considered.

2. *Conditional Use Permit.* A Conditional Use Permit shall be required in lieu of a Short-Term Rental License for any proposed short-term rental which proposes an occupancy of more than twelve (12) people.
3. *Responsible Agent Required.*
 - a. Each owner of a short-term rental property shall designate a person or company to serve as the responsible agent. The owner may designate themselves.
 - b. The responsible agent shall have access and authority to assume management of the unit and take remedial measures. The agent shall always be available to respond to potential issues and violations related to these Regulations. The responsible agent must be able to affirmatively respond to complaints within an hour of notification of such complaint being sent via email or text.
 - c. The owner shall notify the Community & Economic Development Department in writing of any modification to the responsible agent appointment within five (5) days of any such modification.
4. *Parking.* A minimum of one (1) parking space is required on the property per unit. Each property shall conform to the accessory parking standards in Section 4-03-03-02-12, however at no time shall more than five (5) cars permitted to be parked outdoors on any property. Designated parking spaces shall comply with the parking plan on the approved Short-Term Rental License. All vehicles shall be parked on-site in designated parking areas; parking is prohibited in any landscaped area, or in a manner that blocks egress for adjacent residents (driveways, sidewalks, alleys, or mailboxes). A copy of the County-approved parking plan for the short-term rental property shall be provided to all renters in the rental agreement and posted in a prominent location within the property. The allowable number of parking spaces shall be clearly stated in all short-term rental advertising.

5. *Trash Disposal and Collection.* All short-term rental properties shall provide a trash disposal and collection plan to ensure that trash containers are not left outdoors where they can cause issues for wildlife or snow removal operations. The proposed trash disposal and collection plan shall be reviewed and approved by the County during the Short-Term Rental License review and during review of any permit renewals. There shall be a enough trash receptacles to accommodate all trash generated by those occupying the short-term rental property.
6. *Pets.* If pets are allowed, renters shall be informed of applicable requirements for controlling pets, pet waste disposal, and barking/noise considerations. All short-term rental properties shall comply with the County’s Animal Keeping Regulations set forth in Section 4-22. All pet food shall be stored indoors.
7. *Signage.* An owner shall post a sign or notice conspicuously inside the short-term rental property, which includes the responsible agent’s current contact information and/or the owner’s current contact information, the street address of the short-term rental property, and the Short-Term Rental License or conditional use permit number. The Good Neighbor Guidelines, parking plan and trash disposal requirements shall be posted in a prominent location within the short-term rental property. Short-Term Rental uses are considered accessory uses to a primary residential use, and therefore limited to the Residential Sign requirements in Section 4-15-03.
8. *Properties served by Septic Systems.* If a short-term rental property is connected to an On-site Wastewater Treatment System (OWTS) for sewer service, the maximum overnight occupancy of the unit shall be limited to the capacity established on the OWTS permit.
9. *Health and Safety Standards.*
 - a. Buildings, structures, or rooms shall not be used for purposes other than those for which they were designed or intended.
 - b. Smoke detectors, carbon monoxide detectors and fire extinguishers shall be installed and operable, and all woodburning fireplaces and stoves shall be cleaned on an annual basis.
 - c. An operable toilet, sink, and either bathtub or shower shall be located within the same building.
 - d. Permitted occupancy shall be limited to two (2) persons per bedroom plus four (4) additional occupants; or 1 person per 200 square feet of living area, whichever allows for a greater occupancy.
 - e. Outdoor fire pits shall be permanently installed improvements that are permitted and inspected by the applicable fire district and/or the County

Building Department, if required per applicable building and fire code requirements. STR owners/applicants should check with their applicable fire district and the Community & Economic Development Department to determine if permits are needed. The use of portable outdoor fireplaces is prohibited. In the event of a fire ban within Adams County, the agent is required to notify renters of the current fire restrictions during their stay.

- f. All short-term rental properties shall have reliable cellular service available or provide access to a landline telephone to enable tenants to call 911 in the event of an emergency.
- g. All hot tub, spa, or swimming pool installations require both a building permit and an electrical permit from the Community & Economic Development Department. Hot tubs, spas, and swimming pools shall be properly maintained in a way to prevent the spread of illness.

4-03-03-02-12

SOLAR ENERGY SYSTEM, ACCESSORY

- 1. *Site Plan:* A site plan shall be submitted with the building permit which demonstrates compliance with setback and height requirements.
- 2. *Lot coverage:* The area covered by ground-mounted solar energy systems, where the ground beneath is permeable or pervious, shall not be included in calculations for lot coverage for purposes of zoning.
- 3. *Location:* All solar panels and equipment (excluding fencing, poles, and wires necessary to connect to facilities of the electric utility) shall meet the minimum accessory structure setbacks for the applicable zone district or shall meet the minimum structure setbacks for the applicable zone district when an accessory structure setback is not specified. Additional setbacks may be required to mitigate noise and visual impacts, or to provide for designated road or utility corridors, as identified through the review process.
- 4. *Maximum Height:*
 - a. *Ground-mounted:* The height of ground-mounted solar energy systems shall be measured from the highest grade below each solar panel. In residential zone districts, solar panels shall not exceed fifteen (15) feet in height. In all other zone districts, solar panels shall not exceed twenty (20) feet in height.
 - b. *Roof-mounted:* The height of roof-mounted solar energy systems shall not exceed the maximum permitted height of the structure type by more than five (5) feet.
 - c. *Parking Lot or Parking Canopy:* The height of systems will be measured from the highest grade below each solar panel. Parking lot cover solar panels shall not exceed twenty (20) feet in height.

Parking lot cover solar panels shall be no less than fourteen (14) feet in height to allow clearance for emergency vehicles.

5. *Signage:* For ground-mounted solar energy systems, clearly visible warning signs shall be placed on the fence, barrier, or facility perimeter to inform individuals of potential voltage hazards.
6. *Security:* Except parking lot or parking canopy solar energy systems, all solar panels and equipment (excluding poles and wires necessary to connect to facilities of the electric utility) shall be enclosed by a fence at least six (6) feet high. Wildlife-friendly fence options are encouraged.
7. *Lighting:* If lighting is provided at the site, lighting shall be shielded and downcast such that the light does not spill onto the adjacent parcel. Motion sensor control is preferred.
8. *Decommissioning:* Any solar energy system which is no longer producing energy or has been abandoned shall be removed. The owner or operator shall physically remove the installation within 150 days after the date of discontinued operations. The owner or operator shall notify the Adams County Community & Economic Development Department by certified mail of the proposed date of discontinued operations and plans for removal. Decommissioning shall consist of:
 - a. Physical removal of all solar energy systems, structures, and equipment from the site.
 - b. Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations.
 - c. Stabilization or re-vegetation of the site as necessary to minimize erosion. Adams County may allow the owner or operator to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation.

4-03-03-02-13

STORAGE, PRIVATE

1. *Maximum Height:* Twenty-four (24) feet
2. *Maximum Rear Yard Coverage:* A storage structure may not occupy more than thirty percent (30%) of any rear yard.

4-03-03-02-14

STORAGE, AND PARKING OF VEHICLES

1. *Prohibited Vehicles:* No vehicle in excess of seven thousand (7,000) pounds gross vehicle weight (G.V.W.) shall be kept, stored, or parked in a residential or agricultural zone district except by Conditional Use Permit. This shall include, but is not limited to, tractor trailers, over-the-road semi-trucks, road cleaners, motor graders, tow trucks, and similar maintenance or construction equipment. This prohibition does not apply to recreational vehicles, personal

- non-commercial vehicles, and agricultural equipment used for agricultural purposes.
2. *Storing and Parking Vehicles:* Vehicles that are allowed to be stored or parked in agricultural and residential zone districts, include but are not limited to boats, boat trailers, trailers, campers, fifth-wheel trailers, motor homes, stock cars, ski mobiles. The storage or parking of any vehicle in any zone district must meet the standards listed in this section.
 3. *Total Number Vehicles Stored*
 - a. *Lots less than 1 Acre:* A total of two (2) vehicles, may be stored outdoors.
 - b. *Lots of 1 Acre or More:* A total of two (2) vehicles per acre, with a maximum of five (5) vehicles may be stored outdoors.
 - c. A vehicle is “stored” on a property when it is located on the same property for a period of seventy-two (72) hours or more.
 4. *Vehicles Stored on or Attached to a Trailer:* Recreational vehicles stored on a trailer, and any vehicle attached to a trailer, shall be counted as one (1) vehicle.
 5. *Inhabiting Recreational Vehicles:* Motor homes, trailers, 5th wheels, and other recreational vehicles may be inhabited one time for a maximum of thirty (30) consecutive days within a calendar year. The use of a motor home, trailer, 5th wheel, or other recreational vehicle must be in conjunction with a residence.
 6. *Right-of-Way Parking:* Recreational vehicles and any type of trailer may only be parked on any public right-of-way for a maximum period of twenty-four (24) hours. The same recreational vehicle or trailer may not be moved and re-parked within a five (5) mile vicinity for six (6) months. Unlicensed and inoperable vehicles may not be stored or parked on any public right-of-way for any time period.
 7. *Inoperable and Unlicensed Vehicles:* Inoperable vehicles and unlicensed vehicles without a properly displayed and valid State Motor Vehicle Registration Certificate may not be stored or parked outdoors.
 8. *Storage on an approved surface:* In residential zone districts, all storage of vehicles and machines listed in this section shall be located on an approved, hard surface of asphalt or concrete and no parking of vehicles is allowed in the back yard or any landscaped area. In the A-1 zone district, all storage of vehicles and machines listed in this section may be located on gravel or recycled asphalt and no parking of vehicles is allowed in the back yard or on any landscaped area. Gravel or recycled asphalt areas within the rear or side setback is not considered part of the back yard and parking is permitted.

4-03-03-02-15

SWIMMING POOL, PRIVATE

1. *Location:* No swimming pool shall be located in the area from the right-of-way to the front structure line.

2. *Fencing*: Swimming pools shall be completely enclosed by a fence not less than forty-eight (48) inches in height with no opening large enough to permit children to pass through other than gates or doors equipped with self-latching devices placed on the inside top of the gate. Above-ground swimming pools of at least forty-eight (48) inches above the perimeter shall not be required to provide fencing.
3. *Pre-Existing Pools*: All pre-existing pools shall be completely enclosed by a fence no later than six (6) months following adoption of these standards and regulations.
4. *Wading Pools*: Wading pools with a maximum possible water depth of twenty (20) inches or less are not required to be fenced.

4-03-04 ACCESSORY USES, COMMERCIAL

4-03-04-01 GENERAL ACCESSORY USES PERMITTED

The following general accessory uses are permitted in Commercial Districts:

1. Communication Tower, Non-Commercial (see Section 4-03-02-02-02 Accessory Uses, Agricultural for detailed performance standards)
2. Guard Dogs (see Section 4-03-04-02-01 Accessory Uses, Commercial for detailed performance standards)
3. Marijuana Hospitality Business (see section 4-18-07 for detailed performance standards)
4. Outdoor Storage, Loading and Garbage Areas (see Section 4-03-04-02-02 Accessory Uses, Commercial for detailed performance standards)
5. Parking (see Section 4-13 Parking and Loading for detailed performance standards)
6. Safe Parking Site (see Section 4-03-04-02-03 Accessory Uses, Commercial for detailed performance standards)
- ~~7~~6. Signs (see Section 4-01 Signs and Outdoor Commercial Advertising Devices for detailed performance standards)
- ~~8~~7. Solar Energy Systems for use on Property (see Section 4-03-03-02-11 Accessory Uses, Residential for detailed performance standards)
- ~~9~~8. Temporary Use. All temporary uses shall meet the temporary use performance standards contained in Section 4-05 and shall be required to obtain a Special Use Permit unless the temporary use is a permitted principal use within the zone district in which it will be located.
- ~~10~~9. Vending and Produce Stands (see Section 04-03-02-02-05 Accessory Uses, Agricultural for detailed performance standards)
- ~~11~~0. Wind Powered Generators (see Section 4-03-02-02-06 Accessory Uses, Residential for detailed performance standards)

- ~~121.~~ Other accessory uses approved by the Director of Community and Economic Development. The Director of Community and Economic Development may require the accessory use meet performance standards for similar uses permitted by these standards and regulations.

4-03-04-02 PERFORMANCE STANDARDS

4-03-04-02-01 **GUARD DOGS**

1. *Number of Guard Dogs Permitted:* See the Animal Density Table in Section 4-20 to calculate the number of permitted household pets.
2. *Confinement of Guard Dog(s):* The area being patrolled by a guard dog(s) shall be fenced with a minimum seventy-two (72) inch high chain link or solid screen fence.
3. *Notice of Guard Dog(s):* A sign warning of the presence of said dog(s) stating what hours the dog(s) is on patrol shall be posed in plain view of the public around the perimeter of the fenced area. The sign must also state the name of the owner and the handler of the dog(s), with a phone number where the handler can be reached.
4. *Garbage Disposal:* All animal and food waste shall be handled and disposed of in a sanitary manner as approved by Tri-County Health Department.
6. *Pest Control:* Environmental and/or chemical and scientific controls shall be provided for pest control.
7. *Care of Animals:* All dogs shall be cared for in a humane and sanitary manner as approved by Adams County Humane Society and Adams County Animal Management.

4-03-04-02-02 **OUTDOOR STORAGE, LOADING, GARBAGE, AND MECHANICAL EQUIPMENT AREAS**

1. *Location:* No outdoor storage, loading or garbage collection or compaction areas shall be located within twenty (20) feet of any public road, public sidewalk, or pedestrian way.
2. *Incorporation into Overall Design:* Loading docks, truck parking, outdoor storage, utility meters, HVAC and other mechanical equipment, garbage collection, garbage compaction, and other service functions shall be incorporated into the overall design theme of the building and the landscape so the architectural design is continuous and uninterrupted by ladders, towers, fences and equipment.
3. *Screening:* All outdoor storage, loading or garbage collection or compaction areas shall be located and screened so the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties

and public roads. No attention shall be attracted to these by use of screening materials different from or inferior to the principal materials of the principal structure and landscape. If areas are to be covered, then the covering shall conform to those used as predominant materials and colors on the principal structure.

4. *Rooftop Equipment:* All rooftop mechanical equipment shall be screened from public view from both above and below by integrating it into building and roof design to the maximum extent feasible.

4-03-04-02-03

SAFE PARKING SITE

1. Purpose. The purpose of this use is to provide for the establishment and operation of safe parking sites at existing commercial and institutional uses that assures compatibility with the surrounding uses.
2. Approval: All safe parking sites shall be approved through an Administrative Review Permit (ARP). The Administrative Review Permit shall be valid for one year from the date of issuance. Additional ARPs can be applied for after the one (1) year expiration. Additional applications of the safe parking site permit shall be made to the Community and Economic Development Director and shall require re-inspection of the safe parking site premises to ensure ongoing compliance with safe parking site standards. A complete application must be filed with the County a minimum of forty (40) days before the original ARP is set to expire.
3. Accessory Use: Safe parking sites are allowed as accessory uses to permitted commercial and institutional uses in any zone district.
4. Public Notification: At time of the Administrative Review Permit review of a safe parking site permit application, the County shall notify by mail residents and property owners directly adjacent to the property for which a complete Administrative Review Permit application has been submitted. Public Notice allows for the adjacent property owners to be aware of the accessory use.
5. Inspection. Prior to the approval of a safe parking site, County staff shall perform an inspection of the site to ensure compliance with the safe parking site standards.
6. Safe Parking Site Standards.
 - a. Minimum size: 25% of existing parking area or 5 spaces, whichever is less must be provided for the use of safe parking
 - b. A minimum of one parking space between vehicles must be provided.
7. Setbacks.

- a. Adjacent to Residential Use. All vehicles within a safe parking area that is adjacent to a residential use must be setback a minimum of twenty (20) feet from the property line.
 - b. Adjacent to non-residential use. All vehicles within a safe parking area that is adjacent to a non-residential use must be setback a minimum of five (5) feet from the property line.
8. Approved vehicles. All vehicles utilizing a safe parking site must fit completely within a standard parking stall, with no portions of the vehicle that overhang into additional stalls or the drive lanes.
9. Hours of Operation. All safe parking areas may only operate within the hours of 6 p.m. to 7 a.m. Quiet hours must be observed between 10 pm and 7 am (no generators).
10. Operations Plan required. An operations plan that includes, but is not limited to, services provided and security measures, is required at the time of application. The Director of Community and Economic Development shall have the ability to approve or deny an ARP permit based on the information provided within the operations plan if it does not address concerns on security or services to the residents.
11. Water and Sanitation. All safe parking areas shall have adequate water and sanitation approved by the local Health Department, which may include bottled water and/or portable toilet facilities.
12. Screening. Garbage areas and portable toilets, if applicable, screening shall consist of a six (6) foot high minimum screen fence made of wood or masonry material. Fencing materials should be cleaned and maintained at all times to present an orderly appearance. No garbage storage area or portable toilet shall be located within twenty (20) feet of a public sidewalk.
13. Safety.
 - a. Outdoor storage, temporary shelters, and use of fires, heaters, or outdoor grills is prohibited within a safe parking area.
 - b. Fire extinguishers and/or combination smoke/carbon monoxide detectors shall be provided within vehicles and onsite.
 - c. Access: All safe parking areas must use existing parking areas only and must maintain emergency vehicle access and access to fire protection systems at all times.
14. Trash Disposal and Collection. All Safe Parking areas shall provide a trash disposal and collection plan to ensure that trash is being picked up from

the site and trash containers are not left outdoors where they can cause issues for wildlife or snow removal operations. There shall be enough trash receptacles to accommodate all trash generated by those utilizing the safe parking area.

15. Parking surface. All off-road parking areas used for safe parking shall be surfaced and maintained with a portland or asphalt concrete surface, or other suitable surface as determined by the Director of Community and Economic Development. Parking must meet all other requirements outlined in Section 4-13-02-05.

16. Current Registration. All vehicles utilizing the safe parking areas must have current registration and be operable to drive on County ROW.

17. Responsible Agent Required.

a. Each owner of a safe parking site property shall designate a person or company to serve as the responsible agent. The owner may designate themselves. The responsible agent information must be submitted as part of the ARP permit.

b. The responsible agent shall have access and authority to assume management of the safe parking site and take remedial measures. The agent shall always be available to respond to potential issues and violations related to these Regulations. The responsible agent must be able to affirmatively respond to complaints within an hour of notification of such complaint being sent via email or text.

c. The owner shall notify the Community & Economic Development Department in writing of any modification to the responsible agent appointment within five (5) days of any such modification.

d. The site address and phone number for the responsible agent shall be posted in a visible location on the safe parking site. In addition, the information for Adams County Code Compliance, including phone number, shall be listed on the posting.

4-03-05 ACCESSORY USES, INDUSTRIAL

4-03-05-01 GENERAL ACCESSORY USES PERMITTED

The following general accessory uses are permitted in Industrial Districts:

1. Communication Tower, Non-Commercial (see Section 4-03-02-02-02 Accessory Uses, Agricultural for detailed performance standards)
2. Guard Dogs (see Section 4-03-04-02-01 Accessory Uses, Commercial for detailed performance standards)
3. Marijuana Hospitality Business (see section 4-18-07 for detailed performance standards)
4. Outdoor Storage, Loading and Garbage Areas (see Section 4-03-04-02-03 Accessory Uses, Commercial for detailed performance standards)
5. Parking (see Section 4-22 Parking and Loading for detailed performance standards)
6. Signs (see Section 4-01 Signs and Outdoor Commercial Advertising Devices for detailed performance standards)
7. Solar Energy Systems for use on Property (see Section 4-03-03-02-11 Accessory Uses, Residential for detailed performance standards)
8. Temporary Use. All temporary uses shall meet the temporary use performance standards contained in Section 4-05 and shall be required to obtain a Special Use Permit unless the temporary use is a permitted principal use within the zone district in which it will be located.
9. Vending and Produce Stands (see Section 4-03-02-02-05 Accessory Uses, Agricultural for detailed performance standards)
10. Wind Powered Generators (see Section 4-03-02-02-06 Accessory Uses, Residential for detailed performance standards)
11. Other accessory uses approved by the Director of Community and Economic Development. The Director of Community and Economic Development may require the accessory use meet performance standards for similar uses permitted by these standards and regulations.

4-03-06 ACCESSORY USES, RECREATIONAL

4-03-06-01 GENERAL ACCESSORY USES PERMITTED

The following general accessory uses are permitted in Recreational Districts:

1. Educational Tours (see section 4-03-06-02-01 Accessory Uses, Recreational for detailed performance standards)
2. Barns (see Section 4-03-02-02-01 Accessory Uses, Agricultural for detailed performance standards)
2. Class Instruction (see Section 4-03-03 Accessory Uses, Residential for detailed performance standards)
3. Communication Tower, Non-Commercial (see Section 4-03-02-02-02 Accessory Uses, Agricultural for detailed performance standards)
4. Day Care Homes (see Section 4-03-03-02-03 Accessory Uses, Residential for detailed performance standards)

5. Farm Employee Dwelling (see Section 4-03-02-02-03 Accessory Uses, Agricultural for detailed performance standards)
6. Garages (see Section 4-03-03-02-04 Accessory Uses, Residential for detailed performance standards)
7. Garage or Yard Sale (see Section 4-03-03-02-05 Accessory Uses, Residential for detailed performance standards)
8. Parking (see 4-13 Parking and Loading for detailed performance standards)
9. Signs (see Section 4-01 Signs and Outdoor Commercial Advertising Devices for detailed performance standards)
10. Solar Energy Systems (see Section 4-03-03-02-11 Accessory Uses, Residential for detailed performance standards)
11. Stables (see Section 4-03-02-02-04 Accessory Uses, Agricultural for detailed performance standards)
12. Storage, Private (see Section 4-03-03-02-13 Accessory Uses, Residential for detailed performance standards)
13. Swimming Pools, Private (see Section 4-03-03-02-15 Accessory Uses, Residential for detailed performance standards)
14. Temporary Use. All temporary uses shall meet the temporary use performance standards contained in Section 4-05 and shall be required to obtain a Special Use Permit unless the temporary use is a permitted principal use within the zone district in which it will be located.
15. Vending and Produce Stands (see Section 4-03-02-02-05 Accessory Uses, Agricultural for detailed performance standards)
16. Wind Powered Generators (see Section 4-03-02-02-06 Accessory Uses, Agricultural for detailed performance standards)
17. Accessory Dwelling Unit (see Section 4-03-03-02-01 Accessory Uses, Residential for performance standards)
18. Outdoor storage, Loading, Garbage, and Mechanical Equipment areas (see Section 4-03-04-02-02 Accessory Uses, Commercial for performance standards)
19. Other accessory uses approved by the Director of Community and Economic Development. The Director of Community and Economic Development may require the accessory use meet performance standards for similar uses permitted by these standards and regulations.

4-03-06-02 PERFORMANCE STANDARDS

4-03-06-02-01 EDUCATIONAL TOURS

1. Incidental Use: Educational tours shall be clearly incidental and secondary to the use of the parcel and shall not change the character of the parcel.
2. Activities: Activities related to the education tour may occur inside or outside. Tours may be conducted by foot, bike, tractor, animal, and/or other means of access as appropriate for the property.

3. *Employees:* The educational tours may be completed by staff working on the parcel, or by outside groups with permission of the property owner. No additional housing units shall be associated with the education tour use.
4. *Exterior Advertising:* There shall be no exterior advertising other than identification of the educational tours with a sign not exceeding 6 square feet which must be located on the face of the home.
5. *Incidental sales permitted:* There shall only be incidental sales of stocks, supplies or products conducted on the premises.
6. *No Outdoor Storage:* There shall be no long-term exterior storage on the premises of material or equipment used as a part of the educational tour.
7. *No Offensive Impacts:* There shall be no offensive noise, vibration, smoke, dust, odors, heat or glare noticeable at or beyond the property line.

4-03-06-02-02 **AGRI-TOURISM**

1. *Incidental Use:* Agri-Tourism shall be clearly incidental and secondary to the use of the parcel and shall not change the character of the parcel.
2. *Activities:* Activities related to the agri-tourism may occur inside or outside. Tours may be conducted by foot, bike, tractor, animal, and/or other means of access as appropriate for the property.
3. *Employees:* Tours may be completed by staff working on the parcel, or by outside groups with permission of the property owner. No additional housing units shall be associated with the agri-tourism use.
4. *Exterior Advertising:* Exterior advertising, meeting the requirements of 4-01 is permitted, except that the total signage associated with the agri-tourism use shall not exceed 16 square feet.
5. *Incidental sales permitted:* There shall only be incidental sales of stocks, supplies or products conducted on the premises.
6. *No Outdoor Storage:* There shall be no long-term exterior storage on the premises of material or equipment used as a part of agri-tourism.
7. *No Offensive Impacts:* There shall be no offensive noise, vibration, smoke, dust, odors, heat or glare noticeable at or beyond the property line.

4-04 SPECIAL USES PERFORMANCE STANDARDS

4-04-01 GENERAL PROVISIONS

4-04-01-01 OBTAIN A SPECIAL USE PERMIT

All special uses shall obtain a Special Use Permit prior to beginning operation. All special uses shall comply with the performance standards established by Section 4-04 for the special use. The permit issuing authority shall be the Board of Adjustment. Special uses shall also conform to all zone district standards contained in these standards and regulations.

4-04-01-02 DURATION OF SPECIAL USE

No special use shall be permitted for a period exceeding five (5) years, unless otherwise noted. Renewals of special uses may be granted in one (1) year increments, following the same procedures as the original permit issuance. Temporary Use/ Special Use Permits may only be issued for maximum of ninety-days (90) days administratively. Any operation proposed to operate greater than ninety-days (90) shall be processed as a Special / Temporary Use Permit before the Board of Adjustment.

4-04-01-03 ZONE DISTRICT STANDARDS AND REQUIREMENTS APPLY

Setbacks and all other standards and requirements of the zone district in which the special use is located shall apply to all structures connected with the special use.

4-04-01-04 NO UNDUE DISTURBANCE TO RESIDENTIAL NEIGHBORHOODS

Lighting, activities, noise, or increased traffic associated with a special use shall not unreasonably disturb surrounding residential neighborhoods.

4-04-01-05 NO DISRUPTION TO COMMERCIAL OR INDUSTRIAL USES

Lighting, activities, noise, or increased traffic associated with a special use shall not unreasonably disrupt the operation of nearby commercial or industrial uses.

4-04-01-06 SIGNAGE

Any signs associated with an approved Special Use Permit shall be considered a permanent sign and are required to obtain a sign permit and, if applicable, a building permit.

4-04-02 PERFORMANCE STANDARDS FOR SPECIFIC SPECIAL USES

4-04-02-01 CONCRETE AND ASPHALT MIXING PLANTS

4-04-02-01-01 *SPECIAL USE PERMIT REQUIRED*

All concrete or asphalt mixing plants intended to be in operation shall obtain a Special Use Permit. However, concrete or asphalt mixing plants may be issued a Temporary Use Permit by the Community and Economic Development Department for a maximum of ninety-days (90) in advance of any hearing before the Board of Adjustment. Industrial Zone Districts, which allow concrete or asphalt mixing plants may be allowed with a Building Permit only.

4-04-02-01-02 *MINIMUM LOT AREA*

No temporary cement or asphalt mixing plants shall be located on a parcel of land less than one-half (½) acre in size.

4-04-02-01-03 *LOCATION*

The use shall be located on the same property or right-of-way, or directly adjacent to the same property or right-of-way, as the construction project.

4-04-02-01-04 *PERIOD OF OPERATION*

Temporary cement and asphalt mixing plants shall only be permitted as an accessory use to the construction of roads or other public improvements.

4-04-02-01-05 *HOURS OF OPERATION*

The temporary cement and asphalt mixing plants shall limit the hours of operation to 7:00 a.m. to 7:00 p.m..

4-04-02-01-06 *USE AREA SETBACK*

Vehicular use areas, material storage areas, and structures shall be setback at least one hundred (100) feet from the property boundary.

4-04-02-01-07 *ACCESS*

All temporary mixing plants shall have highway, arterial, or collector road access.

4-04-02-01-08 *DUST CONTROL*

It is the responsibility of the temporary plant operator to control dust, dirt, and any other debris from blowing from the site on to other properties.

4-04-02-01-09 *ROAD DAMAGE*

Any road damage to the roads providing access to the site of the temporary plant shall be repaired by the temporary plant operator as deemed necessary by the Director of Public Works. The Director of Public Works shall require the plant operator to post a performance bond to cover all potential repair costs.

4-04-02-01-10

TRUCKING

Due to the magnitude of the use, the Director of Public Works may add additional standards regarding trucking routes and the size of loads to protect the general welfare of the citizens.

4-04-02-02

INERT FILL OPERATIONS

4-04-02-02-01

SPECIAL USE PERMIT REQUIRED

Inert fill operations intended to be in operation for more than six (6) months shall obtain a special use permit. Inert fill operations may be issued a Temporary Use Permit by the Community and Economic Development Department for a maximum of six (6) months. Importation of less than 10 cubic yards of inert fill is exempt from the requirement to obtain a temporary use or special use permit. The exempted volume of fill material must meet inert fill for grading definition.

4-04-02-02-02

MAXIMUM FILL AREA

No Special Use Permit for inert fill shall be issued if the area to be filled is greater than ten (10) acres. Any operation proposed to fill greater than ten (10) acres shall be processed as a Conditional Use Permit (see Chapter 2).

4-04-02-02-03

MAXIMUM AMOUNT OF FILL MATERIAL

A Conditional Use Permit (see Chapter 2) for inert fill is required if the amount of material is greater than five-hundred thousand (500,000) cubic yards. Any operation proposed to fill a site with less than five-hundred thousand (500,000) cubic yards may be processed as a Temporary Use/Special Use Permit, depending on the duration of the project.

4-04-02-02-04

PERIOD OF OPERATION

Special Use Permits for inert fill may only be issued for a maximum of five (5) years. Any operation proposed to operate less than six (6) months may be processed as a Temporary Use Permit. Any operation proposed to operate for greater than five (5) years shall be processed as a Conditional Use Permit (see Chapter 2).

4-04-02-02-05

HOURS OF OPERATION

The inert fill operation shall limit its hours of operation from 7:00 a.m. to 7:00 p.m., unless otherwise restricted by the Board of Adjustment.

4-04-02-02-06

SOURCE OF MATERIAL

The site operator shall have sole discretion of the source of fill material and shall provide details of the source material with the permit application. Proof of clean, inert material may be provided by any one of the following:

1. A signed letter from the source providing the fill material certifying that the material is clean.
2. Phase I environmental site assessment or due diligence report for the borrow site demonstrating no Recognized Environmental Conditions (REC).
3. Sampling and analysis of the material to be used as fill demonstrating the material does not contain contaminants in excess of respective EPA residential screening levels. Specifically, two composite samples each consisting of 3 discrete samples shall be collected from 1,000 cubic yards of material with one composite sample collected for each additional 1,500 cubic yards. Laboratory analysis of the following contaminants must be provided:
 - a. VOCs and SVOCs
 - b. 8 RCRA metals (As, Ba, Cd, Cr, Pb, Hg, Se, Ag)
 - c. Polycyclic Aromatic Hydrocarbons
 - d. PCB at the Director of Community and Economic Development’s discretion
 - e. Pesticides at the Director of Community and Economic Development’s discretion

4-04-02-02-07

GROUNDWATER IMPACTS

Fill material is not likely to contaminate ground water.

4-04-02-02-08

TRAFFIC/HAUL ROUTE

The haul route for the traffic to and from the fill operation shall be provided with the permit application and may be jointly reviewed and a recommendation forwarded to the Board of Adjustment for their consideration and decision.

4-04-02-02-09

GRADING AND DRAINAGE

The final grading and drainage plan shall be provided with the permit application and may be approved by the Community and Economic Development Department.

4-04-02-03 TEMPORARY STRUCTURES (TENTS)

4-04-02-03-01

SPECIAL USE PERMIT REQUIRED

A Special Use Permit shall be obtained for any temporary structure intended to be located on a property for more than ninety (90) days. Any structure intended to be used for less than ninety (90) days may obtain a Temporary Use Permit.

4-04-02-03-02

PERIOD OF OPERATION

Special Use Permits for temporary structures may only be issued for a maximum of two and a half (2.5) years.

4-04-02-03-03 *CODE REQUIREMENTS*

All Temporary Structures shall meet the building and fire code requirements prior to approval of any Temporary or Special Use Permit.

4-04-02-03-04 *MAXIMUM SIZE*

Temporary Structures shall not exceed a gross floor area of eight hundred (800) square feet per structure. If multiple temporary structures are located on one site, all requirements of the Adams County Temporary Structures under Section 4-07-02-03 shall be followed.

4-04-02-03-05 *LOCATION*

The temporary structure shall be located on gravel, recycled asphalt, or paved parking lot or on agricultural land. The structure shall not block or be located within any right-of-way or public sidewalk. The structure shall not be located within any required parking spaces. The structure shall meet all zone district requirements for which the structure is located.

4-04-02-03-06 *HEIGHT*

The temporary structure shall not exceed the height limit of the zone district in which the structure is located.

4-04-02-03-07 *EXITS*

Stands (wood-built structures): Any stand measuring more than twenty-five (25) feet in length across the face shall have two (2) exits. Exit doors shall be a minimum of twenty (20) inches in width and six (6) feet in height and swing in the direction of egress. Stands with floor areas between three hundred (300) and four hundred (400) square feet must have three (3) exits.

1. Tents: All aisles within a tent shall measure no less than forty-eight (48) inches in width. All tents shall have at least two sides of the tent open and unobstructed for use as an exit.

4-04-02-03-08 *CONSTRUCTION MATERIALS*

All temporary structures shall be constructed of wood, metal, fire retardant tent as approved by the Community and Economic Development Department or other approved materials. Stands shall not have wheels or tires. Combustible construction materials shall be painted with a water based latex paint.

4-04-02-03-09 *ANCHORING*

All temporary structures shall be properly anchored to the ground as approved by the Community and Economic Development Department.

4-04-02-03-10 *WIRING*

Electrical wiring shall meet all requirements of the State of Colorado.

4-04-02-04 VENDING AND PRODUCE STANDS**4-04-02-04-01 SPECIAL USE PERMIT REQUIRED**

Vending and/or produce standards intended to be in operation shall obtain a Special Use Permit. However, vending and/or produce stands may be issued a Temporary Use Permit by the Community and Economic Development Department for a maximum of ninety-days (90) in advance of any hearing before the Board of Adjustment.

No Special Use Permit shall be required for a produce stand located on agriculturally zoned land provided the stand is an accessory use and meets the performance standards in Section 4-03-02-02-05. In addition, no Special Use Permit shall be issued if the stand has been erected on the subject site without a Temporary Use Permit from the Community and Economic Development Department.

4-04-02-04-02 MINIMUM LOT AREA

No vending or produce stand shall be located on a parcel of land less than four hundred (400) square feet in size.

4-04-02-04-03 LOCATION

The stand shall be located on a gravel, recycled asphalt, or paved parking lot or on agricultural land. The stand shall not block or be located within any right-of-way or public sidewalk.

4-04-02-04-04 PERIOD OF OPERATION

The stand shall operate for no more than ninety (90) days annually.

4-04-02-04-05 HOURS OF OPERATION

The stand shall limit its hours of operation to 7:00 a.m. to 7:00 p.m..

4-04-02-04-06 SETBACKS

The setbacks for the zone district shall apply.

4-04-02-04-07 PARKING

Parking for the stand shall not block or be located within any right-of-way or public sidewalk. At least five (5) off-road parking spaces shall be provided per two hundred (200) square feet of stand area.

4-04-02-04-08 ACCESS

All vending and produce stands shall have highway, arterial, or collector road access.

4-05 TEMPORARY USES PERFORMANCE STANDARDS

4-05-01 GENERAL PROVISIONS

4-05-01-01 OBTAIN A TEMPORARY USE PERMIT

All temporary uses shall obtain a Temporary Use Permit prior to beginning operation. All temporary uses required by these regulations to obtain a Temporary Use Permit, shall comply with the performance standards established by Section 4-05 for the temporary use. Specified temporary uses may be issued by the Director of Community and Economic Development. Temporary uses shall also conform to all zone district standards contained in these standards and regulations. If a Temporary Use Permit is denied by the Community and Economic Development Department, an applicant may request a Special Use Permit from the Board of Adjustment.

4-05-01-02 DURATION OF TEMPORARY USE

No temporary use shall be permitted for a period exceeding ninety-days (90), unless otherwise noted. Renewals of Temporary Use Permits may only be issued for a maximum of ninety-days (90) days administratively. Any operation proposed to operate greater than ninety-days (90) shall be processed as a Special Use Permit before the Board of Adjustment.

4-05-01-03 ZONE DISTRICT STANDARDS AND REQUIREMENTS APPLY

Setbacks and all other standards and requirements of the zone district in which the temporary use is located shall apply to all structures connected with the temporary use.

4-05-01-04 NO UNDUE DISTURBANCE TO RESIDENTIAL NEIGHBORHOODS

Lighting, activities, noise, or increased traffic associated with a temporary use shall not unreasonably disturb surrounding residential neighborhoods.

4-05-01-05 NO DISRUPTION TO COMMERCIAL OR INDUSTRIAL USES

Lighting, activities, noise, or increased traffic associated with a temporary use shall not unreasonably disrupt the operation of nearby commercial or industrial uses.

4-05-01-06 SIGNAGE

Any sign associated with an approved Temporary Use Permit shall be depicted on the site plan and allowed for the duration of the permit. The maximum sign size shall be thirty-two (32) square feet. Signs shall be placed on private property, outside any right-of-way or easement and shall be placed to avoid any sight obstruction for motorists,

cyclists, and pedestrians. Signs shall not be illuminated. Signs for Temporary Use Permits do not require a sign permit but may require a building permit.

4-05-02 PERFORMANCE STANDARDS FOR SPECIFIC TEMPORARY USES

4-05-02-01 CARNIVAL OR CIRCUS

4-05-02-01-01 *TEMPORARY USE PERMIT REQUIRED*

All carnivals or circuses shall obtain a Temporary Use Permit before operating.

4-05-02-01-02 *MINIMUM LOT AREA*

No carnival or circus shall be located on a parcel of land less than five (5) acres in size.

4-05-02-01-03 *PERIOD OF OPERATION*

No carnival or circus shall be allowed to operate for a period exceeding fourteen (14) days, exclusive of a three (3) day period, before and after the operation, during which amusement rides, concessions, etc. are erected or removed from the site.

4-05-02-01-04 *HOURS OF OPERATION*

The carnival or circus shall limit its hours of operation to 9:00 a.m. to 10:00 p.m..

4-05-02-01-05 *ACCESS*

All carnivals and circuses shall have highway or arterial road access.

4-05-02-01-06 *PARKING*

Every carnival or circus shall provide either paved or dust treated off-road parking for not less than three hundred (300) automobiles per acre of area used for amusement purposes.

4-05-02-01-07 *SIGNAGE*

All signs associated with a Carnival or Circus shall be consistent with Section 4-05-01-06.

4-05-02-02 CHRISTMAS TREE SALES

4-05-02-02-01 *TEMPORARY USE PERMIT REQUIRED*

All Christmas tree sales lots shall obtain a Temporary Use Permit before operating and shall comply with the performance criteria of Section 4-05-02-02.

- 4-05-02-02-02** **MAXIMUM LOT AREA**
The sales lot shall not occupy more than ten percent (10%) of a gravel, recycled asphalt, or paved parking lot on which the sales lot is located. In no case shall the sales area exceed ten thousand (10,000) square feet.
- 4-05-02-02-03** **LOCATION**
Christmas tree sales lots shall be located on a gravel, recycled asphalt, or paved parking lot in a commercial zone district or on agricultural land. The sales area shall not block or be located within any right-of-way or public sidewalk.
- 4-05-02-02-04** **PERIOD OF OPERATION**
Christmas tree sales shall not exceed a period of sixty (60) days.
- 4-05-02-02-05** **HOURS OF OPERATION**
The Christmas tree sales lot shall limit its hours of operation to 7:00 AM to 7:00 PM.
- 4-05-02-02-06** **SETBACKS**
The setbacks for the zone district shall apply.
- 4-05-02-02-07** **SIGNAGE**
All signs associated with Christmas Tree Sales shall be consistent with Section 4-05-01-06.
- 4-05-02-02-08** **PARKING**
Parking for the stand shall not block or be located within any right-of-way or public sidewalk. At least five (5) off-road parking spaces shall be provided per two hundred (200) square feet of sales area.
- 4-05-02-02-09** **ACCESS**
All Christmas tree lots shall have highway, arterial, or collector road access.
- 4-05-02-02-10** **TREE DISPLAY RESTRICTIONS**
No Christmas tree shall be displayed within fifty (50) feet of an intersection of the curb line of any two (2) roads or within any sight distance triangle required to be maintained by these standards and regulations.

4-05-02-03 CONCRETE AND ASPHALT MIXING PLANTS

- 4-05-02-03-01** **TEMPORARY USE PERMIT REQUIRED**
All concrete or asphalt mixing plants intended to be in operation shall obtain a Special Use Permit. However, concrete or asphalt mixing plants may be issued a Temporary Use Permit by the Community and Economic

Development Department for a maximum of ninety-days (90) in advance of any hearing before the Board of Adjustment. Industrial Zone Districts, which allow concrete or asphalt mixing plants may be allowed with a Building Permit only.

- 4-05-02-03-02** **MINIMUM LOT AREA**
No temporary cement or asphalt mixing plants shall be located on a parcel of land less than one-half (½) acre in size.
- 4-05-02-03-03** **LOCATION**
The use shall be located on the same property or right-of-way, or directly adjacent to the same property or right-of-way, as the construction project.
- 4-05-02-03-04** **PERIOD OF OPERATION**
Temporary cement and asphalt mixing plants shall only be permitted as an accessory use to the construction of roads or other public improvements.
- 4-05-02-03-05** **HOURS OF OPERATION**
The temporary cement and asphalt mixing plants shall limit the hours of operation to 7:00 a.m. to 7:00 p.m..
- 4-05-02-03-06** **USE AREA SETBACK**
Vehicular-use areas, material storage areas, and structures shall be setback at least one hundred (100) feet from the property boundary.
- 4-05-02-03-07** **ACCESS**
All temporary mixing plants shall have highway, arterial, or collector road access.
- 4-05-02-03-08** **DUST CONTROL**
It is the responsibility of the temporary plant operator to control dust, dirt, and any other debris from blowing from the site on to other properties.
- 4-05-02-03-09** **ROAD DAMAGE**
Any road damage to the roads providing access to the site of the temporary plant shall be repaired by the temporary plant operator as deemed necessary by the Director of Public Works. The Director of Public Works shall require the plant operator to post a performance bond to cover all potential repair costs.
- 4-05-02-03-10** **TRUCKING**
Due to the magnitude of the use, the Director of Public Works may add additional standards regarding trucking routes and the size of loads to protect the general welfare of the citizens.

4-05-02-03-11

SIGNAGE

All signs associated with Concrete and Asphalt Mixing Plants shall be consistent with Section 4-05-01-06.

4-05-02-04 CONSTRUCTION SITE FENCING

4-05-02-04-01

TEMPORARY USE PERMIT REQUIRED

A Temporary Use Permit shall be obtained before locating any construction site fencing and shall comply with the performance criteria of Section 4-05-02-04.

4-05-02-04-02

MAXIMUM HEIGHT

The maximum height of construction site fencing shall be ninety-six (96) inches.

4-05-02-04-03

FENCING MATERIAL

Land under development may be surrounded by a chain link fence or solid wood fence.

4-05-02-04-04

LOCATION

Construction site fencing shall be installed within or along the property lines of the development.

4-05-02-04-05

SIGN POSTING

Construction site fencing shall be posted with the name and phone number of the responsible party for emergency and trespassing purposes.

4-05-02-04-06

PERIOD OF PLACEMENT AND REMOVAL

Construction site fencing may exist during the period of construction for the project. It shall be removed within thirty (30) days of issuance of a certificate of occupancy.

4-05-02-05 PERMISSIBLE FIREWORKS STAND/TENT

4-05-02-05-01

TEMPORARY USE PERMIT REQUIRED

A Temporary Use Permit shall be obtained for each stand/tent before locating any permissible fireworks stand/tent and shall comply with the performance criteria of Section 4-05-02-06. Only the sale of “permissible fireworks”, as that term is defined by Colorado Revised Statutes, is permitted with temporary use permit for permissible fireworks stand/tent. Fireworks that do not meet the definition of “permissible fireworks” shall not be sold or stored at permissible fireworks stands/tents.

- 4-05-02-05-02** ***SUBMITTAL DEADLINE***
All Temporary Use Permit Applications for permissible fireworks stands/tents shall be submitted no later than the last business day in May. All applications shall be complete at the time of submittal.
- 4-05-02-05-03** ***INSURANCE***
The applicant shall submit to Adams County a certificate of insurance. The minimum coverage for the property damage and/or bodily injury is \$1,000,000.00.
- 4-05-02-05-04** ***MAXIMUM SIZE OF STAND/TENT***
If multiple stands/tents are located on one site, all requirements of the Adams County Permissible Fireworks Stands/Tents under Section 4-05-02-06 shall be followed. Permissible Fireworks stands/tents shall not exceed a gross floor area of eight hundred (800) square feet per stand/tent.
- 4-05-02-05-05** ***PERIOD OF OPERATION***
Permissible fireworks stands/tents may be operated between June 15 and July 5.
- 4-05-02-05-06** ***DISMANTLE AND REMOVAL DATE***
All stands/tents shall be dismantled and removed no later than July 15.
- 4-05-02-05-07** ***HOURS OF OPERATION***
Permissible fireworks stands/tents shall limit their hours of operation to 7:00 a.m. to 7:00 p.m..
- 4-05-02-05-08** ***CLEAR AREA***
A clear area is a minimum area in which the permissible fireworks stand or tent shall be setback from property lines, fences, vehicles, detached firework storage, and all permitted banners. The clear area shall be measured from the supporting wall of the stand or from the anchor point of the tent.
- 4-05-02-05-09** ***VEGETATION AND WEEDS WITHIN CLEAR AREAS***
Vegetation within the required clear areas shall be a maximum of two (2) inches above the ground except for trees and shrubs.
- 4-05-02-05-10** ***CLEAR AREAS***
A clear and unobstructed distance of at least thirty (30) feet is required between the stand or tent and detached fireworks storage.

- 4-05-02-05-11 **SETBACKS FROM PERMANENT BUILDINGS, FLAMMABLE LIQUIDS, AND FUEL DISPENSING OPERATIONS**
A clear and unobstructed distance of fifty (50) feet is required between the stands/tents and permanent buildings, flammable liquids, and fuel dispensing operations.
- 4-05-02-05-12 **EXITS**
1. Stands: Any stand measuring more than twenty-five (25) feet in length across the face shall have two (2) exits. Exit doors shall be a minimum of twenty (20) inches in width and six (6) feet in height and swing in the direction of egress. Stands with floor areas between three hundred (300) and four hundred (400) square feet must have three (3) exits.
2. Tents: All aisles within a permissible fireworks stand shall measure no less than 48 inches in width. All fireworks tents shall have at least two sides of the tent open and unobstructed for use as an exit.
- 4-05-02-05-13 **“NO SMOKING” SIGNS**
“No Smoking” signs shall be conspicuously placed both inside and outside of the stand/tent.
- 4-05-02-05-14 **CONSTRUCTION MATERIALS**
All stands/tents shall be constructed of wood, metal, fire retardant tent as approved by the Community and Economic Development Department or other approved materials. Stands shall not have wheels or tires. Combustible construction materials shall be painted with a water-based latex paint.
- 4-05-02-05-15 **ANCHORING**
All tents and stands shall be properly anchored to the ground as approved by the Community and Economic Development Department.
- 4-05-02-05-16 **WIRING**
Electrical wiring shall meet all requirements of the State of Colorado.
- 4-05-02-05-17 **DISPENSING PERMISSIBLE FIREWORKS**
A person of twenty-one (21) years of age or older shall always be present on the property to provide supervision. It is illegal for any person under sixteen (16) years of age to purchase or vend any permissible fireworks. All permissible fireworks stands/tents shall operate in conformance with state law.
- 4-05-02-05-18 **DISCHARGING FIREWORKS**
No fireworks shall be discharged within a three hundred (300) foot radius of a stand/tent or within one hundred (100) feet of the property line on which the stand/tent is located.

- 4-05-02-05-19 **WHOLESALE FIREWORKS**
Sale of fireworks at wholesale shall not be conducted from stands/tents or portable, moveable, or temporary metal, wood, or plastic containers.
- 4-05-02-05-20 **PENNANTS**
Strings of flags, pennants, and streamers may identify the clear area or the parking area. Pennants shall not be attached to a stand or tent. Pennants shall be depicted on the site plan.
- 4-05-02-05-21 **SIGNAGE**
All signs associated with a Permissible Firework Tent/Stand shall be consistent with Section 4-05-01-06.
- 4-05-02-05-22 **TRASH**
The site shall be kept clean of trash and debris at all times. Trash dumpsters shall be utilized and located on the site during operations.

4-05-02-06 CHILE STAND/TENT *

***Adopted by the BoCC on April 21, 2008**

- 4-05-02-06-01 **TEMPORARY USE PERMIT REQUIRED**
A Temporary Use Permit shall be obtained for each stand/tent before locating any chile stand/tent and shall comply with the performance criteria of Section 4-05-02-07.
- 4-05-02-06-02 **INSURANCE**
The applicant shall submit to Adams County a certificate of insurance. The minimum coverage for the property damage and/or bodily injury is \$400,000.00.
- 4-05-02-06-03 **MAXIMUM SIZE OF STAND/TENT**
If multiple stands/tents are located on one site, all requirements of the Adams County Chile Stand/Tent under Section 4-05-02-07 shall be followed. Chile stands/tents shall not exceed a gross floor area of eight hundred (800) square feet per stand/tent.
- 4-05-02-06-04 **HOURS OF OPERATION**
Chile stands/tents shall limit their hours of operation to 7:00 a.m. to 10:00 p.m..
- 4-05-02-06-05 **CLEAR AREAS AROUND TENT/STAND**
A clear area is a minimum area in which the chile stand or tent shall be setback from property lines, fences, vehicles, propane tanks, burners, and all

permitted banners. The clear area shall be measured from the supporting wall of the stand or from the anchor point of the tent.

4-05-02-06-06

CLEAR AREAS

A clear and unobstructed distance of at least thirty (30) feet is required around the stand or tent.

4-05-02-06-07

CLEAR AREAS AROUND PROPANE TANKS AND BURNERS

A clear area is a minimum area in which the propane tanks and burners shall be setback from property lines, fences, vehicles, tents/stands, and all banners.

4-05-02-06-08

VEGETATION AND WEEDS WITHIN CLEAR AREAS

Vegetation within the required clear areas shall be a maximum of two (2) inches above the ground except for trees and shrubs.

4-05-02-06-09

ANCHORING

All tents and stands shall be properly anchored to the ground as approved by the Community and Economic Development Department.

4-05-02-06-10

WIRING

Electrical wiring shall meet all requirements of the State of Colorado.

4-05-02-06-11

PENNANTS

Strings of flags, pennants, and streamers may identify the clear area or the parking area. Pennants shall not be attached to a stand or tent. Pennants shall be depicted on the site plan.

4-05-02-06-12

SIGNAGE

All signs associated with a Chile Tent/Stand shall be consistent with Section 4-05-01-06.

4-05-02-06-13

TRASH

The site shall always be kept clean of trash and debris. Trash dumpsters shall be utilized and located on the site during operations.

4-05-02-07 INERT FILL OPERATIONS

4-05-02-07-01

TEMPORARY USE PERMIT REQUIRED

Inert fill operations shall obtain a Temporary Use Permit. A Temporary Use Permit for inert fill may be issued for a maximum of six (6) months. Importation of less than 10 cubic yards of inert fill is exempt from the

requirement to obtain a temporary use or special use permit. The exempted volume of fill material must meet inert fill for grading definition.

4-05-02-07-02 *MAXIMUM FILL AREA*

No Temporary Use Permit for inert fill shall be issued if the area to be filled is greater than ten (10) acres. Any operation proposed to fill greater than ten (10) acres shall be processed as a Conditional Use Permit (see Chapter 2).

4-05-02-07-03 *MAXIMUM AMOUNT OF FILL MATERIAL*

No Temporary Use Permit for inert fill shall be issued if the amount of material is greater than five-hundred thousand (500,000) cubic yards. Any operation proposed to fill a site with more than five-hundred thousand (500,000) cubic yards shall be processed as a Conditional Use Permit (see Chapter 2).

4-05-02-07-04 *PERIOD OF OPERATION*

Temporary Use Permits for inert fill may only be issued for maximum of six (6) months. Any operation proposed to operate greater than six (6) months shall be processed as a Special Use Permit. Any operation proposed to operate greater than five (5) years shall obtain a Conditional Use Permit (see Chapter 2).

4-05-02-07-05 *HOURS OF OPERATION*

The inert fill operation shall limit its hours of operation from 7:00 a.m. to 7:00 p.m., unless otherwise restricted by the Director of Community and Economic Development.

4-05-02-07-06 *SOURCE OF MATERIAL*

The site operator shall have sole discretion of the source of fill material and shall provide details of the source material with the permit application. Proof of clean, inert material may be provided by any one of the following:

1. A signed letter from the source providing the fill material certifying that the material is clean
2. Phase I environmental site assessment or due diligence report for the borrow site demonstrating no Recognized Environmental Concerns (REC)
3. Sampling and analysis of the material to be used as fill demonstrating the material does not contain contaminants in excess of respective EPA residential screening levels. Specifically, two composite samples each consisting of 3 discrete samples shall be collected from 1,000 cubic yards of material with one composite sample collected for each additional 1,500 cubic yards. Laboratory analysis of the following contaminants must be provided:

- a. VOCs and SVOCs
- b. 8 RCRA metals (As, Ba, Cd, Cr, Pb, Hg, Se, Ag)
- c. Polycyclic Aromatic Hydrocarbons
- d. PCB at the Director of Community and Economic Development's discretion
- e. Pesticides at the Director of Community and Economic Development's discretion

4-05-02-07-07 *GROUNDWATER IMPACTS*

Fill material is not likely to contaminate ground water.

4-05-02-07-08 *TRAFFIC/HAUL ROUTE*

The haul route for the traffic to and from the fill operation shall be provided with the permit application and may be jointly reviewed and approved by the Community and Economic Development Department.

4-05-02-07-09 *GRADING AND DRAINAGE*

The final grading and drainage plan shall be provided with the permit application and may be approved by the Community and Economic Development Department.

4-05-02-08 *TEMPORARY STRUCTURES (TENTS)*

4-05-02-08-01 *TEMPORARY USE PERMIT REQUIRED*

A Temporary Use Permit shall be obtained for any temporary structure intended to be located on a property for up to ninety (90) days.

4-05-02-08-02 *PERIOD OF OPERATION*

Temporary Use Permits for temporary structures may only be issued for a maximum of ninety (90) days. Any structure intended to be used for more than ninety (90) days shall obtain a Special Use Permit.

4-05-02-08-03 *CODE REQUIREMENTS*

All Temporary Structures shall meet the building and fire code requirements prior to approval of any Temporary or Special Use Permit.

4-05-02-08-04 *MAXIMUM SIZE*

Temporary Structures shall not exceed a gross floor area of eight hundred (800) square feet per structure. If multiple temporary structures are located on one site, all requirements of the Adams County Temporary Structures under Section 4-05-02-09 shall be followed.

4-05-02-08-05 LOCATION

The temporary structure shall be located on gravel, recycled asphalt, or paved parking lot or on agricultural land. The structure shall not block or be located within any right-of-way or public sidewalk. The structure shall not be located within any required parking spaces. The structure shall meet all zone district requirements for which the structure is located.

4-05-02-08-06 HEIGHT

The temporary structure shall not exceed the height limit of the zone district in which the structure is located.

4-05-02-08-07 EXITS

1. Stands (Wood built structures): Any stand measuring more than twenty-five (25) feet in length across the face shall have two (2) exits. Exit doors shall be a minimum of twenty (20) inches in width and six (6) feet in height and swing in the direction of egress. Stands with floor areas between three hundred (300) and four hundred (400) square feet must have three (3) exits.
2. Tents: All aisles within a tent shall measure no less than 48 inches in width. All tents shall have at least two sides of the tent open and unobstructed for use as an exit.

4-05-02-08-08 CONSTRUCTION MATERIALS

All temporary structures shall be constructed of wood, metal, fire retardant tent as approved by the Community and Economic Development Department or other approved materials. Stands shall not have wheels or tires. Combustible construction materials shall be painted with a water based latex paint.

4-05-02-08-09 ANCHORING

All temporary structures shall be properly anchored to the ground as approved by the Community and Economic Development Department.

4-05-02-08-10 WIRING

Electrical wiring shall meet all requirements of the State of Colorado.

4-05-02-08-11 SIGNAGE

All signs associated with a Temporary Structure shall be consistent with Section 4-05-01-06.

4-05-02-09 VENDING AND PRODUCE STANDS

4-05-02-09-01 TEMPORARY USE PERMIT REQUIRED

Vending and/or produce standards intended to be in operation shall obtain a Special Use Permit. However, vending and/or produce stands may be issued a Temporary Use Permit by the Community and Economic Development

Department for a maximum of ninety-days (90) in advance of any hearing before the Board of Adjustment.

No Special Use Permit shall be required for a produce stand located on agriculturally zoned land provided the stand is an accessory use and meets the performance standards in Section 4-03-02-02-05. In addition, no Special Use Permit shall be issued if the stand, which is subject to the current permit has been erected on the subject site without a Temporary Use Permit from the Community and Economic Development Department.

4-05-02-09-02

MINIMUM LOT AREA

No vending or produce stand shall be located on a parcel of land less than four hundred (400) square feet in size.

4-05-02-09-03

LOCATION

The stand shall be located on a gravel, recycled asphalt, or paved parking lot or on agricultural land. The stand shall not block or be located within any right-of-way or public sidewalk.

4-05-02-09-04

PERIOD OF OPERATION

The stand shall operate for no more than ninety (90) days annually.

4-05-02-09-05

HOURS OF OPERATION

The stand shall limit its hours of operation to 7:00 a.m. to 7:00 p.m..

4-05-02-09-06

SETBACKS

The setbacks for the zone district shall apply.

4-05-02-09-07

SIGNAGE

All signs associated with a Vending and Produce Stand shall be consistent with Section 4-05-01-06.

4-05-02-09-08

PARKING

Parking for the stand shall not block or be located within any right-of-way or public sidewalk. At least five (5) off-road parking spaces shall be provided per two hundred (200) square feet of stand area.

4-05-02-09-09

ACCESS

All vending and produce stands shall have highway, arterial, or collector road access.

4-06 AGRICULTURAL USES PERFORMANCE STANDARDS

4-06-01 GENERAL PERFORMANCE STANDARDS

4-06-01-01 PURPOSE

The purpose of the following general performance standards is to address elements of planning, design, operation, and maintenance to be applied to all agricultural development in Adams County. Any use specific performance standards contained in these standards and regulations shall also be applied. Where a use specific performance standard conflicts with a general performance standard, the use specific standard shall apply.

4-06-01-02 SUBSECTIONS

The following general performance standards are included in this section:

1. Fencing and Walls

The following general performance standards are located in other sections of these standards and regulations:

1. Parking (See Section 4-13)
2. Signage (See Section 4-01)
3. Landscaping (See Section 4-16)
4. Weeds and Offending Vegetation (See Section 4-18)
5. Site Design Considerations (See Section 4-21)
6. Operational Standards (See Section 4-14)
7. Off-Road Utility, Dumpster, Recycling, and Trash Handling Facilities (See Section 4-22)
8. Off-Premise Signs (See Section 4-16)

4-06-01-02-01 **FENCING, WALLS, AND SCREENING**

4-06-01-02-01-01 **Maximum Height**

The maximum height of fencing, walls, and screening shall be ninety-six (96) inches, which may include four (4) strands of barbed wire forming the top eighteen (18) inches. All fences and walls more than forty-two (42) inches in height require a building permit.

4-06-01-02-01-02 **Fencing Material**

Fencing consisting of only barbed wire is permitted.

4-06-01-02-01-03

Retaining Wall

Any retaining wall over four (4) feet in height shall require preparation by a professional engineer as a condition for a building permit, except where waived by the Director of Community and Economic Development. As determined by the Director of Community and Economic Development any retaining wall over thirty-six (36) inches in height may require a guard rail up to five (5) feet in height and placed at the top of grade.

4-06-01-02-01-04

Subdivided Agricultural Zone Districts

In addition to the other standards contained in this Section, the following fence standards shall apply to subdivided agriculturally zoned lands:

1. *Maximum Fence Height:* Fifty-four (54) inches between the front setback line and a front property line.
2. *Fencing in the Front Setback:* All fencing between the front setback line and front property line greater than forty-two (42) inches shall not be screen fencing and shall adhere to sight distance requirements.
3. *External Boundary Electric Fence:* An external boundary electric fence shall require a Conditional Use Permit.

4-06-01-02-01-05

Traffic View Obstruction

Traffic view obstruction, as outlined in these standards and regulations, is prohibited.

4-06-01-02-01-06

Screen Fencing

Screen fencing is required to conceal outside storage from all adjacent road right-of-way and lesser intensity uses. Screening is not required between storage yards provided neither yard is visible from an adjacent road right-of-way. This section does not affect required landscaping along street frontages or buffering requirements contained in these regulations. In all practicable cases, the screen fencing addressed below shall be behind the required landscaping. The following criteria shall be followed in determining what form of screening is appropriate to accomplish visual buffering of outside storage yards in the County.

1. If the property is already developed and the proposed storage area is enclosed by an existing chain link fence, which has a useful life remaining, the property owner shall:
 - a. Install heavy gauge PVC or vinyl inserts.
 - b. The inserts shall achieve a minimum of ninety (90) percent opacity.
 - c. Color of the inserts is at the discretion of the applicant.
 - d. If the existing fence does not have a remaining useful life, the property (or portion of the property affected) defaults to item 2.
2. If the property is not developed and is proposed for outside storage, the property owner shall conceal all outside storage with an eight-foot solid wood fence or masonry wall.

3. If the property is not feasible screened by a fence from an adjacent road due to topography, the property owner shall:
 - a. Install fast growing trees (preferably a mix of coniferous and deciduous) appropriately spaced to ensure complete screening at maturity.
 - b. A chain link fence may be constructed at the discretion of the applicant but must be placed to the interior of the screening trees.
4. All fencing shall always be maintained and kept in good condition. Condition of fences shall be evaluated through a review of:
 - a. Structural integrity and being functionally sound under the Adams County Building Code; and
 - b. Substantially the same condition as originally permitted or constructed.

4-06-01-02-01-07

Garbage Area Screening

Garbage area screening shall consist of a six (6) foot high minimum screen fence.

4-06-01-02-01-08

Outdoor Storage Screening

Outdoor storage area screening shall consist of a six (6) foot high minimum screen fence. Outdoor storage shall not be allowed above the height of the fence.

4-06-01-02-01-09

Masonry Wall

All walls specified to be masonry fencing shall be constructed out of a brick or stone material which does not permit the contents within the fenced area to be seen from the outside.

4-06-01-02-01-10

Noise Barrier Fencing

Where existing and proposed arterial roads or state highways traverse or are adjacent to areas of proposed residential or commercial development the Director of Community and Economic Development may require noise barrier fencing be installed by the developer. Such fencing shall meet the minimum standards of the Colorado Department of Transportation and these standards and regulations.

4-06-01-02-01-11

Sidewalk Maintenance

The property owner of land abutting a constructed public right-of-way is responsible for construction and maintenance of curb, gutter, and sidewalk along the right-of-way abutting his property including snow removal for pedestrian access

4-06-01-02-01-12

Oil and Gas Well Waiver

Where a new home is constructed within three hundred (300) feet of an existing oil or gas well, the property owner shall submit a signed waiver acknowledging the existence of the facility.

4-06-02 PERFORMANCE STANDARDS BY USE CATEGORY

The following specific performance standards are included in this section:

1. Agricultural Support Businesses and Services (See Section 4-06-02-01 for specific requirements)
 - a. Auction Yards, With Livestock (See Section 04-06-02-01-01 for specific requirements)
 - b. Biosolids Application (See Section 04-06-02-01-02 for specific requirements)
 - c. Commercial Livestock and Poultry Confinement Operations (See Section 04-06-02-01-03 for specific requirements)
 - d. Equestrian Arena, Commercial (See Section 4-06-02-01-04 for specific requirements)
 - e. Equestrian Arena, Personal (See Section 4-06-02-01-05 for specific requirements)
 - f. Farm Machinery Sales and Services (See Section 04-06-02-01-06 for specific requirements)
 - g. Fish Hatcheries (See Section 04-06-02-01-07 for specific requirements)
 - h. Livestock and Poultry Keeping (See Section 04-06-02-01-09 for specific requirements)
 - i. Railroad Yards (See Section 04-06-02-01-10 for specific requirements)
 - j. Truck Stops (See Section 04-06-02-01-11 for specific requirements)
2. Nurseries (See Section 04-06-02-02 for specific requirements)
3. Performance standards for residential uses, institutional uses, commercial uses and industrial uses permitted in an agricultural zone district may be found in Sections 4-07, 4-08, 4-09, and 4-10.

4-06-02-01 AGRICULTURAL SUPPORT BUSINESSES AND SERVICES

4-06-02-01-01 AUCTION YARDS, WITH LIVESTOCK

1. *Minimum Parcel Area:* One (1) acre
2. *Location:* All auction yards shall be located at least fifty (50) feet away from any on-property occupied residential structure, fifty (50) feet from any right-of-way and five hundred (500) feet from any off-property occupied residential structure.
3. *Sale of Livestock:* Livestock sale rings are permitted. However, all livestock sale rings and yards shall be located no less than one thousand (1,000) feet from any occupied residential structure.
4. *Animal Care:* All animals shall be cared for in a humane and sanitary manner as approved by the Colorado Department of Agriculture and the State Veterinarian's Office.
5. *Manure Handling:* Manure shall be handled and disposed of in a sanitary method, approved by Tri-County Health Department.

4-06-02-01-02

BIOSOLIDS APPLICATION

1. *Biosolids Regulations:* The applier must operate in compliance with the Colorado Department of Public Health and Environment Biosolids Regulations, Reg. No. 64.
2. *Monitoring Reports:* Monitoring reports (2 copies) are required as a condition of the State Permit and shall be forwarded to the Adams County Community and Economic Development Department as they are forwarded to the Colorado Department of Public Health and Environment.
3. *Conditions of Approval:* The applier shall operate in accordance with all approved plans and required conditions of approval as stated in the permit issued by Adams County.
4. *Sewage, Sewage Sludge, and Septage:* Land applications of sewage, sewage sludge, or septage are prohibited.

4-06-02-01-03

COMMERCIAL LIVESTOCK AND POULTRY CONFINEMENT OPERATIONS

1. *Minimum Parcel Area:* Ten (10) acres
2. *Location:* All such operations shall be located at least one hundred (100) feet away from any on-property occupied residential structure and two hundred (200) feet from any right-of-way.
3. *Setback from Residential Properties:* No new livestock or poultry confinement operation shall be permitted within one (1) mile of the lot line of a residential use except one which occurs in association with the livestock confinement operation and unless a waiver is obtained in writing from the residential property owner(s) within one (1) mile and a disclosure document is recorded against the residential property.
4. *Animal Care:* All animals shall be cared for in a humane and sanitary manner as approved by the Colorado Department of Agriculture and the State Veterinarian's Office.
5. *Grazing:* Grazing lands shall be maintained in accordance with standards and specifications outlined by the United States Department of Agriculture and the local Soil Conservation Service.
6. *Conformance with "Confined Animal Feeding Operations Control Regulations":* All Operations shall comply with the "Confined Animal Feeding Operations Control Regulations" specified by the Colorado Department of Public Health and Environment.
7. *Environmental and/or Chemical and Scientific Controls:* Environmental and/or chemical and scientific controls shall be provided as approved by Tri-County Health Department.
8. *Manure Handling:* Manure shall be handled and disposed of in a sanitary method, approved by Tri-County Health Department.

9. *Drainage Facilities:* Drainage facilities or improvements, as approved by the Tri-County Health Department, shall be constructed to protect any adjacent rivers, streams, or other bodies of water.
10. *Scraping, Grading, and Cleaning:* Adequate means of scraping, grading and cleaning shall always be provided as approved by the Tri-County Health Department.
11. *Tabulation of Animal Unit Densities:* To determine the maximum number of animals allowed on a given property, the types, and densities of animals allowed are detailed in Section 4-22.
12. *Combination of Animals:* Any combination of allowed animals may be kept, but at no time shall the maximum number of any specific type of animal be exceeded, nor shall the total maximum number of livestock be exceeded.
13. *Animals Not Categorized:* If an animal is not listed or does not clearly fall into one of the listed animal categories, the Director of Community and Economic Development shall determine the number permitted.

4-06-02-01-04

EQUESTRIAN ARENA, COMMERCIAL

1. *Minimum Lot Size:* 35 acres
2. *Location:* The arena and related structures shall be located at least one hundred twenty (120) feet from any road right-of-way line.
3. *Setback from Residential Properties:* No commercial equestrian arena shall be permitted within one (1) mile of the lot line of a residentially zoned or used property unless a waiver is obtained in writing from the residential property owner(s) within one (1) mile and a disclosure document is recorded against the residential property. If a waiver cannot be obtained but every reasonable effort has been made by the applicant to receive a waiver, the applicant may apply for a Variance from the Board of Adjustment. Proof shall be submitted in the form of copies of certified mail sent to the residents affected.
4. *Development and Operating Plan:* A development and operating plan shall be submitted and approved with the Conditional Use Permit application. This plan shall include:
 - a. A site plan drawn to scale depicting activity areas, improvements, access, driveways, parking areas, and sanitary facilities;
 - b. A description of facilities for animals involved in activities on site.
 - c. The methods proposed to control dust, erosion, odor, noise, glare, waste disposal (manure, trash, etc.), and congestion;
 - d. A traffic control plan approved by Adams County;
 - e. The hours of operation;
 - f. Fees, admission, and other compensation paid or charged during activities;
 - g. The projected number of people on the property during activities;
 - h. A description of any items for sale during activities (liquor and other beverages, food, souvenirs, etc.)

- i. Additional information as required by the Director of Community and Economic Development.

4-06-02-01-05 *EQUESTRIAN ARENA, PERSONAL*

1. *Accessory Status:* The arena shall be accessory and incidental to the ranch, farm, or home site on which it is located.
2. *Construction of Equestrian Arena, Personal:* No permit for construction of an equestrian arena, personal shall be issued prior to construction of a principal building except in the A-3 Zone District where the parcel is at least (35) thirty-five acres in size and a principal structure is already constructed.
3. *Number of Guests Permitted:* The use of the arena is limited to the family and invited guests of the farmer/rancher/home occupant but shall not exceed twenty (20) people in addition to the inhabitants of the farm/ranch/home on the property.
4. *Conditional Use Permit Required:* A Conditional Use Permit shall be required if one or more of the following occurs:
 - a. More than twenty people in addition to the inhabitants of the property attend activities (and therefore, by definition, categorized as a commercial equestrian arena).
 - b. Monetary or other compensation is collected or exchanged for admittance or participation.
 - c. Food is bought or sold on the premises.
 - d. Alcohol is bought or sold on the premises.
 - e. Livestock is brought to the site from a provider for the purpose of hosting a rodeo.
5. *No Commercial Activities:* No commercial competition or commercial entertainment, user fees, dues or other compensation are permitted.
6. *No Offensive Impacts:* The arena shall be operated in such a manner so that there is no adverse impact on surrounding properties relating to dust, erosion, odor, noise, glare, off-site illumination (more than one foot candle of illumination measured at the property line), waste disposal, traffic, or parking congestion. Neither a nuisance nor noxious activity shall be conducted on the property, which is caused by the use of the property as a personal equestrian arena.

4-06-02-01-06 *FARM MACHINERY SALES AND SERVICE*

1. *Maximum Lot Coverage:* The maximum lot coverage allowed is 80%.
2. *Display Area Setback:* The display area shall be set back a minimum of fifteen (15) feet from the road right-of-way and ten (10) feet from all other property lines.
3. *Indoor Activities:* All repair, parts storage, and work activities shall take place within a completely enclosed structure or screen yard enclosed by a six (6) foot high solid screen fence or wall.

4. *Storage of Vehicles:* All storage of vehicles awaiting repair shall be within the enclosed structure or within a compound yard enclosed by a six (6) foot high solid screen fence or wall, except for driveway openings.

4-06-02-01-07 *FISH HATCHERIES*

1. *Minimum Parcel Area:* Five (5) acres
2. *Outdoor Activities Prohibited:* All equipment, materials and uses shall be performed or carried out entirely within an enclosed building, except for fish hatching ponds.

4-06-02-01-08 *LIVESTOCK AND POULTRY KEEPING*

1. *Drinking Facilities:* Adequate overflow drainage on drinking facilities shall be provided to prevent the saturation of soil on adjacent property.
2. *New Shed Location:* Any new shed, shelter, pen, or enclosure for livestock shall not be closer than one hundred (100) feet to any off-property residence or place of business and shall be setback twenty-five (25) feet from the side lot line and fifty (50) feet from the front lot line.
3. *Rodent Control:* All sheds or other shelter for livestock shall be kept reasonably free of rodents and insects and shall be kept in good repair.
4. *Drainage:* Adequate drainage facilities or improvements shall be constructed to protect any adjacent rivers, streams, or other bodies of water from pollution.
5. *Parcels Under Five (5) Acres in Size:* On parcels less than five (5) acres in size, all livestock shall be kept within a fenced area.
6. *Colorado Confined Animal Feeding Regulations:* Adherence to the Colorado Confined Animal Feeding Regulations, promulgated by the Colorado Department of Public Health and Environment, Water Quality Control Commission shall be required.
7. *Manure Removal:* All manure shall be removed periodically or incorporated into the soil on a regular basis such that the manure does not draw flies, or other insects, or cause obnoxious odors.
8. *Feed Leftovers:* Spillage and leftovers from livestock feedings must be removed or so disposed of as to prevent fly, bird, or rodent propagation, or creation of odors.
9. **Number of Animals Permitted**
 - a. *Properties Greater than thirty-five (35) Acres:* The keeping of non-commercial livestock and poultry is not regulated, unless the number of animals classify the use as a Livestock Confinement Operation.
 - b. *Properties Less than thirty-five (35) Acres:* The keeping of non-commercial livestock and poultry is allowed in accordance with Section 4-22. The maximum number of allowable livestock per lot does not apply to young animals below weaning age, or six (6) months of age, whichever is less.

4-06-02-01-09 RAILROAD YARDS

1. *Minimum Site Area:* Five (5) acres.
2. *Location:* All railroad yards shall be located at least one (1) mile from a residentially zoned or used property unless a waiver is obtained in writing from the residential property owner(s) within one (1) mile and a disclosure document is recorded against the residential property. If a waiver cannot be obtained but every reasonable effort has been made by the applicant to receive a waiver, the applicant may apply for a Variance from the Board of Adjustment. Proof shall be submitted in the form of copies of certified mail sent to the residents affected.
3. *Access:* All railroad yards shall have arterial road or highway access.

4-06-02-01-10 TRUCK STOP

1. *Minimum Site Area:* Five (5) acres.
2. *Access:* All truck stops shall have arterial road or highway access.
3. *Pump Setbacks:* Pump islands may be located a minimum of one hundred (100) feet from all exterior property lines, and pump island canopies may project to within fifty (50) feet of property lines.
4. *Underground Storage Tank (UST) Setbacks:* UST vent pipes must be located a minimum of fifty (50) feet from residentially zoned or used property lines and a minimum of forty (40) feet from other exterior property lines.
5. *Screening:* Truck stops shall be separated from residential uses or residentially zoned properties by five hundred (500) feet. The separation distance shall be measured from the lot line.
6. *Indoor Activities:* The changing of engine oil and filters; the lubrication of motor vehicle chassis; the cleaning of component parts; brake adjustment and replacement; mechanical or hand washing and detailing; front-end alignment; the sale or installation of batteries and minor automotive accessories; the sale or mounting and repair of tires; the testing, adjustment and replacement of parts, the servicing of air conditioners; the servicing of air pollution control devices; the sale of soft drinks, candy, ice and similar items.
7. *Outdoor Activities:* The dispensing of motor fuel, oil, air, and water from pump islands; any testing or servicing of automobiles which necessitates a running engine; tire display; trash areas enclosed by walls; public telephones in a well-lighted location, visible from the road; the sale of soft drinks, candy, ice, and similar items via vending machines.
8. *Painting and Body Work Prohibited:* Painting or other body work shall be prohibited at all truck stops in agricultural zone districts.
9. *Storage:* All products and merchandise shall be stored indoors except for vending machines and tire display.

4-06-02-02 NURSERIES

1. A nursery shall consist of living materials grown and/or kept on site. A nursery shall be allowed to contain up to ten (10) percent of the approved living nursery area for hardscape materials. The living area is calculated by the placement of living landscaping (trees, shrubs, flowers, etc.) which is no more than ten (10) feet from one another, or as determined by the Director of Community and Economic Development through a site plan review. Hardscape includes but is not limited to the storage of rock, soil, mulch, and other non-living landscape materials, and equipment.
2. All commercial vehicles and/or equipment in excess of seven thousand (7,000) pounds gross vehicle weight and/or hardscape used for the nursery business shall be screened from any adjoining residentially zoned or used property with an eight (8) foot solid screen fence.
3. In all Agricultural Zone Districts no more than two (2) commercial vehicles and/or equipment in excess of seven thousand (7,000) pounds gross vehicle weight used for the nursery business shall be allowed per acre with a maximum of five (5) unless otherwise permitted through a Conditional Use Permit.

4-07 RESIDENTIAL USES PERFORMANCE STANDARDS

4-07-01 GENERAL PERFORMANCE STANDARDS

4-07-01-01 PURPOSE

The purpose of the following general performance standards is to address elements of planning, design, operation, and maintenance that shall be applied to all residential development in Adams County. Any use specific performance standards contained in these standards and regulations shall also be applied. Where a use specific performance standard conflicts with a general performance standard, the use specific standard shall apply.

4-07-01-02 SUBSECTION

The following general performance standards are included in this section:

1. Project Compatibility
2. Fencing, Walls and Screening

The following general performance standards are located in other sections of these standards and regulations:

1. Parking (See Section 4-13)
2. Signage (See Section 4-01)
3. Landscaping (See Section 4-16-10)
4. Weeds and Offending Vegetation (See Section 4-18)
5. Site Design Considerations (See Section 4-21)
6. Operational Standards (See Section 4-14)
7. Off-Road Utility, Dumpster, Recycling, and Trash Handling Facilities (See Section 4-22)

4-07-01-02-01 **PROJECT COMPATIBILITY**

4-07-01-02-01-01 **Purpose**

The purpose of this section is to ensure the physical and operational characteristics of proposed structures and uses are compatible when considered within the context of the surrounding area.

4-07-01-02-01-02 **Architectural Character**

New developments in or adjacent to existing developed areas shall be compatible with the established architectural character of such areas by using a complementary design. Compatibility shall be achieved through techniques such as the repetition of roof lines, the use of similar proportions in structure mass and outdoor spaces, similar relationships to the road, similar window, and door

patterns, and /or the use of building materials which have color shades and textures similar to those existing in the immediate area of the proposed development. Brick and stone masonry shall be considered compatible with wood framing and other materials.

4-07-01-02-01-03

Structure Size, Height, Bulk, Mass, Scale

New structures shall either be similar in size and height, or if larger, be articulated and subdivided into massing proportional to the mass and scale of other structures in the immediate vicinity.

4-07-01-02-01-04

Structure Orientation

To the maximum extent feasible, primary facades and entries within one hundred (100) feet of a front property line shall face the adjacent roadway. Main entrances shall face a connecting walkway with a direct pedestrian connection to the road without requiring pedestrians to walk through parking lots or cross driveways.

4-07-01-02-01-05

Building Materials

1. *General:* Building materials shall either be similar to the materials already being used in the neighborhood or, if dissimilar materials are being proposed, other characteristics such as scale and proportions, form, architectural detailing, color and texture, shall be utilized to ensure enough similarity exists for the structure to be compatible, despite the differences in materials.
2. *Glare:* Building materials shall not create excessive glare. If highly reflective building materials are proposed, such as aluminum, unpainted metal or reflective glass, the potential for glare from such materials will be evaluated to determine whether or not the glare would create a significant adverse impact on the adjacent property owners, neighborhood or community in terms of vehicular safety, outdoor activities and enjoyment of views. If so, such materials shall not be permitted.
3. *Windows:* Mirror glass with a reflectivity or opacity of greater than sixty percent (60%) is prohibited. Windows shall be individually defined with detail elements such as frames, sills, and lintels, and placed to visually establish and define the structure stories and establish human scale and proportion.

4-07-01-02-01-06

Front Width of Residence

The width of the residence shall have a minimum of twenty-five (25) feet in width facing the road frontage.

4-07-01-02-01-07

Land Use Transition

When land uses with significantly different visual character are proposed adjacent to each other and where gradual transitions are not possible or not in the best interest of the community, the proposed structure shall, to the maximum extent feasible, achieve compatibility through compliance with the standards set forth regarding scale, form, materials, and colors and adoption of operational standards including limits on hours of operation, lighting, placement of noise-generating activities and similar restrictions.

4-07-01-02-01-08

Operational/Physical Compatibility Standards

The following conditions may be imposed upon the approval of a Conditional Use Permit to ensure new, non-residential development will be compatible with existing neighborhoods and uses, including, but not limited to, restrictions on:

1. Hours of operations and deliveries;
2. Location of activities generating potential adverse impacts on adjacent uses such as noise and glare;
3. Placement of trash receptacles;
4. Location and screening of loading and delivery zones;
5. Light intensity and hours of full illumination; and
6. Placement and illumination of outdoor vending machines

4-07-01-02-02

FENCING, WALLS, AND SCREENING

4-07-01-02-02-01

Maximum Height

Seventy-two (72) inches, except when a residential use is adjacent to existing or proposed arterial roads or state highway. Fences bordering such roads may be uniformly built higher with approval from the Director of Community and Economic Development. All fences more than forty-two (42) inches in height require a building permit.

4-07-01-02-02-02

Retaining Walls

Any retaining wall over four (4) feet in height shall require preparation by a professional engineer as a condition for a building permit, except where waived by the Director of Community and Economic Development. As determined by the Director of Community and Economic Development, any retaining wall over thirty-six (36) inches in height may require a guard rail up to five (5) feet in height and placed at the top of grade.

4-07-01-02-02-03

Fences on Corner Lots

In single-family and duplex zone districts, fences up to seventy-two (72) inches in height may be permitted up to the minimum side-corner setback.

4-07-01-02-02-04

Prohibited Fences

1. *Fencing Between Front Setback Line and Front Property Line:* No fence over seventy-two (72) inches in height shall be permitted between the front setback line and a front property line.
2. *Fencing in the Front Setback:* All fencing between the front setback line and front property line greater than forty-two (42) inches shall not be screen fencing and shall adhere to sight distance requirements.
3. *Barbed Wire and Electric Fences:* Barbed wire and electric fences are prohibited as an external boundary fence. Horse enclosures, where permitted, may be constructed of barbed wire or electric fence, but shall be setback from the property line a minimum of five (5) feet.

4-07-01-02-02-05

Traffic View Obstruction

Traffic view obstruction as outlined in these standards and regulations is prohibited.

4-07-01-02-02-06

Fence Bottom

The bottom of the fence shall be no more than six (6) inches above grade at any point.

4-07-01-02-02-07

Screen Fencing

Screen fencing is required to conceal outside storage from all adjacent road right-of-way and lesser intensity uses. Screening is not required between storage yards provided neither yard is visible from an adjacent road right-of-way. This section does not affect required landscaping along street frontages or buffering requirements contained in these regulations. In all practicable cases, the screen fencing addressed below shall be behind the required landscaping. The following criteria shall be following in determining what form of screening is appropriate to accomplish visual buffering of outside storage yards in the County.

1. If the property is already developed and the proposed storage area is enclosed by an existing chain link fence, which has a useful life remaining, the property owner shall:
 - a. Install heavy gauge PVC or vinyl inserts.
 - b. The inserts shall achieve a minimum of ninety (90) percent opacity.
 - c. Color of the inserts is at the discretion of the applicant.
 - d. If the existing fence does not have a remaining useful life, the property (or portion of the property affected) defaults to item 2.
2. If the property is not developed and is proposed for outside storage, the property owner shall conceal all outside storage with an eight-foot solid wood fence or masonry wall.
3. If the property is not feasibly screened by a fence from an adjacent road due to topography, the property owner shall:

- a. Install fast growing trees (preferably a mix of coniferous and deciduous) appropriately spaced to ensure complete screening at maturity.
 - b. A chain link fence may be constructed at the discretion of the applicant but must be placed to the interior of the screening trees.
4. All fencing shall always be maintained and kept in good condition . Condition of fences shall be evaluated through a review of:
- a. Structural integrity and being functionally sound under the Uniform Building Code; and
 - b. Substantially the same condition as originally permitted or constructed.

4-07-01-02-02-08

Outdoor Storage Screening

Outdoor storage area screening shall consist of a six (6) foot high minimum screen fence. Outdoor storage shall not be allowed above the height of the fence.

4-07-01-02-02-09

Masonry Wall

All walls specified to be masonry fencing shall be constructed out of a brick or stone material which does not permit the contents within the fenced area to be seen from the outside.

4-07-01-02-02-10

Noise Barrier Fencing

Where existing and proposed arterial roads or state highways traverse, or are adjacent to areas of proposed residential development, the Director of Community and Economic Development may require noise barrier fencing be installed by the developer. Such fencing shall meet the minimum standards of the Colorado Department of Transportation and these standards and regulations.

4-07-01-02-02-11

Sidewalk Maintenance

The property owner of land abutting a constructed public right-of-way is responsible for construction and maintenance of curb, gutter, and sidewalk along the right-of-way abutting his property including snow removal for pedestrian access.

4-07-01-02-02-12

Oil and Gas Well Waiver

Where a new home is constructed within three hundred (300) feet of an existing oil or gas well, the property owner shall submit a signed waiver acknowledging the existence of the facility.

4-07-02 PERFORMANCE STANDARDS BY USE CATEGORY

The following specific performance standards are included in this section:

1. Dwelling, Detached Single-Family
2. Dwelling, Attached Single-Family
3. Dwelling, Townhouse

4. Dwelling, Multi-Family
5. Dwelling, Manufactured Home Park
6. Dwelling, Mobile Home Park

4-07-02-01 DWELLING, DETACHED SINGLE-FAMILY

4-07-02-01-01 MAXIMUM LOT COVERAGE

1. *Principal Structure: 60%*
2. *Accessory Structures: 30%*
3. *Structures Combined: 75%*

4-07-02-01-02 MANUFACTURED HOMES AS DETACHED SINGLE-FAMILY DWELLINGS

4-07-02-01-02-01 *Manufactured Home Location Criteria.*

A single manufactured home may be used as a single-family dwelling on an individual lot in any residential zone district, which allows single-family dwellings.

4-07-02-01-02-02 *Manufactured Home Site Improvement Standards.*

A manufactured home being placed on an individual lot or parcel must comply with the following minimum site standards:

1. At the time of siting, the unit is no more than five (5) years old.
2. The unit is comprised of two (2) or more fully enclosed parallel sections not less than twelve (12) feet wide by thirty-six (36) feet long (producing a dwelling unit with a minimum of eight hundred sixty-four (864) square feet) or the minimum area permitted in the zone in which the manufactured home is to be placed, whichever is greater.
3. The unit was originally constructed with and now has a composition or wood shake or shingle, coated metal, or similar roof with a nominal pitch of 3:12.
4. The unit has exterior siding similar in appearance and quality to siding materials commonly used on conventional site-built Uniform Building Code single-family residences.
5. The unit is installed on the site by a certified manufactured home installer in accordance with the 1997 Uniform Building Code, as amended.
6. Compliance with the site plan which, drawn to scale, shows the exact footprint and exact location of the specific manufactured home to be placed on the site and the exact location of the required off-road parking spaces.
7. The off-road parking area and driveway are paved prior to occupancy.
8. Compliance with the approved landscape plan which, drawn to scale, indicates the types of plant material and their location. The minimum requirement under this subsection is a front lawn of grass. If the required landscaping cannot be completed prior to occupancy, then a bond in the

amount of one hundred twenty-five percent (125%) of the cost of the landscaping, as established by a local landscaping firm, must be filed with the Director of Community and Economic Development to guarantee completion of the landscaping within one (1) planting season after the manufactured home has been placed on the site. If the landscaping has not been completed within one (1) planting season, the County may proceed against the bond to complete the landscaping.

9. During the time in which the permit application is being reviewed by County staff, the Director of Community and Economic Development shall certify, prior to placement on the site, the design of the manufactured home is compatible with the character of the neighborhood surrounding the lot or parcel upon which it is being placed, considering at a minimum the following features:
 - a. The architectural style;
 - b. The roof line;
 - c. The window placement;
 - d. The location of garages, carports, or parking pads;
 - e. Front porches if present on nearby structures; and
 - f. Landscaping, including the presence or absence of front yard fencing.
10. The tongue, axles, transporting lights, and removable towing apparatus are removed prior to occupancy.
11. The manufactured home is placed on foundation system footings, foundation system piers, foundation system plates and shims, foundation fascia and an anchoring system as defined in the 1997 Uniform Building Code, as amended, and complies with all weather and fire resistance requirements of the HUD code. The wood of the fascia is at least three (3) inches from the ground unless it is pressure-treated wood. Metal fasteners are galvanized, stainless steel, or other corrosive-resistant material. Ferrous metal members in contact with the earth, other than those, which are galvanized or stainless steel, are covered with an asphalt emulsion.
12. The manufactured home is hooked up to public water and sanitary sewer prior to occupancy, and extension of the pressure relief valve for the water heater is provided.
13. Every exit not at grade has a set of stairs, which complies with the 1997 Uniform Building Code requirements, as amended.
14. A used manufactured home has been inspected and certified by the Community and Economic Development Department prior to placement on the site to assure the unit is the one shown on the approved site plan and it complies with all requirements.
15. Title elimination shall occur within six (6) months of occupancy.

16. Placement on the site complies with all building setbacks, building coverage and height requirements of the zone district in which it is located.
17. Accessory uses for a manufactured home on an individual lot or parcel are subject to the accessory building setback requirements of the zone district in which it is located, the provisions of the 1997 Uniform Building Code, and limited to the following:
 - a. one (1) garage or one attached carport,
 - b. one (1) hot tub,
 - c. one (1) attached or detached storage room with an area of no more than one hundred fifty (150) square feet,
 - d. one (1) swimming pool,
 - e. decks provided they do not encroach into required yards or exceed forty-two (42) inches in height, in the required front yard,
 - f. one (1) gazebo.

4-07-02-01-03

LANDSCAPING

1. *Front and Side Setbacks:* The entire front and side setbacks shall be landscaped, except for driveways.
2. *Back Yard Setback:* A minimum thirty percent (30%) of the back yard shall be landscaped.
3. *Required Ground Cover:* A minimum of thirty percent (30%) of the required front and side landscape area must be covered by living ground material, such as low growing ground cover, shrubs, or grass, within one (1) year following occupancy and thereafter. If the required landscaping cannot be completed prior to occupancy, then a bond in the amount of one-hundred-twenty-five percent (125%) of the cost of the landscaping, as established by a local landscaping firm, must be filed with the Director of Community and Economic Development to guarantee completion of the landscaping within one (1) planting season after occupancy. If the landscaping has not been completed within one (1) planting season, the County may proceed against the bond to complete the landscaping. Single-family residential uses in eastern Adams County are not required to install landscaping or automatic irrigation systems.
4. *Required Trees and Shrubs:* A minimum of one (1) large tree and five (5) shrubs, or two (2) ornamental trees and five (5) shrubs, shall be required for each lot. Evergreens shall be considered ornamental.
5. *Minimum Size Requirements:* Minimum size requirements for trees and shrubs shall be:

<i>Plant Type</i>	<i>Maturity Height</i>	<i>Minimum Plant Size at Planting</i>
Ornamentals	Less than 20'	1" to 1-1/2"
Large Deciduous	Over 20'	2" to 2-1/2"
Evergreens (Sm.)	Less than 20'	5' tall
Evergreens (Lg.)	Over 20'	6' tall
Low Shrubs	1' to 3'	5 gallon
Upright Shrubs	3' to 10'	5 gallon

4-07-02-01-04 HOUSING MODEL VARIETY

Any development with one hundred (100) or more single-family dwelling units shall have at least four (4) different types of housing models. Any development between three (3) and one hundred (100) single-family dwelling units shall have at least three (3) different types of housing models.

4-07-02-01-05 DISTINGUISHING CHARACTERISTICS OF HOUSING MODELS

Each housing model shall have at least three (3) characteristics which clearly distinguish it from the other housing models, including different floor plans, exterior materials, roof lines, garage placement, placement of the footprint on the lot, and/or building face.

4-07-02-01-06 GARAGE DOORS

Garage doors shall not comprise more than fifty percent (50%) of the ground floor road-facing linear building frontage. Corner lots are exempt from this standard.

4-07-02-02 DWELLING, ATTACHED SINGLE-FAMILY

4-07-02-02-01 MAXIMUM LOT COVERAGE

1. *Principal Structure:* 70%
2. *Accessory Structures:* 25%
3. *Structures Combined:* 80%

4-07-02-02-02 LANDSCAPING

1. *Front and Side Setbacks:* The entire front and side setbacks shall be landscaped, except for driveways.
2. *Back Yard Setback:* A minimum of thirty percent (30%) of the back yard shall be landscaped.
3. *Required Ground Cover:* A minimum of thirty percent (30%) of the required front and side landscape area must be covered by living ground material, such as low growing ground cover, shrubs, or grass, within one (1) year following occupancy and thereafter. If the required landscaping cannot be completed prior to occupancy, then a bond in the amount of one-hundred-

twenty-five percent (125%) of the cost of the landscaping, as established by a local landscaping firm, must be filed with the Director of Community and Economic Development to guarantee completion of the landscaping within one (1) planting season after occupancy. If the landscaping has not been completed within one (1) planting season, the County may proceed against the bond to complete the landscaping.

4. *Required Trees and Shrubs:* A minimum of one (1) large tree and five (5) shrubs, or two (2) ornamental trees and five (5) shrubs, shall be required for each lot. Evergreens shall be considered ornamental.
5. *Minimum Size Requirements:* Minimum size requirements for trees and shrubs shall be:

<i>Plant Type</i>	<i>Maturity Height</i>	<i>Minimum Plant Size at Planting</i>
Ornamentals	Less than 20'	1" to 1-1/2"
Large Deciduous	Over 20'	2" to 2-1/2"
Evergreens (Sm.)	Less than 20'	5' tall
Evergreens (Lg.)	Over 20'	6' tall
Low Shrubs	1' to 3'	5 gallon
Upright Shrubs	3' to 10'	5 gallon

4-07-02-02-03 HOUSING MODEL VARIETY

Any development with one hundred (100) or more single-family dwelling units shall have at least four (4) different types of housing models. Any development between three (3) and one hundred (100) single-family dwelling units shall have at least three (3) different types of housing models.

4-07-02-02-04 DISTINGUISHING CHARACTERISTICS OF HOUSING MODELS

Each housing model shall have at least three (3) characteristics which clearly distinguish it from the other housing models, including different floor plans, exterior materials, roof lines, garage placement, placement of the footprint on the lot, and/or building face.

4-07-02-03 DWELLING, TOWNHOUSE

4-07-02-03-01 SITE COVERAGE

1. *Principal and Accessory Structures:* Maximum 30%
2. *Paved Area (Driveways):* Maximum 30%
3. *Open Space (Common and/or Public):* Minimum 40%

4-07-02-03-02 LANDSCAPING

1. *Minimum Landscaped Area:* Not less than 30% of the site area shall be landscaped.

2. *Required Ground Cover:* A minimum of one-third (1/3) of the required landscape area must be covered by living ground material within one (1) year following occupancy and thereafter. If the required landscaping cannot be completed prior to occupancy, then a bond in the amount of one hundred twenty-five percent (125%) of the cost of the landscaping, as established by a local landscaping firm, must be filed with the Director of Community and Economic Development to guarantee completion of the landscaping within one (1) planting season after occupancy. If the landscaping has not been completed within one (1) planting season, the County may proceed against the bond to complete the landscaping.
3. *Required Trees and Shrubs:* A minimum of one (1) large tree and two (2) shrubs, or two (2) ornamental trees and two (2) shrubs, shall be required for each increment of fifteen hundred (1,500) square feet in western Adams County and three thousand (3,000) square feet in eastern Adams County.
4. *Parking Lot Landscaping:* All parking lots which consist of thirty (30) spaces or more must be designed to include landscaped islands between rows. This landscaping shall be credited toward the total landscaped area required.
5. *Required Tree Mix:* The selection of trees shall be a mix of large deciduous (30% - 70%) and ornamental (30% - 70%) trees. Evergreens shall be considered ornamental.
6. *Minimum Size Requirements:* Minimum size requirements for trees and shrubs shall be:

<i>Plant Type</i>	<i>Maturity Height</i>	<i>Minimum Plant Size at Planting</i>
Ornamentals	Less than 20'	1" to 1-1/2"
Large Deciduous	Over 20'	2" to 2-1/2"
Evergreens (Sm.)	Less than 20'	5' tall
Evergreens (Lg.)	Over 20'	6' tall
Low Shrubs	1' to 3'	5 gallon
Upright Shrubs	3' to 10'	5 gallon

7. *Irrigation System Required:* A fully automatic irrigation system is required.

4-07-02-03-03

STRUCTURE SITING

Structures shall be organized on the site in a clustered, efficient manner. There shall be a continuity of design in structure groupings. In larger projects, the unit type shall vary between groupings. Structures should be grouped in such a way to provide visual interest.

4-07-02-03-04 UTILITY SCREENING

Group transformers with utility meters shall be used where possible. Utility appurtenances, including telephone pedestals, utility meters, irrigation system backflow preventers, transformers, and other similar utilities may be screened from adjacent properties, parking areas, public roads, and pedestrian walkways where it is technically feasible.

4-07-02-04 DWELLING, MULTI-FAMILY

4-07-02-04-01 MINIMUM UNIT SIZE

Each apartment or condominium shall have a minimum of floor area as stated below:

- a. *Efficiency*: Four-hundred-fifty (450) square feet
- b. *One Bedroom*: Six hundred (600) square feet
- c. *Two Bedroom*: Seven-hundred-fifty (750) square feet
- d. *Three Bedroom*: Nine hundred (900) square feet
- e. *Four Bedroom*: One thousand (1,000) square feet

4-07-02-04-02 SITE COVERAGE

1. Apartment/Condominium Developments
 - a. *Principal and Accessory Structures*: Maximum 40%
 - b. *Paved Area (including Driveways)*: Maximum 30%
 - c. *Open Space (Common and/or Public)*: Minimum 30%
2. Triplex and Fourplex Developments
 - a. *Principal and Accessory Structures*: Maximum 50%
 - b. *Paved Area (Driveways)*: Maximum 20%
 - c. *Open Space (Common and/or Public)*: Minimum 30%

4-07-02-04-03 LANDSCAPING

1. *Minimum Landscaped Area*: Not less than thirty percent (30%) of the site area shall be landscaped.
2. *Required Ground Material*: A minimum of one-third (1/3) of the required landscape area must be covered by living ground material within one (1) year following occupancy and thereafter. If the required landscaping cannot be completed prior to occupancy, then a bond in the amount of one hundred twenty-five percent (125%) of the cost of the landscaping, as established by a local landscaping firm, must be filed with the Director of Community and Economic Development to guarantee completion of the landscaping within one (1) planting season after occupancy. If the landscaping has not been completed within one (1) planting season, the County may proceed against the bond to complete the landscaping.
3. *Required Trees and Shrubs*: A minimum of one (1) large tree and two (2) shrubs, or two (2) ornamental trees and two (2) shrubs, shall be required

for each increment of fifteen hundred (1,500) square feet in western Adams County and three thousand (3,000) square feet in eastern Adams County.

4. *Parking Lot Landscaping:* All parking lots which consist of thirty (30) spaces or more must be designed to include landscaped islands between rows. This landscaping shall be credited toward the total landscaped area required.
5. *Required Tree Mix:* The selection of trees shall be a mix of large deciduous (10% - 50%) and ornamental (10% - 50%). Evergreens shall be considered ornamental.
6. Minimum size requirements for trees and shrubs shall be:

<i>Plant Type</i>	<i>Maturity Height</i>	<i>Minimum Plant Size at Planting</i>
Ornamentals	Less than 20'	1" to 1-1/2"
Large Deciduous	Over 20'	2" to 2-1/2"
Evergreens (Sm.)	Less than 20'	5' tall
Evergreens (Lg.)	Over 20'	6' tall
Low Shrubs	1' to 3'	5 gallon
Upright Shrubs	3' to 10'	5 gallon

7. *Irrigation System Required:* A fully automatic irrigation system is required.

4-07-02-04-04

OPEN SPACE

1. *Pedestrian Inclusion:* Open space may include pedestrian pavements and plazas, and any parking lot island greater than four hundred (400) square feet in size.
2. *Active Recreation Areas:* Active recreation areas shall be located where light and noise will not adversely impact adjacent properties.
3. *Coordination with Adjacent Properties:* Open space and trail design shall be coordinated with adjacent properties.

4-07-02-04-05

BICYCLE PARKING

Bicycle parking shall be provided for all multi-family development. Bicycle parking areas shall be located near structure entries but shall not encroach into pedestrian walkways.

4-07-02-04-06

STRUCTURE SITING

Structures shall be organized on the site in a clustered, efficient manner. There shall be a continuity of design in structure groupings. In larger projects, the unit type shall vary between groupings. Structures should be grouped in such a way to provide visual interest.

4-07-02-04-07 ***UTILITY SCREENING***

Group transformers with utility meters shall be used where possible. Utility appurtenances, including telephone pedestals, utility meters, irrigation system backflow preventers, transformers, and other similar utilities may be screened from adjacent properties, parking areas, public roads, and pedestrian walkways where it is technically feasible.

4-07-02-05 **DWELLING, MANUFACTURED HOME PARK**

4-07-02-05-01 ***PURPOSE***

The manufactured home parks and manufactured home subdivisions performance and design standards are intended primarily to accommodate planned manufactured home developments in a desirable residential environment thereby providing a greater range and choice of housing types. These developments are intended to accommodate individual manufactured homes either on their own individual plot of ground within a subdivision, or within a planned-unit manufactured home park on a condominium lot sale basis or lot rental or lease basis so the park remains in one ownership to comply with the conditions of development.

4-07-02-05-02 ***ESTABLISHMENT***

Manufactured home parks may be allowed in most residential zone districts by conditional use permit after a public hearing and examination of the development plans and the location thereof. A manufactured home park will only be allowed after finding it complies with the development standards of this section and the zone district in which it may be located, will not be unduly detrimental to surrounding properties, and will be reasonably compatible with the development or potential development of adjoining land.

The Board of County Commissioners may impose reasonable conditions necessary to protect surrounding properties. It is the intent to permit manufactured home parks under appropriate conditions and at locations within the County where they are reasonably compatible with existing and potential development of the properties in the vicinity. Sites selected should be such they can be developed in accordance with this code. Manufactured home parks should have adequate road access and utility services, including acceptable water and sewer services, and should provide the usual residential amenities of a planned unit development. Camping or recreational vehicles and/or trailers are not intended as dwellings in a manufactured home park, but may be permitted within areas of the park designed to meet the recreational vehicle park and campground standards, as permitted by this Section 4-07-02-05 subject to Conditional Use Permit approval.

4-07-02-05-03

REQUIREMENTS

The following conditions and restrictions shall apply to all manufactured home parks:

1. A park must have a minimum area of ten (10) acres and be located where ample road access and utility services are available.
2. At least fifteen (15%) percent of the gross site area must be in open space or recreational areas available for use by all residents. Parking, driving and setback areas and small areas less than five thousand (5,000) square feet in area do not count in the required open space.
3. The density may not exceed seven (7) manufactured homes per gross acre nor shall the overall density exceed the density permitted within the zone district in which the park will be located.
4. A twenty (20) foot strip around the boundary must be landscaped to provide a visual screen. All open spaces and other unimproved areas must be suitably landscaped. All landscaping must be maintained and furnished with an automatic sprinkler system.
5. All manufactured homes, and extensions thereof, accessory structures and other buildings must be set back:
 - a. twenty (20) feet from the boundary of the park;
 - b. twenty (20) feet from a public way;
 - c. ten (10) feet from a private interior drive, walking or parking area; and
 - d. sixteen (16) feet from any other manufactured home.
6. One (1) freestanding identification sign may be erected along each major approach to the park so long as such sign:
 - a. does not exceed an area of fifteen (15) square feet;
 - b. does not exceed eight (8) feet in height;
 - c. sets back from the road at least eighteen (18) feet; and
 - d. is of low-intensity illumination and not flashing or animated.
7. Public roads to be dedicated must comply with the County's current specifications and standards. Private roads must be improved to the extent and in the manner acceptable to the Director of Public Works. Minimum paving widths for private roads are:
 - a. thirty-six (36) feet for entrances and all drives with guest parking on both sides;
 - b. twenty-nine (29) feet for two-way drives with parking on one side;
 - c. twenty-two (22) feet for two-way drives with no parking; and
 - d. eleven (11) feet for one-way drives with no parking.
8. Paved off-road parking must be provided at the ratio of two (2) spaces per manufactured home. At least one (1) space must be at the manufactured home space. Other spaces may be in a common parking area so long as each space is within two hundred (200) feet of the manufactured home space to which it relates. No space shall be located closer than eight (8) feet from any

- road. One (1) guest parking space shall be provided for each (8) manufactured homes in a common parking area.
9. Maps showing location of all parking spaces, buildable areas, and accessory commercial buildings and common buildings, and for all common open areas, shall be included with and made a part of the Conditional Use Permit approval.
 10. The area for buildings, structures, manufactured homes, and accessory buildings shall be shown on a map for each site and hereafter called buildable areas. The maximum length and width of any manufactured home shall be shown on the map for each buildable area.
 11. No manufactured home or accessory building may be located in any area in excess of the buildable areas indicated on the map.
 12. All manufactured home parks shall be provided with safe, convenient paved vehicular access from abutting roads to each manufactured home space.
 13. A manufactured home development shall have two (2) separated direct connections to public roads and shall be designed to allow free movement of traffic on such adjacent roads. Access to a manufactured home development shall not be through a residential area to reach a collector route.
 14. No manufactured home site shall have direct frontage on a public road outside of the manufactured home park boundaries.
 15. A manufactured home park shall have a minimum of one hundred (100) feet of frontage on a public road.
 16. Each manufactured home space shall comply with the following:
 - a. The limits of each manufactured home space shall be marked on the ground by suitable means. Location space limits on the ground shall be the same as shown on the required map.
 - b. The manufactured home space shall be improved to provide adequate support for the placement and tie-down of the manufactured home.
 - c. Each manufactured home space shall be provided with an outdoor living and service area. Such area shall be improved as necessary to assure reasonable privacy and comfort. The minimum area shall not be less than three hundred (300) square feet with at least one dimension of fifteen (15) feet. This area shall not be a part of the buildable area. The minimum area within each manufactured home space shall be four thousand (4000) square feet and the minimum space width shall be forty (40) feet.
 17. Solid waste collection stands shall be provided for all waste containers. Such stands shall be so designed as to prevent containers from being tipped and minimize spillage and container deterioration and to facilitate cleaning of the area. Solid waste collection stands shall be screened adequately from view.
 18. Storage areas shall be provided for the storage of boats, campers, utility trailers and extra vehicles at the following ratio: Three hundred (300) square

feet for each four (4) manufactured home spaces. Each storage area shall be enclosed with a chain link or comparable fence six (6) feet in height and shall be screened from exterior view.

19. A properly designed manufactured home park located on a major highway or primary or secondary arterial County road may be designed to utilize a maximum of ten (10) percent of the manufactured home park site to accommodate travel trailers or similar recreational vehicles in accordance with standards for Recreational Vehicle Parks and Campgrounds.
20. All manufactured home parks shall be screened from any adjacent non-manufactured home park or public road with a masonry wall, adequate plantings, or solid material fence of six (6) feet in height.
21. There must be a paved system of walkways, which gives safe and convenient access to every manufactured home and all common facilities.
22. The park must be supplied by central water for domestic use and for fire protection satisfactory to the applicable fire district.
23. The park and each manufactured home must be connected to the central sanitary sewer system or some other system approved by the Director of Community and Economic Development and Tri-County Health Department. On-site wastewater treatment systems are prohibited from serving manufactured home parks.
24. There must be a storm sewer system and drainage plan satisfactory to the Director of Community and Economic Development.
25. Utilities (distribution lines within subdivisions) must be underground. High voltage transmission lines are not required to be placed underground.
26. Each manufactured home must be securely installed upon a stand and must be skirted to conceal the undercarriage.
27. At least one-third of the manufactured home spaces in the park must be graded and served with utilities and roads before any units may be located on the site and every unit must be connected with the water and sewer systems before occupancy.
28. The following are allowed in a manufactured home park:
 - a. Manufactured homes, either on individual owned plots of ground, on a condominium basis, or on leased lots;
 - b. Accessory buildings, such as laundry, grounds maintenance shop, recreation, restroom, and swimming pool; and
 - c. Those uses permitted in the C-1 zone, not including service stations intended to serve park residents and invited guests, so long as the aggregate floor area of such uses does not exceed the ratio of ten (10) square feet for every manufactured home. All commercial uses shall be approved within the Conditional Use Permit.

4-07-02-05-04

PLATTING

A manufactured home park may be platted in accordance with the requirements for plats as provided for in the subdivision standards and regulations, remaining subject to the terms of the Conditional Use Permit. Any manufactured home development involving a subdivision of land into separately owned parcels or lots must be platted as provided in the subdivision standards and regulations. A manufactured home subdivision is subject to all of the requirements of the zone district in which it is located. Lots may be platted within a manufactured home park. All platted lots shall meet the following minimum dimensional requirements:

1. The minimum lot area is seven thousand (7,000) square feet; and
2. The minimum lot width is sixty-five (65) feet.

4-07-02-05-05

CERTIFICATION

All manufactured housing shall be certified pursuant to the "National Manufactured Housing Construction and Safety Standards Act of 1974", 42 U. S. C. 5401 et. seq., as amended. Certification shall be demonstrated by a HUD label affixed to the home with a 3 (three) letter identifier (identifying the inspection agency), and 6 (six) digit HUD number. In the alternative the Director of Community and Economic Development Department may approve the equivalent data sheet for the home provided it is identical to the requirements for the State of Colorado or Adams County.

4-07-02-06 DWELLING, MOBILE HOME PARK

4-07-02-06-01

NO NEW MOBILE HOME PARKS

No new mobile home parks shall be permitted, except in the MH Zone District. Existing mobile home parks may be expanded and modified subject to a Conditional Use Permit where permitted and in accordance with these standards and regulations.

4-07-02-06-02

CONDITIONAL USE PERMIT REQUIRED

A conditional use permit shall be required for all expansions or modifications to existing mobile home parks.

4-07-02-06-03

MINIMUM MOBILE HOME SIZE

The minimum unit size of any new or replacement mobile home shall be six hundred (600) square feet.

4-07-02-06-04

LANDSCAPING

A landscaping plan shall be submitted for review and approval. The setbacks of the development and any other area not covered by mobile homes, driveways, ingress and egress, or other structures, shall be landscaped.

4-07-02-06-05 OTHER STANDARDS

Mobile home parks shall meet all design and performance requirements contained in Section 4-07-02-05 for manufactured home parks except a mobile home park shall not be required to meet the minimum area or certification requirements for manufactured home parks. Variations may be permitted as part of the conditional use permit approval where the requirement would unreasonably restrict the improvement or expansion of the mobile home park. The standards shall only be applicable to those areas of a park being modified or expanded. Areas of an existing mobile home park which are not being modified shall not be required to comply with the standards contained in Section 4-07-02-05.

4-07-02-07 VACATION RENTAL

Vacation rentals are only allowed by obtaining a valid license from the County, and conform to the following requirements:

1. *License.* At least thirty (30) days prior to any advertising for or lease of a vacation rental property, the owner shall file a written application for a Short-Term Rental License with the Community & Economic Development Department. The application shall not be deemed complete until all required information is submitted. An application for renewal of a Short-Term Rental License shall be submitted at least thirty (30) days prior to expiration of the existing permit. A Short-Term Rental License shall expire one (1) year following the year of initial permit issuance, or when title of the vacation rental property transfers to a new owner, whichever occurs first. An application for renewal of a Short-Term Rental License shall be submitted at least thirty (30) days prior to expiration of the existing permit.

Initial complaints concerning a vacation rental property shall be directed to the responsible agent. The agent shall respond to the complaint, including visiting the site if necessary.

If an initial complaint is not resolved, a formal complaint may be filed with the Community & Economic Development Department or designee. The formal complaint shall describe in detail the violation(s) of this Section alleged to have occurred on the vacation rental property. Within three (3) business days of receipt of such a complaint, the County shall provide a copy of the formal complaint to the owner and agent.

The County may investigate any formal complaint received, in order to determine if it is a substantiated complaint that represents a documented

violation of any County regulations. Violations shall be subject to the code enforcement provisions, in accordance with all remedies provided by law, including but not limited to withholding any development approvals, inspections or permits and issuing stop work orders. If violations are not corrected or if there are repeat offenders of County requirements, Adams County may pursue formal action and by applicable law. If there is one or more unresolved substantiated complaints for a vacation rental property, or if upon review at any time, the County determines that the permit holder has failed to comply with any of the performance standards or conditions, the County may take such action as is deemed necessary to remedy the noncompliance, including but not limited to revocation of the permit. The Community & Economic Development Department may revoke the permit for that vacation rental property upon written notice to the owner. The County shall notify an owner, in writing, of any revocation. The owner may appeal any revocation by filing an Appeal from Administrative Decision, as described in Chapter 2 of these Regulations. For a minimum of two (2) years following revocation of a vacation rental permit, the County shall not accept an application for a new permit for the same vacation rental property; with the exception that a new application by a new property owner, proven to be unaffiliated with the property owner whose permit was revoked, may be considered.

2. *Conditional Use Permit.* A Conditional Use Permit shall be required in lieu of a Short-Term Rental License for any proposed vacation rental which proposes an occupancy of more than twelve (12) people.
3. *Responsible Agent Required.*
 - a. Each owner of a vacation rental property shall designate a person or company to serve as the responsible agent. The owner may designate themselves.
 - b. The responsible agent shall have access and authority to assume management of the unit and take remedial measures. The agent shall always be available to respond to potential issues and violations related to these Regulations. The responsible agent must be able to affirmatively respond to complaints within an hour of notification of such complaint being sent via email or text.
 - c. The owner shall notify the Community & Economic Development Department in writing of any modification to the responsible agent appointment within five (5) days of any such modification.
4. *Parking.* A minimum of one (1) parking space is required on the property per unit. Each property shall conform to the accessory parking standards in

Section 4-03-03-02-12, however at no time shall more than five (5) cars permitted to be parked outdoors on any property. Designated parking spaces shall comply with the parking plan on the approved Short-Term Rental License. All vehicles shall be parked on-site in designated parking areas; parking is prohibited in any landscaped area, or in a manner that blocks egress for adjacent residents (driveways, sidewalks, alleys, or mailboxes). A copy of the County-approved parking plan for the vacation rental property shall be provided to all renters in the rental agreement and posted in a prominent location within the property. The allowable number of parking spaces shall be clearly stated in all vacation rental advertising.

5. *Trash Disposal and Collection.* All vacation rental properties shall provide a trash disposal and collection plan to ensure that trash containers are not left outdoors where they can cause issues for wildlife or snow removal operations. The proposed trash disposal and collection plan shall be reviewed and approved by the County during the Short-Term Rental License review and during review of any permit renewals. There shall be a enough trash receptacles to accommodate all trash generated by those occupying the vacation rental property.
6. *Pets.* If pets are allowed, renters shall be informed of applicable requirements for controlling pets, pet waste disposal, and barking/noise considerations. All vacation rental properties shall comply with the County's Animal Keeping Regulations set forth in Section 4-22. All pet food shall be stored indoors.
7. *Signage.* An owner shall post a sign or notice conspicuously inside the vacation rental property, which includes the responsible agent's current contact information and/or the owner's current contact information, the street address of the vacation rental property, and the Short-Term Rental License or conditional use permit number. The parking plan and trash disposal requirements shall be posted in a prominent location within the vacation rental property. Any exterior signs advertising a primary vacation rental use must first be reviewed and permitted in accordance with the Adams County sign regulations contained in Chapter 4 of these Regulations.
8. *Properties served by Septic Systems.* If a vacation or rental property is connected to an On-site Wastewater Treatment System (OWTS) for sewer service, the maximum overnight occupancy of the unit shall be limited to the capacity established on the OWTS permit.
9. *Health and Safety Standards.*
 - a. Buildings, structures, or rooms shall not be used for purposes other than those for which they were designed or intended.

- b. Smoke detectors, carbon monoxide detectors and fire extinguishers shall be installed and operable, and all woodburning fireplaces and stoves shall be cleaned on an annual basis.
- c. An operable toilet, sink, and either bathtub or shower shall be located within the same building.
- d. Permitted occupancy shall be limited to two (2) persons per bedroom plus four (4) additional occupants; or 1 person per 200 square feet of living area, whichever allows for a greater occupancy.
- e. Outdoor fire pits shall be permanently installed improvements that are permitted and inspected by the applicable fire district and/or the County Building Department, if required per applicable building and fire code requirements. Vacation rental owners/applicants should check with their applicable fire district and the Community & Economic Development Department to determine if permits are needed. The use of portable outdoor fireplaces is prohibited. In the event of a fire ban within Adams County, the agent is required to notify renters of the current fire restrictions during their stay.
- f. All vacation rental properties shall have reliable cellular service available or provide access to a landline telephone to enable tenants to call 911 in the event of an emergency.
- g. All hot tub, spa, or swimming pool installations require both a building permit and an electrical permit from the Community & Economic Development Department. Hot tubs, spas and swimming pools shall be properly maintained in a way to prevent the spread of illness.

4-08 INSTITUTIONAL USES PERFORMANCE STANDARDS

4-08-01 GENERAL PERFORMANCE STANDARDS

4-08-01-01 PURPOSE

The purpose of the following general performance standards is to address elements of planning, design, operation, and maintenance that shall be applied to all institutional development in Adams County. Any use specific performance standards contained in these standards and regulations shall also be applied. Where a use specific performance standard conflicts with a general performance standard, the use specific standard shall apply.

4-08-01-02 SUBSECTIONS

The following general performance standards are included in this section:

1. Project Compatibility
2. Fencing, Walls and Screening

The following general performance standards are located in other sections of these standards and regulations:

1. Parking (See Section 4-13)
2. Signage (See Section 4-01)
3. Landscaping (See Section 4-16-10)
4. Weeds and Offending Vegetation (See Section 4-18)
5. Site Design Considerations (See Section 4-21)
6. Operational Standards (See Section 4-14)
7. Off-Road Utility, Dumpster, Recycling, and Trash Handling Facilities (See Section 4-22)
8. Off-Premise Signs (See Section 4-16)

4-08-01-02-01 ***PROJECT COMPATIBILITY***

4-08-01-02-01-01 ***Purpose***

The purpose of this section is to ensure the physical and operational characteristics of proposed structures and uses are compatible when considered within the context of the surrounding area.

4-08-01-02-01-02 ***Architectural Character***

New developments in or adjacent to existing developed areas shall be compatible with the established architectural character of such areas by using a complementary design. Compatibility shall be achieved through techniques such as the repetition of roof lines, the use of similar proportions in structure mass and outdoor spaces, similar relationships to the road, similar window and door

patterns, and/or the use of building materials with color shades and textures similar to those existing in the immediate area of the proposed development. Brick and stone masonry shall be considered compatible with wood framing and other materials.

4-08-01-02-01-03

Structure Size, Height, Bulk, Mass, Scale

New structures shall either be similar in size and height, or if larger, be articulated and subdivided into massing proportional to the mass and scale of other structures in the immediate vicinity.

4-08-01-02-01-04

Structure Orientation

To the maximum extent feasible, primary facades and entries shall face the adjacent road. Main entrances shall face a connecting walkway with a direct pedestrian connection to the road without requiring pedestrians to walk through parking lots or cross driveways.

4-08-01-02-01-05

Building Materials

1. *General:* Building materials shall either be similar to the materials already being used in the immediate area or, if dissimilar materials are being proposed, other characteristics such as scale and proportions, form, architectural detailing, color and texture, shall be utilized to ensure enough similarity exists for the structure to be compatible, despite the differences in materials.
2. *Glare:* Building materials shall not create excessive glare. If highly reflective building materials are proposed, such as aluminum, unpainted metal or reflective glass, the potential for glare from such materials will be evaluated to determine whether or not the glare would create a significant adverse impact on the adjacent property owners, neighborhood or community in terms of vehicular safety, outdoor activities and enjoyment of views. If so, such materials shall not be permitted.
3. *Windows:* Mirror glass with a reflectivity or opacity of greater than sixty percent (60%) is prohibited. Clear glass shall be used for institutional front windows or doors. Windows shall be individually defined with detail elements such as frames, sills, and lintels, and placed to visually establish and define the structure stories and establish human scale and proportion.

4-08-01-02-01-06

Land Use Transition

When land uses with significantly different visual character are proposed adjacent to each other and where gradual transitions are not possible or not in the best interest of the community, the proposed structure shall, to the maximum extent feasible, achieve compatibility through compliance with the

standards set forth in this Section regarding scale, form, materials, and colors and adoption of operational standards including limits on hours of operation, lighting, placement of noise-generating activities and similar restrictions.

4-08-01-02-01-07 ***Operational/Physical Compatibility Standards***

The following conditions may be imposed upon the approval of development applications to ensure new development will be compatible with existing neighborhoods and uses, including, but not limited to, restrictions on:

1. Hours of operations and deliveries
2. Location of activities generating potential adverse impacts on adjacent uses such as noise and glare
3. Placement of trash receptacles
4. Location and screening of loading and delivery zones
5. Light intensity and hours of full illumination
6. Placement and illumination of outdoor vending machines

4-08-01-02-02 ***FENCING, WALLS, AND SCREENING***

4-08-01-02-02-01 ***Maximum Height***

The maximum height of fencing, walls, or screening shall be ninety-six (96) inches, which shall include no more than four (4) strands of barbed wire forming the top eighteen (18) inches or less of the fence, placed at a forty-five (45) degree angle.

4-08-01-02-02-02 ***Fence Bottom***

The bottom of the fence shall be no more than six (6) inches above grade at any point.

4-08-01-02-02-03 ***Electric and Barbed Wire Fencing Prohibited***

Electric fencing and fencing consisting only of barbed wire are prohibited as an external boundary fence.

4-08-01-02-02-04 ***Screen Fencing***

Screen fencing is required to conceal outside storage from all adjacent road right-of-way and lesser intensity uses. Screening is not required between storage yards provided neither yard is visible from an adjacent road right-of-way. This section does not affect required landscaping along street frontages or buffering requirements contained in these regulations. In all practicable cases, the screen fencing addressed below shall be behind the required landscaping. The following criteria shall be followed in determining what form of screening is appropriate to accomplish visual buffering of outside storage yards in the County.

1. If the property is already developed and the proposed storage area is enclosed by an existing chain link fence, which has a useful life remaining, the property owner shall:

- a. Install heavy gauge PVC or vinyl inserts.
 - b. The inserts shall achieve a minimum of ninety (90) percent opacity.
 - c. Color of the inserts is at the discretion of the applicant.
 - d. If the existing fence does not have a remaining useful life, the property (or portion of the property affected) defaults to item 2.
2. If the property is not developed and is proposed for outside storage, the property owner shall conceal all outside storage with an eight-foot solid wood fence or masonry wall.
 3. If the property is not feasibly screened by a fence from an adjacent road due to topography, the property owner shall:
 - a. Install fast growing trees (preferably a mix of coniferous and deciduous) appropriately spaced to ensure complete screening at maturity.
 - b. A chain link fence may be constructed at the discretion of the applicant, but must be placed to the interior of the screening trees.
 4. All fencing shall be maintained and kept in good condition at all times. Condition of fences shall be evaluated through a review of:
 - a. Structural integrity and being functionally sound under the Uniform Building Code; and
 - b. Substantially the same condition as originally permitted or constructed.

4-08-01-02-02-05

Garbage Area Screening

Garbage area screening shall consist of a six (6) foot high minimum screen fence.

4-08-01-02-02-06

Outdoor Storage Screening

Outdoor storage area screening shall consist of a six (6) foot high minimum screen fence. Outdoor storage shall be not allowed above the height of the fence.

4-08-01-02-02-07

Masonry Wall

All walls specified to be masonry shall be solid and constructed out of a brick or stone material. The wall shall not permit the contents within the wall to be seen from the outside.

4-08-01-02-02-08

Noise Barrier Fencing

Where existing and proposed arterial roads or state highways traverse, or are adjacent to areas of proposed commercial development, the Director of Community and Economic Development may require noise barrier fencing be installed by the developer. Such fencing shall meet the minimum standards of the Colorado Department of Transportation and these standards and regulations.

4-08-01-02-02-09

Retaining Walls

Any retaining wall over four (4) feet in height shall require plans prepared by a professional engineer as a condition for a building permit except where waived

by the Director of Community and Economic Development. As determined by the Director of Community and Economic Development, any retaining wall over thirty-six (36) inches in height may require a guard rail up to five (5) feet in height and placed at the top of grade.

4-08-01-02-02-10

Traffic View Obstruction

Traffic view obstruction as outlined in these standards and regulations by any fence, wall or screen is prohibited.

4-08-01-02-02-11

Sidewalk Maintenance

The property owner of land abutting a constructed public right-of-way is responsible for construction and maintenance of curb, gutter, and sidewalk along the right-of-way abutting his property including snow removal for pedestrian access.

4-08-02 PERFORMANCE STANDARDS BY USE CATEGORY

The following general performance standards are included in this section:

1. Crematory/Crematorium ***Adopted by the BoCC on December 13, 2010**
2. Institutional Residential
3. Halfway House ***Adopted by the BoCC on December 13, 2010**
4. Neighborhood Indoor Uses
 - a. Day Care Centers
 - b. Elementary and Secondary Schools
5. Outdoor Public Uses
 - a. Cemeteries
 - b. Picnic, Parks and Playgrounds
 - c. Swimming Pools, Public
6. Places of Worship
7. Public Services
 - a. Fire Stations
 - b. Police Stations and Post Offices
 - c. Utility Substations
8. Tiny Home Village

4-08-02-01 CREMATORY/CREMATORIUM *

1. All structures used in conjunction with a crematorium shall be setback a minimum of twenty-five (25) feet from all property lines unless required to be greater by the Zone District.
***Adopted by the BoCC on December 13, 2010**

4-08-02-02 INSTITUTIONAL RESIDENTIAL

All institutional residential uses shall meet the following standards:

1. *Location:* No institutional residential facility shall be located within five hundred (500) feet of any other institutional residential facility.
2. *New Construction in Residential Area:* Any new construction allowed in a residential zone district for the operation of a group living facility shall substantially resemble a conventional single-family dwelling.
3. *No Administrative Activities on Premises:* No administrative activities of any private or public organization or agency shall be conducted on the premises of the group living facility.
4. *Residential Suites and Assisted Living Units:* Residential suites and assisted living units shall provide bathrooms but shall not provide cooking facilities.
5. *Density:* Residential suites and assisted living units shall be constructed at the same density as the density in the applicable zone district. If the group home has on-site common use dining, recreation, health care, or a convalescent center, the density for any associated multi-family units shall not exceed two (2) times the allowed multi-family base density for the zone district.
6. *Screened Parking:* Off-road parking for the guests shall be screened with landscaping meeting the requirements of a Type C Bufferyard (See Section 4-16-06).
7. *Outdoor Storage:* Accessory outdoor storage is prohibited. All facilities for storage of supplies shall be located within a building.
8. *Garbage Storage:* Any garbage storage area located outside shall be screened from public view in accordance with Section 4-08-01-02-02-05 of these standards and regulations.
9. *Drop-Off/Pick-Up Areas:* All institutional residential uses shall provide an off-road drop-off/pick-up area for patrons or clients. The area shall be provided at a rate of one (1) space per eight (8) individuals. The spaces shall be signed as loading areas and at least ten (10) by twenty (24) feet in area. All drop-off/pick-up areas shall be approved by the Director of Community and Economic Development.

4-08-02-03 HALFWAY HOUSE *

***Adopted by the BoCC on December 13, 2010; **Amended by the BoCC on January 7, 2013**

All halfway house uses shall meet the following standards:

1. *Licensing:* Halfway houses must be properly licensed by the State of Colorado.
2. *Location:* No halfway house shall be located within five hundred (500) feet of any other halfway house. Halfway houses shall be located within one (1) mile of an RTD bus or rail stop. The method of measurement shall be from property line a point roughly in the center of the bus or rail stop. Setbacks shall be established as of the date of application.
3. *Outdoor Storage:* Accessory outdoor storage is prohibited. All facilities for storage of supplies shall be located within a building.

4. *Garbage Storage:* Any garbage storage area located outside shall be screened from public view in accordance with Section 4-08-01-02-02-05 of these standards and regulations.
5. *Drop-Off/Pick-Up Areas:* All halfway houses shall provide an off-road drop-off/pick-up area for patrons or clients. The area shall be provided at a rate of one (1) space per eight (8) individuals. The spaces shall be signed as loading areas and at least ten (10) by twenty (24) feet in area. All drop-off/pick-up areas shall be approved by the Director of Community and Economic Development.
6. *Setbacks:* Halfway Houses shall be set back a minimum of one-thousand five hundred (1,500) feet from schools (pre-K through grade 12), residentially zoned property, residentially used property, and state licensed daycare homes and daycare centers in existence as of the date of application (based on information provided to the County by the state of Colorado). The method of measurement shall be from property line to property line. Setbacks shall be established as of the date of application.
7. *Waiver from Residential Setback:* No halfway house shall be located within 1,500 of a residentially zoned or used property unless a waiver is obtained in writing from the residential property owner(s) within 1,500 feet and a disclosure document is recorded against the property. If a waiver cannot be obtained, the applicant may not proceed with a Conditional Use Permit for the subject property.
8. *Number of Occupants:* The number of occupants within the halfway house shall conform to all standards within the applicable state of Colorado rules and regulations, the applicable fire code, and the applicable building code that is in use by Adams County. In the event of a conflict between any state and county standard, the stricter standard shall apply.
9. *Alcohol and Substance Abuse Management Plan:* All halfway houses shall submit an alcohol and substance abuse management plan to the County.
10. *Legal Non-Conforming Halfway Houses:* Existing and legally permitted halfway houses that do not meet one or more of the standards within this section may continue to operate in accordance with the regulations for the duration of the Conditional Use Permit. Existing and legally permitted halfway houses may apply for a Major or Minor Amendment to the Conditional Use Permit without conformance to these standards and regulations. In the event that a Conditional Use Permit for an existing halfway house expires and/or is revoked, conformance with all standards within these standards and regulations shall be required and the use shall no longer be considered legal non-conforming.

4-08-02-04 NEIGHBORHOOD INDOOR USES

All neighborhood indoor uses shall meet the following standards.

4-08-02-04-01

GENERAL

1. *Screened Parking:* Off-road parking for the guests shall be screened with landscaping meeting the requirements of a Type C Bufferyard (See Section 4-16-06).
2. *Outdoor Storage:* Accessory outdoor storage is prohibited. All facilities for storage of supplies shall be located within a building.
3. *Garbage Storage:* Any garbage storage area located outside shall be screened from public view in accordance with Section 4-08-01-02-02-05 of these standards and regulations.

4-08-02-04-02

DAY CARE CENTERS

1. *Licensing:* Day care centers must be properly licensed by the State of Colorado.
2. *Drop-Off/Pick-Up Areas:* Day care centers must provide adequate drop-off and pick-up areas. The required area shall be based upon the maximum number of individuals cared for at a single time. Specifically, there shall be two-hundred-fifty (250) square feet of signed, off-road, drop-off/pick-up area for every eight (8) individuals. All drop-off/pick-up areas shall be approved by the Director of Community and Economic Development.
3. *Outdoor Recreation Facilities:* Where outside recreation facilities are provided, a six-foot high sight-obscuring fence around the recreation area shall be required to be maintained and the recreation area shall be situated in the rear half of the site.
4. *Residential Appearance:* Existing residential structures in residential zone districts shall not be significantly modified in appearance.
5. *New Construction in Residential Area:* Any new construction allowed in a residential zone district for the operation of a day care center shall substantially resemble a conventional single-family dwelling.

4-08-02-04-03

ELEMENTARY AND SECONDARY SCHOOLS (PRIVATE)

1. *Minimum Lot Size:* one thousand (1,000) square feet per student at maximum occupancy, or three (3) acres, whichever is less.
2. *Setbacks:* Five (5) feet for every foot of height of the structure, up to a maximum setback of seventy-five (75) feet.
3. *Access:* Schools shall be located on collector or arterial roads.
4. *Drop-Off/Pick-Up Areas:* All schools must provide adequate drop-off and pick-up areas. All drop-off/pick-up areas shall be approved by the Director of Community and Economic Development.
5. *Outdoor Recreation Facilities:* A six-foot high fence shall surround the outside recreation facilities of the school.

4-08-02-05 OUTDOOR PUBLIC USES

All outdoor public uses shall meet the following requirements.

4-08-02-05-01 CEMETERIES

1. *Minimum Lot Area:* The minimum lot area is ten (10) acres for a cemetery except for pet cemeteries, where the minimum lot area is three (3) acres.
2. *Height Limits:* Gravemarkers, tombstones, monuments, and memorials shall not exceed ten (10) feet in height. Buildings, including mausolea, columbaria, and crypts, shall not exceed thirty-five (35) feet in height.
3. *Screening:* The property may be screened from all adjacent properties by a sight-obscuring fence, hedge, or wall. If the applicant or Community and Economic Development Department requires screening, all common property lines with an adjacent residential use or zone district shall be screened with landscaping meeting the requirements of a Type B Bufferyard (See Section 4-16-06).

~~4-08-02-05-02 PICNIC AREAS, PARKS, AND PLAYGROUNDS~~

- ~~1. *Setbacks:* Picnic areas, parks, and playgrounds shall be setback seventy-five (75) feet from all abutting residentially or commercially zoned properties unless designed as an accessory use to an adjacent use.~~
- ~~2. *Hours of Operation:* Outdoor activities shall not begin before 7:00 a.m. and shall conclude by 9:00 p.m. when abutting residentially zoned or used property.~~
- ~~3. *Lighting:* Lighting for all facilities shall be turned off by 9:15 p.m.~~
- ~~4. *Outdoor Storage:* Accessory outdoor storage is prohibited. All facilities for storage of supplies shall be located within a building.~~
- ~~5. *Garbage Storage:* Any garbage storage area located outside shall be screened from public view in accordance with Section 4-08-01-02-02-05 of these standards and regulations.~~

~~4-08-02-05-03 SWIMMING POOLS, PUBLIC~~

- ~~1. *Setbacks:* Swimming pools shall be set back one hundred (100) feet from abutting residential and commercial zone districts and uses.~~
- ~~2. *Outdoor Storage:* Accessory outdoor storage is prohibited. All facilities for storage of supplies shall be located within a building.~~
- ~~3. *Garbage Storage:* Any garbage storage area located outside shall be screened from public view in accordance with Section 4-08-01-02-02-05 of these standards and regulations.~~
- ~~4. *Certified Lifeguard:* At least one (1) certified lifeguard shall be on duty during all hours of operation.~~

4-08-02-06 PLACES OF WORSHIP

All places of worship shall meet the following standards.

1. *Vehicular Access:* When located in a residential district or on a lot contiguous to a residential district or use, a place of worship shall have its principal vehicular

- entrance and exit on an arterial or collector road or on a local road within one hundred (100) feet of the local road’s intersection with an arterial or collector road.
2. *Belfries and Steeples Exempt from Height Limitations:* Belfries or steeples shall be exempt from any height requirements.
 3. *Parcels less than 35 acres:* In the A-3 Zone District require Conditional Use Permit approval.

4-08-02-07 PUBLIC SERVICE

All public service facilities shall meet the following standards:

4-08-02-07-01 GENERAL

1. *Outdoor Storage:* Materials may be stored outdoors, provided the storage area does not occupy more than twenty-five percent (25%) of the structure area and is screened in accordance with Section 4-08-01-02-02-05 of these standards and regulations.
2. *Garbage Storage:* Any garbage storage area located outside shall be screened from public view in accordance with Section 4-08-01-02-02-05 of these standards and regulations.

4-08-02-07-02 FIRE STATIONS

1. *Minimum Parcel Area:* one-half (½) acre

4-08-02-07-03 POLICE STATIONS AND POST OFFICES

1. *Minimum Parcel Area:* one (1) acre

4-08-02-07-04 UTILITY SUBSTATIONS

1. *Transmission Lines:* Transmission line rights-of-way shall be exempt from bufferyard requirements.
2. *Screening:* Transformers, electric substations, and outdoor storage yards shall be screened with screen fencing a minimum of six (6) feet high and landscaping meeting the requirements of a Type C Bufferyard (See Section 4-16-06).
3. *Setbacks:* Public utility stations or structures in residential areas shall maintain minimum setbacks in accordance with the National Electric Safety Code (NESC) for electrical lines or the U.S. Department of Transportation (USDOT) for gas lines, be fenced, and either be screened from view or assume a residential appearance.

4-08-02-08 TINY HOME VILLAGE

Tiny home villages are only allowed through an approved Conditional Use Permit and must conform to the following requirements:

1. Purpose: The purpose of tiny home villages is to grant flexibility in building form and site design requirements for providers of housing for people who are experiencing homelessness or are at risk of becoming homeless or to provide for transitional housing options within the County.
2. Neighborhood Meeting. A Neighborhood Meeting is required as part of a Conditional Use Permit application. All Neighborhood Meetings must meet the minimum requirements as outlined in Section 2-01-02.
3. Zone District Required. Tiny home villages can be approved through a Conditional Use Permit in all Adams County Zone Districts.
4. Minimum lot size: The minimum lot size to develop a tiny home village shall be one-half (1/2) acre.
5. Minimum Number of Tiny Homes: No development shall be approved with less than ten (10) homes.
6. Responsible Agent Required.
 - a. Each owner of a tiny home village property shall designate a person or company to serve as the responsible agent. The owner may designate themselves.
 - b. The responsible agent shall have access and authority to assume management of the village and take remedial measures. The agent shall always be available to respond to potential issues and violations related to these regulations. The responsible agent must be able to affirmatively respond to complaints within an hour of notification of such complaint being sent via email or text.
 - c. The owner shall notify the Community & Economic Development Department in writing of any modification to the responsible agent appointment within five (5) days of any such modification.
 - d. The site address and phone number for the responsible agent shall be posted in a visible location within the tiny home village. In addition, the information for Adams County Code Compliance, including phone number, shall be listed on the posting.
7. Parking. A parking and circulation plan must be submitted with the Conditional Use Permit application. A minimum of one (1) space for every three (3) homes and a minimum of one (1) space for every employee shall be required. The Board of County Commissioners can increase or decrease the required number of required

- parking spaces through the Conditional Use Permit based on the transportation needs of the residents, services provided to the residents, and the proximity of the Village to the RTD light rail stations or bus stops. All required parking areas/spaces must show conformance with Section 4-14.
8. Operations Plan required. An operations plan that includes, but is not limited to, services provided and security measures, is required at the time of application. The Board of County Commissioners, in making their decision, may take into consideration the security measures, the location of the tiny home village to bus stops/light rail stations, and services, and the proposed services provided to the residents.
 9. Open Space. Open space of at least 200 square feet per unit required; 60 square feet may be private, and the remainder must be provided as common open space.
 10. Tiny Home Size.
 - a. The minimum home size for a tiny home shall be one hundred (100) square feet.
 - b. The maximum home size for a tiny home shall be four hundred (400) square feet, excluding any lofts.
 11. Minimum Ceiling Height. The minimum ceiling height for a tiny home shall be six feet- eight inches. (6'8")
 12. Minimum Spacing between homes: The minimum distance between tiny homes shall be ten (10) feet. The site layout must be approved by the Board of County Commissioners through the Conditional Use Permit.
 13. Building Materials. Tiny homes can be constructed from any material providing that the construction meets the minimum IRC Standards, as adopted by Adams County at the time of application. All tiny homes must be placed on a foundation that meets the following definition. Foundation: Part of a structural system designed in accordance with the International Building Codes that supports and anchors the superstructure of a building and transmits its loads directly to the earth.
 14. Construction: All construction, including mechanical heating and cooling systems, shall conform to the IRC, as adopted by Adams County.
 15. Heating and cooling equipment must be listed and labeled.
 16. Emergency Escape and Rescue Opening: All tiny homes must have an emergency escape and rescue opening and shall meet the requirements of the IRC as adopted by Adams County.
 17. Required Bufferyard. All tiny home villages shall be screened from any adjacent use or public road with a Type B Bufferyard.

18. *Additional Setbacks.* Tiny homes must meet the setbacks outlined in the underlying zone district. In zone districts with a side or rear setback less than ten (10) feet, the setback shall be ten (10) feet from any side or rear property line.
19. *Trash Disposal and Collection.* All tiny home village properties shall provide a trash disposal and collection plan to ensure that trash containers are not left outdoors where they can cause issues for wildlife or snow removal operations. The proposed trash disposal and collection plan shall be reviewed and approved by the County during the Conditional Use Permit review. There shall be enough trash receptacles to accommodate all trash generated by those occupying the tiny home village.
20. *Screening.* Garbage area screening shall consist of a six (6) foot high minimum screen fence made of wood or masonry material. Fencing materials should be cleaned and maintained at all times to present an orderly appearance. No garbage storage area shall be located within twenty (20) feet of a public sidewalk.
21. *Fencing.* Maximum height of internal fencing shall be forty-two (42) inches.
22. *Signage.* Signs shall be allowed in conformance with Section 4-15 and must be reviewed at the time of Conditional Use Permit approval.
23. *Common Facilities.* All tiny home villages must provide a common area that contains shower and restroom facilities, kitchen areas, and laundry facilities. The common area must be available for use to the residents of the village at all times. Shower and restrooms shall be provided in accordance with the Building Code. There must be a paved system of walkways, which gives safe and convenient access to every tiny home and all common facilities. If shower and restroom facilities, kitchen areas, and laundry facilities are provided within each unit, the common area requirement can be waived by the Board of County Commissioners.
24. *Animals.* A maximum of one (1) cat or one (1) dog is allowed per tiny home.
25. *Outdoor storage.* Outdoor storage is not allowed. On-site storage facilities that serve the entire tiny home village are allowed, if approved by the Board of County Commissioners through the Conditional Use Permit application.

~~4-08-02-084-08-02-09~~ PUBLIC SERVICE

All public service facilities shall meet the following standards.

~~4-08-02-08-014-08-02-09-01~~ GENERAL

1. *Outdoor Storage:* Materials may be stored outdoors, provided the storage area does not occupy more than twenty-five percent (25%) of the structure area and is screened in accordance with Section 4-08-01-02-02-05 of these standards and regulations.

2. *Garbage Storage*: Any garbage storage area located outside shall be screened from public view in accordance with Section 4-08-01-02-02-05 of these standards and regulations.

~~4-08-02-08-024-08-02-09-02~~ **FIRE STATIONS**

1. *Minimum Parcel Area*: one-half (½) acre

~~4-08-02-08-034-08-02-09-03~~ **POLICE STATIONS AND POST OFFICES**

1. *Minimum Parcel Area*: one (1) acre

~~4-08-02-08-044-08-02-09-04~~ **UTILITY SUBSTATIONS**

1. *Transmission Lines*: Transmission line rights-of-way shall be exempt from bufferyard requirements.
2. *Screening*: Transformers, electric substations, and outdoor storage yards shall be screened with screen fencing a minimum of six (6) feet high and landscaping meeting the requirements of a Type C Bufferyard (See Section 4-16-06).
3. *Setbacks*: Public utility stations or structures in residential areas shall maintain minimum setbacks in accordance with the National Electric Safety Code (NESC) for electrical lines or the U.S. Department of Transportation (USDOT) for gas lines, be fenced, and either be screened from view or assume a residential appearance.

4-09 COMMERCIAL USES PERFORMANCE STANDARDS

4-09-01 GENERAL PERFORMANCE STANDARDS

4-09-01-01 PURPOSE

The purpose of the following general performance standards is to address elements of planning, design, operation, and maintenance that shall be applied to all commercial development in Adams County. Any use-specific performance standards contained in these standards and regulations shall also be applied. Where a use-specific performance standard conflicts with a general performance standard, the use-specific standard shall apply.

4-09-01-02 SUBSECTIONS

The following general performance standards are included in this section:

1. Project Compatibility
2. Fencing, Walls and Screening

The following general performance standards are located in other sections of these standards and regulations:

1. Parking (See Section 4-13)
2. Signage (See Section 4-01)
3. Landscaping (See Section 4-16)
4. Weeds and Offending Vegetation (See Section 4-18)
5. Site Design Considerations (See Section 4-21)
6. Operational Standards (See Section 4-14)
7. Off-Road Utility, Dumpster, Recycling, and Trash Handling Facilities (See Section 4-22)
8. Off-Premise Signs (See Section 4-16)
9. Sexually Oriented Businesses (See Section 4-20)

4-09-01-03 PROJECT COMPATIBILITY

4-09-01-03-01 *Purpose*

The purpose of this section is to ensure the physical and operational characteristics of proposed structures and uses are compatible when considered within the context of the surrounding area.

4-09-01-03-02 *Architectural Character*

New developments in or adjacent to existing developed areas shall be compatible with the established architectural character of such areas by using

a complementary design. Compatibility shall be achieved through techniques such as the repetition of roof lines, the use of similar proportions in structure mass and outdoor spaces, similar relationships to the road, similar window and door patterns, and/or the use of building materials with color shades and textures similar to those existing in the immediate area of the proposed development. Brick and stone masonry shall be considered compatible with wood framing and other materials.

4-09-01-03-03 *Structure Size, Height, Bulk, Mass, Scale*

New structures shall either be similar in size and height, or if larger, be articulated and subdivided into massing proportional to the mass and scale of other structures in the immediate vicinity.

4-09-01-03-04 *Structure Orientation*

To the maximum extent feasible, primary facades and entries shall face the adjacent road. Main entrances shall face a connecting walkway with a direct pedestrian connection to the road without requiring pedestrians to walk through parking lots or cross driveways.

4-09-01-03-05 *Building Materials*

1. *General:* Building materials shall either be similar to the materials already being used in the immediate area or, if dissimilar materials are being proposed, other characteristics such as scale and proportions, form, architectural detailing, color and texture, shall be utilized to ensure enough similarity exists for the structure to be compatible, despite the differences in materials.
2. *Glare:* Building materials shall not create excessive glare. If highly reflective building materials are proposed, such as aluminum, unpainted metal or reflective glass, the potential for glare from such materials will be evaluated to determine whether or not the glare would create a significant adverse impact on the adjacent property owners, neighborhood or community in terms of vehicular safety, outdoor activities and enjoyment of views. If so, such materials shall not be permitted.
3. Windows
 - a. *Glass:* Mirror glass with a reflectivity or opacity of greater than sixty percent (60%) is prohibited. Clear glass shall be used for commercial storefront display windows or doors.
 - b. *Location and Details:* Windows shall be individually defined with detail elements such as frames, sills, and lintels, and placed to visually establish and define the structure stories and establish human scale and proportion.

4-09-01-03-06 *Land Use Transition*

When land uses with significantly different visual character are proposed adjacent to each other and where gradual transitions are not possible or not in the best interest of the community, the proposed structure shall, to the maximum extent feasible, achieve compatibility through compliance with the standards set forth in this Section regarding scale, form, materials, and colors and adoption of operational standards including limits on hours of operation, lighting, placement of noise-generating activities and similar restrictions.

4-09-01-03-07 *Operational/Physical Compatibility Standards*

The following conditions may be imposed upon the approval of Conditional Use Permits to ensure new development will be compatible with existing neighborhoods and uses, including, but not limited to, restrictions on:

1. Hours of operations and deliveries.
2. Location of activities that generating potential adverse impacts on adjacent uses such as noise and glare.
3. Placement of trash receptacles.
4. Location and screening of loading and delivery zones.
5. Light intensity and hours of full illumination.
6. Placement and illumination of outdoor vending machines.

4-09-01-04 FENCING, WALLS, AND SCREENING

4-09-01-04-01 *Maximum Height*

The maximum height of fencing, walls and screening shall be ninety-six (96) inches, which may not include more than four (4) strands of barbed wire forming the top eighteen (18) inches or less of the fence, placed at a forty-five (45) degree angle.

4-09-01-04-02 *Fence Bottom*

The bottom of the fence shall be no more than six (6) inches above grade at any point.

4-09-01-04-03 *Fences Prohibited in Landscaped Area*

No fence shall be permitted within any required landscaped area.

4-09-01-04-04 *Electric and Barbed Wire Fencing Prohibited*

Electric fencing and fencing consisting only of barbed wire are prohibited as an external boundary fence.

4-09-01-04-05 *Relationship to Structure Design*

Fencing shall relate to the principal architectural features of the building in design, location, and the way in which it connects to the building.

4-09-01-04-06 *Long Runs of Fencing Discouraged*

Long runs of fencing parallel to public roads are discouraged. Where long runs cannot be avoided, the horizontal alignment of the fences shall be varied to create visual variety and to provide planting pockets between the fence and the road. In addition, periodic breaks in fences should be considered to facilitate pedestrian, bicycle, and transit use.

4-09-01-04-07 *Screen Fencing*

Screen fencing is required to conceal outside storage from all adjacent road right-of-way and lesser intensity uses. Screening is not required between storage yards provided neither yard is visible from an adjacent road right-of-way. This section does not affect required landscaping along street frontages or buffering requirements contained in these regulations. In all practicable cases, the screen fencing addressed below shall be behind the required landscaping. The following criteria shall be followed in determining what form of screening is appropriate to accomplish visual buffering of outside storage yards in the County.

1. If the property is already developed and the proposed storage area is enclosed by an existing chain link fence, which has a useful life remaining, the property owner shall:
 - a. Install heavy gauge PVC or vinyl inserts.
 - b. The inserts shall achieve a minimum of ninety (90) percent opacity.
 - c. Color of the inserts is at the discretion of the applicant.
 - d. If the existing fence does not have a remaining useful life, the property (or portion of the property affected) defaults to item 2.
2. If the property is not developed and is proposed for outside storage, the property owner shall conceal all outside storage with an eight-foot solid wood fence or masonry wall.
3. If the property is not feasibly screened by a fence from an adjacent road due to topography, the property owner shall:
 - a. Install fast growing trees (preferably a mix of coniferous and deciduous) appropriately spaced to ensure complete screening at maturity.
 - b. A chain link fence may be constructed at the discretion of the applicant, but must be placed to the interior of the screening trees.
4. All fencing shall be maintained and kept in good condition at all times. Condition of fences shall be evaluated through a review of:
 - a. Structural integrity and being functionally sound under the Uniform Building Code; and

- b. Substantially the same condition as originally permitted or constructed.

4-09-01-04-08 GARBAGE AREA SCREENING

Garbage area screening shall consist of a six (6) foot high minimum screen fence made of wood or masonry material. Fencing materials should be cleaned and maintained must be clean and maintained at all times to present an orderly appearance. No garbage storage area shall be located within twenty (20) feet of a public sidewalk.

4-09-01-04-09 OUTDOOR STORAGE SCREENING

Outdoor storage area screening shall consist of a six (6) foot high minimum screen fence. Outdoor storage shall not be allowed above the height of the fence.

4-09-01-04-10 MASONRY WALL

All walls specified to be masonry shall be solid and constructed out of a brick or stone material. The wall shall not permit the contents within the wall to be seen from the outside.

4-09-01-04-11 NOISE BARRIER FENCING

Where existing and proposed arterial roads or state highways traverse, or are adjacent to areas of proposed commercial development, the Director of Community and Economic Development may require noise barrier fencing be installed by the developer. Such fencing shall meet the minimum standards of the Colorado Department of Transportation and these standards and regulations.

4-09-01-04-12 RETAINING WALLS

Any retaining wall over four (4) feet in height shall require plans prepared by a professional engineer as a condition for a building permit except where waived by the Director of Community and Economic Development. As determined by the Director of Community and Economic Development, any retaining wall over thirty-six (36) inches in height may require a guard rail up to five (5) feet in height and placed at the top of grade.

4-09-01-04-13 TRAFFIC VIEW OBSTRUCTION

Traffic view obstruction as outlined in these standards and regulations, by any fence, wall or screen is prohibited.

4-09-01-04-14 SIDEWALK MAINTENANCE

The property owner of land abutting a constructed public right-of-way is responsible for construction and maintenance of curb, gutter, and sidewalk

along the right-of-way abutting his property including snow removal for pedestrian access.

4-09-02 PERFORMANCE STANDARDS BY USE CATEGORY

4-09-02-01 SUBSECTIONS

The following specific performance standards are included in this section:

1. Airports, Landing Strips and Heliports
2. Animal Hospitals
3. Automobile Service Station
4. Bed and Breakfast Establishments
5. Campground, Commercial
 - a. RV Campground
 - b. Tent Campground
6. Communication Towers, Commercial
7. Commercial Retail
8. Drive-In Establishments
9. Golf Courses and Driving Ranges, Commercial
10. Heavy Retail and Heavy Services
 - a. Automobile Dealership
 - b. Automobile Rental
 - c. Automobile or Bus Repair, Painting, and Body Work
 - d. Firewood Sales, Storage and Splitting
 - e. Flea Markets, Outdoor
 - f. Truck, Trailer and Horse Trailer Sales and Rental
 - g. Pawn Shops
11. Indoor Commercial Recreation/Entertainment
 - a. Amusement Center, Video Arcade, Pool Arcade
 - b. Auditoriums, Assembly Halls, Movie Theaters
 - c. Bowling Alleys
 - d. Roller Skating Rinks
12. Kennel, Commercial
13. Lodging, Commercial
14. Massage Business
15. Office
16. Outdoor Commercial Recreation
 - a. Amusement Parks
 - b. Drive-In Theaters
 - c. Gun and Archery Range
 - d. Ice Skating Rinks
 - e. Miniature Golf Courses
 - f. Water Slide Courses

17. Racing Facility
 - a. Automobile and Truck
 - b. Dog and Horse Racing
18. Restaurants
 - a. Bars and Cocktail Lounges
 - b. Drive-Thru Restaurants
19. Services

4-09-02-02 AIRPORTS, LANDING STRIPS AND HELIPORTS

1. *Private Airport Minimum Parcel Area:* Private airport minimum parcel area shall be thirty-five (35) acres.
2. *Private Heliports Minimum Parcel Area:* Private heliport minimum parcel area shall be two (2) acres.
3. *Access:* All airports, landing strips and heliports shall access collector or arterial roads or highways.
4. *Verification from the FAA:* A private airport or heliport must submit verification from the Federal Aviation Administration documenting the site does not present a hazard to air navigation.
5. *Approach Zone Restrictions:* Compliance with FAA Requirements:
 - a. *Approach Zone:* Any proposed runway or landing strip shall be situated so that any structures, high voltage power lines, towers, chimneys, and natural obstructions within the approach zones, comply with regulations for height restrictions in airport approach zones of the FAA, Division of Aeronautics, or a municipal or other airport authority qualified by law to establish hazard zoning regulations.
 - b. *Landing Strip Setbacks:* There shall be sufficient distance between the end of each usable landing strip and the airport boundary to satisfy the requirements of the FAA. If necessary, air rights or easements shall be acquired from the owners of abutting properties in which approach zones fall.
6. *Residential Areas:* No planned approach areas shall be permitted over existing residential areas.
7. *Setbacks:* All airport or heliport related structures shall be set back at least one hundred (100) feet from any property line.
8. *Buffering:* The Director of Community and Economic Development may require buffering in the form of berms around an airport, landing strip or heliport.
9. *Indoor Repair:* All repair of aircraft and machinery shall be done inside hangars.

4-09-02-03 ANIMAL HOSPITAL

1. *Minimum Space Requirements:*
 - a. *Dogs:* Each dog shall be provided a minimum space equal to the following equation:

- (1) Width of Kennel = Length of dog from nose to base of tail + 2 feet.
- (2) Length of Kennel = Width of Kennel + 2 feet.
- (3) Height of Kennel = Head height of dog standing on all four legs + 1 foot.
- b. *Cats*: Each adult cat shall be provided a minimum of six (6) cubic feet of area. Adult female cats with kittens below three (3) months of age shall be provided with a minimum of eight (8) cubic feet of area.
2. *Waste Disposal*: All animal and food wastes shall be handled and disposed of in a sanitary manner as approved by Tri-County Health Department. Animal wastes shall be removed from the site daily or as otherwise necessary to avoid the spread of objectionable odors, insects, pests, and objectionable surface drainage.
3. *Pest Control*: Environmental and/or chemical and scientific controls shall be provided for pest control.
4. *Drainage*: Adequate drainage facilities or improvements shall be constructed to protect any adjacent rivers, streams, or other bodies of water from pollution.
5. *Care of Animals*: All dogs and/or cats shall be cared for in a humane and sanitary manner as approved by Adams County Humane Society and Adams County Animal Management. Household animals (specifically dogs and cats) boarded overnight shall be kept in climate-controlled, sound-proofed buildings. Where facilities are not sound-proofed, a partially or fully enclosed structure or fenced open area (runs, pens, etc.) shall be used to confine any animals and shall be setback one-hundred-fifty (150) feet from any property line.

4-09-02-04 AUTOMOBILE SERVICE STATIONS

1. *Access*: All service stations shall front collector or arterial roads or highways unless the sites are part of a shopping center.
2. *Pump Setbacks*: Pump islands shall be located a minimum of fifty (50) feet from residentially zoned or used property lines and a minimum of forty (40) feet from other exterior property lines. Pump island canopies may project to within thirty (30) feet of property lines. Islands shall not interfere with any sight distance triangles in accordance with these standards and regulations.
3. *Underground Storage Tank (UST) Setbacks*: UST vent pipes must be located a minimum of fifty (50) feet from residentially zoned or used property lines and a minimum of forty (40) feet from other exterior property lines.
4. *Screening*: Service stations shall be separated from abutting residential properties by a six (6) foot high masonry wall and a Bufferyard as required in Section 4-16-06.
5. *Landscaping*: In addition to all other required landscaping, boundary landscaping is required for a minimum depth of ten (10) feet along all property lines abutting roads, except for the area required for road openings. Permanent irrigation facilities shall be provided for all landscaped areas.

6. *Indoor Activities:* The changing of engine oil and filters; the lubrication of motor vehicle chassis; the cleaning of component parts; brake adjustment and replacement; mechanical or hand washing and detailing; front-end alignment; the sale or installation of batteries and minor automotive accessories; the sale mounting and repair of tires; the testing, adjustment and replacement of parts, the servicing of air conditioners; the servicing of air pollution control devices; the sale of soft drinks, candy, ice and similar items.
7. *Outdoor Activities:* The dispensing of motor fuel, oil, air, and water from pump islands; any testing or servicing of automobiles which necessitates a running engine; tire display; trash areas enclosed by walls; public telephones in a well-lighted location, visible from the road; the sale of soft drinks, candy, ice, and similar items via vending machines.
8. *Painting and Body Work Prohibited:* Painting or other body work shall be prohibited at all service stations unless approved by Conditional Use Permit.
9. *Storage:* All products and merchandise shall be stored indoors except for vending machines and tire display.
10. *Garbage Storage:* Garbage area screening shall consist of a six (6) foot high minimum screen fence made of wood or masonry material. Fencing materials should be cleaned and maintained must be clean and maintained at all times to present an orderly appearance. No garbage storage area shall be located within twenty (20) feet of a public sidewalk.
11. *Restrooms:* Two restrooms shall be provided to the general public during all hours of operation. All restrooms with exterior entrances shall be located to the side or the rear of the building.

4-09-02-05 BED AND BREAKFAST ESTABLISHMENTS

1. *Resident-Occupied:* A Bed and Breakfast shall be operated by the resident property owner or a designated appointee at all times.
2. *Maximum Number of Lodging Rooms:* The maximum number of lodging rooms in a bed and breakfast establishment shall be five (5) rooms.
3. *Location:* The establishment shall be located within a dwelling abutting a designated arterial or collector road, or within a dwelling designated in a historical site.
4. *Signage:* Signage shall meet the requirements of Section 4-01 except in a residential or agricultural zone district where a single sign, which may be lighted but not flashing, shall be permitted within ten (10) feet of the front lot line. The sign shall not exceed ten (10) square feet in area and shall not block sight distance triangles. The sign shall not exceed five (5) feet in height.
5. *Screened Parking:* Off-road parking for the guest rooms shall be screened with landscaping meeting the requirements of a Type C Bufferyard (see Section 4-16-06).

6. *Outdoor Storage:* Accessory outdoor storage is prohibited.
7. *Garbage Storage:* Garbage area screening shall consist of a six (6) foot high minimum screen fence made of wood or masonry material. Fencing materials should be cleaned and maintained must be clean and maintained at all times to present an orderly appearance. No garbage storage area shall be located within twenty (20) feet of a public sidewalk.

4-09-02-06 CAMPGROUNDS, COMMERCIAL

1. *Minimum Parcel Area:* The minimum parcel area for commercial campgrounds shall be one (1) acre.
2. *Maximum Density:* A maximum density of fifteen (15) campsites per acre is permitted.
3. *Duration of Stay at Campground:* Visitors to a commercial campground shall stay for a maximum of sixty (60) days.
4. *Access:* Commercial campgrounds shall be located on properties with direct access to an arterial road or highway. No direct access from a public road to an individual campsite shall be permitted. Internal drives must be improved to the extent and in the manner acceptable to the Director of Community and Economic Development. Minimum paving widths for internal drives are:
 - a. thirty-six (36) feet for entrances and all drives with guest parking on both sides;
 - b. twenty-nine (29) feet for two-way drives with parking on one side;
 - c. twenty-two (22) feet for two-way drives with no parking; and
 - d. eleven (11) feet for one-way drives with no parking.

When in the opinion of the Director Community and Economic Development, paving is not required for a tent campground, paving may be waived. However, all internal drives shall be constructed of at least an approved all-weather surface approved by the Director of Community and Economic Development and the applicable fire district. In no case shall paving be waived in a recreational vehicle campground.

5. *Common Recreation Area:* Each campground shall have a common recreation area. One hundred (100) square feet of common recreation area shall be provided per campsite.
6. *Landscaping:* In addition to all other required landscaping, interior landscaping of the campground shall require at least one (1) tree and two (2) shrubs per campsite. Each tree shall be at least two (2) inch caliper in size when planted. Shrubs shall be a minimum of five (5) gallon size when planted.
7. *Tent Campgrounds:*
 - a. Each tent campsite shall be a minimum of five hundred (500) square feet. A ten (10) foot separation shall be maintained between tent campsites.
 - b. One (1) parking space, nine (9) feet by twenty (20) feet, shall be located on each site. No guest parking shall be required for a tent site. Parking spaces

- shall be provided with an all-weather surface approved by the Director of Community and Economic Development. Paving may be required where in the opinion of the Director of Community and Economic Development it is needed to control dust or water quality.
8. *Travel Trailer and Recreational Vehicle Campground*: All travel trailer and recreational vehicle campgrounds shall meet the following standards:
 - a. *Zoning*: Travel trailer and recreational vehicle campgrounds shall be located in permitted zone districts on property having direct access to an arterial road or highway.
 - b. *Minimum Area*: A travel trailer park shall consist of a minimum of one (1) acre for the parking of travel trailers for human occupancy only.
 - c. *Paving of Spaces and Drives*: All recreational vehicle and guest parking spaces and drives shall be paved with asphalt or concrete to the specifications contained in these standards and regulations.
 - d. *Tent Sites*: Freestanding tent sites may be permitted provided not more than fifteen (15%) percent of a travel trailer and recreational vehicle campground shall be used for tent sites.
 - e. *Area per Unit*: Each unit or site shall be improved with a minimum paved parking space for the travel trailer or recreational vehicle with a minimum area of ten (10) feet by twenty-five (25) feet in addition to the access driveway. Each recreational vehicle space shall be a minimum of twenty-five (25) feet in width and forty-five (45) feet in depth.
 - f. *Vehicle Parking*: One (1) paved parking space, nine (9) feet by twenty (20) feet, shall be located on each site. Guest parking, one (1) space for each ten (10) trailer sites, shall be provided off the interior drives.
 - g. *Utilities*: All public utilities shall be placed underground.
 9. *Permitted Accessory Uses*: Recreational facilities, laundry buildings, service retail stores, manager's office and storage buildings, sanitary facilities, and fences, constructed in accordance with all the provisions of these standards and regulations and all other applicable County regulations may be permitted as accessory uses.
 10. *Manager Housing*: One (1) manufactured home or single-family dwelling may be located in the campground for occupancy of the manager/operator.
 11. *Garbage Collection*: At least one (1) garbage pick-up area shall be provided. The garbage pick-up area shall be screened from view in accordance with the Fencing, Walls, and Screening section (See Section 4-09-01-04) of these standards and regulations.

4-09-02-07 COMMERCIAL MOBILE RADIO SERVICE (CMRS) TELECOMMUNICATION SITES

1. *Design and Performance Criteria for all CMRS Telecommunication Sites*: The purpose of design review for CMRS telecommunications sites is to ensure the necessary antennae, equipment, and equipment shelters are sited and screened

in a to minimize visual and physical impacts on the surrounding area. The following design criteria and requirements shall apply to all CMRS telecommunication antennae, equipment, equipment shelters, and commercial communication towers:

- a. All CMRS telecommunication antennae, equipment, and equipment shelters shall be designed to be compatible with surrounding buildings and existing or planned uses in the area. This may be accomplished through the use of compatible architectural elements such as color, texture, scale, and character.
- b. Siting and installation of CMRS telecommunication antennae, equipment, and equipment shelters shall preserve or enhance the existing character of the topography and vegetation of a site. Existing vegetation, if any, and if suitable with natural features, should be preserved and/or improved to provide screening for the facility. If existing topography of the site does not adequately screen equipment from view, fencing may be required. Fencing should not be used exclusively but instead be supplemented with vegetation. Any security fencing should be of a design, which blends into the character of the existing environment, and meet the height limitation for the zone district in which the fencing is located.
- c. All CMRS antennae and equipment should be no taller than necessary for the efficient operation of the CMRS antennae and equipment.
- d. Applicants shall demonstrate the CMRS telecommunications site is a necessary component of the applicant's overall communication network and communication plan for the community. Such demonstration shall require the applicant to establish at least one (1) of the following criteria: (1) the site is necessary to provide appropriate signal coverage quality; (2) the site is made necessary pursuant to the applicant's FCC license; or (3) the site is necessary to handle increased capacity due to caller volume. In addition, the applicant shall demonstrate: (1) existing topography and/or structures in the surrounding area preclude other locations in the same area; and (2) technical and engineering factors require the site to be in the desired location in relation to other existing sites and system constraints such as frequency requirements, availability of electric power and interconnection to telephone land lines, and site access.
- e. All CMRS telecommunication antennae, equipment, and equipment shelters shall be sited, designed, and screened to minimize the visibility of such equipment from surrounding properties, public roads, and neighborhoods.
- f. The colors of all CMRS telecommunication antennae, equipment, and equipment shelters shall minimize the visibility of the facility.
- g. To minimize the visual and physical impact on the surrounding area caused by freestanding and building mounted CMRS telecommunications

- facilities, the County encourages innovative and multiple use of building and structures for the location of CMRS telecommunications facilities, antenna, and equipment.
2. *Design and Performance Standards for Structure or Building Mounted CMRS Telecommunications Facilities:* All structure or building mounted CMRS antennae and equipment shall be designed and constructed to blend with and enhance the architectural characteristics of the accompanying building or structure and shall be subject to building permit approval.
 - a. Panel Antennae Standards
 - (1) Panel antennae shall not protrude horizontally more than two (2) feet from the building wall and shall be painted or treated to match the building or structure to which the panel is attached.
 - (2) Panel antennae attached to the side of a building shall not exceed the height of the parapet or the roofline, whichever is greater.
 - (3) Panel antennae mounted on an existing penthouse or existing roof-top mounted service equipment for the building shall not exceed the height of the penthouse or service equipment to which the antennae is attached.
 - (4) Panel antennae shall not be mounted in a freestanding, sled, or rack-mounted fashion on the top of a building unless: (1) there exists unscreened service equipment on the roof which will be screened from view along with the panel antennae; (2) the screening of the antennae and equipment will be architecturally compatible with the building; and (3) a waiver is obtained from the Director of Community and Economic Development. The construction of artificial penthouses or artificial service equipment on a roof for the purpose of attaching CMRS telecommunication facilities is prohibited.
 - (5) No panel antenna shall exceed the maximum height limitation for the zone district in which the panel is located.
 - b. Whip Antennae Standards
 - (1) Single whip antennas shall not extend more than fifteen (15) feet above the building height.
 - (2) Where more than one (1) whip antenna is attached to one (1) building, such antennae shall maintain a minimum separation of fifteen (15) feet between antenna owned by different CMRS telecommunication providers.
 - (3) No whip antenna shall exceed the maximum height limitation for the zone district in which the antenna is located.
 3. *Design and Performance Standards for Freestanding CMRS Telecommunication Facilities:* All freestanding CMRS telecommunications facilities shall be subject to an Administrative Review Permit Process as outlined in Section 2-02-02. The following design and performance standards shall apply to all freestanding CMRS telecommunication facilities:

- a. The height of any freestanding CMRS communication facility shall conform to the height limit of the zone district in which the facility is located unless a height exception is granted through the Administrative Review Permit Process.
- b. All freestanding CMRS telecommunications facilities shall meet the landscaping requirements set forth in these standards and regulations including screening of such facilities with vegetation. As a condition of approval of any freestanding CMRS telecommunication facility, the County may require the applicant to provide a performance bond or other surety to the County which is adequate to ensure the completion of all planned and required landscaping and screening associated with the approved CMRS telecommunication facility. A bond may also be required to ensure removal of the facility if it is abandoned or no longer needed. Where the CMRS telecommunications facility is located on a parcel of land leased by the applicant, and which is part of a larger parcel of land under single ownership, reasonable landscaping improvements in accordance with these standards and regulations may be required within the larger unleased parcel where such improvements will bring the facility into conformance with the requirements of these standards and regulations, mitigate the impacts of the telecommunication facility, or enhance the visual qualities and aesthetics of the larger parcel.
- c. A freestanding CMRS telecommunications facility, as defined by these standards and regulations, shall not be located closer than the height of the tower from any property line, unless a waiver from this requirement is obtained through the Administrative Review Permit Process.
- d. A freestanding CMRS telecommunications facility, as defined by these standards and regulations, shall not be located closer than one thousand (1,000) feet from any other freestanding CMRS telecommunications facility established or proposed by the same or another provider. Co-location of CMRS telecommunication facilities on the same freestanding facility is therefore strongly encouraged. No facility owner or lessee or employee thereof shall act to exclude or attempt to exclude any other provider from the same location. A service provider or lessee or employee thereof shall cooperate in good faith to achieve co-location or antennae with other providers. County staff can be used as a resource to facilitate this co-location. Should co-location not be acceptable to existing providers, the service provider wanting to locate on the existing facility shall be required to prove to the satisfaction of the Director of Community and Economic Development co-location is not feasible.
- e. During the Administrative Review Permit process, the applicant shall demonstrate: (1) the site is necessary to provide appropriate signal coverage quality; (2) the site is made necessary pursuant to the applicant's FCC license; (3) the site is necessary to handle increased

- capacity due to caller volume; (4) existing topography and/or structures in the surrounding area preclude other locations in the same area; (5) technical and engineering factors require the site to be in the desired location in relation to other existing sites and system constraints such as frequency requirements, availability of electric power and interconnection to telephone land lines, and site access; (6) screening and design of the freestanding facility will make the site compatible with surrounding land uses; and (7) the structure will not block a significant view, including, but not limited to the Front Range of the Rocky Mountains, the South Platte River, the Rocky Mountain Arsenal Wildlife Refuge, Barr Lake, and other significant water bodies.
- f. Non-Small Cell facilities are discouraged in the right-of-way. Applicants requesting approval of a new non-small cell facility shall apply for Administrative Review Permit pursuant to this chapter and demonstrate that:
1. There are exceptional circumstances which prohibit installation of a small cell facility; and
 2. There are no feasible alternatives to locate the wireless facility outside the right-of-way.
- g. Applications that do not meet the standards in this Chapter shall require a waiver. The Director of Community and Economic Development shall issue a waiver subject to the following criteria:
1. The waiver, if granted, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use of the development of adjacent property.
 2. There are no reasonable design alternatives that would remove the need for the requested waiver or would reduce the amount of waiver required.
 3. The waiver is warranted by the design incorporated in the proposal and the benefit of the County provided through the approval of the waiver.
4. *Design and Performance Standards for Small Cell Wireless Facilities:* All Small Cell Wireless Facilities shall be subject to an Administrative Review Permit Process as outlined in Section 2-02-02. The following design and performance standards shall apply to all freestanding CMRS telecommunication facilities:
- a. Small Cell Wireless Facility Shall mean any of the following:
 1. A wireless service facility that meets the following qualifications:
 - i. Each antenna is located inside an enclosure of no more than three cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements could fit within an imaginary enclosure of no more than three cubic feet;

- AND
- ii. Primary equipment enclosures are no larger than 17 cubic feet in volume as measured on the exterior surface of the enclosure. The following associated equipment may be located outside of the primary equipment enclosure and, if so located, is not included in the calculation of equipment volume: Electric meter, concealment, telecommunications demarcation box, ground-based enclosures, back-up power systems, grounding equipment, power transfer switch, and cut-off switch;
- OR
- iii. A micro wireless facility
- b. Applicants shall work with the County and relevant third parties to locate small cell wireless facilities based on the following order of preference for location and deployment:
 - 1. Small cell facilities shall be collocated and attached to existing and previously approved small cell facilities.
 - 2. Small cell facilities shall be attached to or replace available structures previously approved in the County Right-of-Way (ROW).
 - 3. New freestanding small cell facility poles shall be built in a manner that allows for collocation.
 - c. Any new pole with an antenna must be architecturally consistent with the surrounding area by utilizing one of the following:
 - (a) Replacing existing permitted facilities (including without limitation, traffic signals, light poles, or light standards) so that the presence of the small cell facility is not readily apparent;
 - (b) Integrating the equipment in an architectural feature of an existing structure; integrating or attaching equipment to an outdoor fixture such as a traffic signal, light standard, utility pole or flagpole.
 - (c) Using a design which mimics or is consistent with the nearby natural or architectural features, this includes compatibility with color and shape of the proposed structure; and
 - (d) Using a design that is consistent with the size and shape of the pole-mounted equipment installed by communications companies on utility poles within three hundred feet of the facility.
 - d. The facility height shall not be more than:
 - 1. 30 feet when the facility is within 250 feet from a property, as measured from the property line, in Residential zone districts.

2. 35 feet when the facility is within 250 feet of a property, as measured from the property line, in Agricultural zone districts, Public Lands, or Parks and Open Space.
 3. 40 feet in all other zone districts.
- e. The facility shall be separated from all other freestanding wireless facilities within the right-of-way by a distance of at least 600 feet, unless the facility replaces an existing traffic signal, street light pole, or other similar structure as determined by the Director of Community and Economic Development. The Director of Community and Economic Development may reduce this requirement if the applicant demonstrates through technical network documentation that the minimum separation requirement cannot result in a feasible network or that the separation distance requested results in a facility that meets the following criteria:
 1. The separation distance will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property.
 2. The reduced distance is warranted by the design incorporated in the proposal and the benefit to the County provided though the reduced separation distance.
 - f. When placed near a residential property, the facility shall be placed adjacent to a common property line between adjoining residential properties, such that the facility minimizes visual impacts, unless landscaping, topography, other structures, or other considerations minimize visual impacts to a greater extent at a different location.
 - g. Poles and related appurtenances shall not interfere with traffic operations, legally permitted parking, or approved Traffic Control Devices.
 - h. Facilities shall be located in alignment with existing tress, utility poles, and streetlights whenever possible.
 - i. Facilities shall be located so as not to create a new obstruction or unreasonable visual blight to primary property sight lines beyond that expected of other legally permitted encroachments or utility infrastructure.
 - j. Facilities shall not be located in traffic sight triangles at the intersections of roadways, alleys, or driveways.
 - k. Poles and related facilities shall not encroach into or interfere with pedestrian ways such as sidewalks, trails, or transit stops or facilities.
 - l. Small cells shall be located to ensure minimal impacts to view protection corridors such as: The Front Range of the Rocky Mountains, the South Platte River, The Rocky Mountain Arsenal Wildlife Refuge, Riverdale Regional Park, Barr Lake, and other significant water bodies.

- m. Small cell wireless facilities must not conflict with the Adams County Comprehensive Plan goals, policies, and mapped features.
 - n. All small cell wireless facilities shall meet the current standards and regulations of the FAA, the FCC, and any other agency of the federal government with the authority to regulate small cell facilities. If the standards and regulations are changed, then the owners shall bring the facilities into compliance with such revised standards and regulations within the time period mandated by the controlling federal agency.
 - o. No alternative tower structure may be located or maintained in a manner that causes unreasonable interference. Unreasonable interference means any use of the right-of-way that disrupts or interferes with its use by the County, the general public, or other person authorized to use or be present upon the right-of-way, when there exists an alternative that would result in less disruption or interference. Unreasonable interference includes any use of the right-of-way that disrupts vehicular or pedestrian traffic, any interference with public utilities, and any other activity that will present a hazard to the public health, safety, or welfare.
5. *Design and Performance Standards for CMRS Telecommunication Equipment Shelter:* All CMRS telecommunications equipment shelters shall be screened so they are not visible from any adjacent public roads or public areas.
- a. Equipment shelters associated with roof or building mounted CMRS antennae are encouraged to be located in one of the following areas, which are listed in order of preference from most (1) to least (7) preferred:
 - (1) Inside the building or structure to which the panel or whip antennae are attached.
 - (2) Inside an existing equipment penthouse on the roof of a building.
 - (3) Immediately adjacent to the exterior of an existing equipment or elevator penthouse if the shelter can be visually incorporated into the penthouse structure by the use of screening of similar style and color to the penthouse.
 - (4) If no penthouse exists, consideration may be given to the creation of a screen, which is deemed architecturally compatible with the associated building by the Director of Community and Economic Development, screening both the equipment shelter and the existing service equipment associated with the building such as heating and air-conditioning equipment.
 - (5) Outside of a penthouse on the roof of a building if a parapet exists taller than the CMRS equipment shelter. If the parapet is not taller than the CMRS equipment shelter, consideration will be given to increase the height of the parapet provided the building materials used are the same as those existing and if the design of the parapet is found acceptable to County standards and the parapet extension is architecturally compatible with the building.

- (6) Painted or treated the same color and located in such a manner so that an additional protrusion is not created on the roof.
 - (7) On the ground and screened according to the design criteria for CMRS telecommunications facilities.
- b. *Equipment Shelters Associated with Freestanding CMRS Antennae:* CMRS telecommunications equipment shelters associated with freestanding CMRS telecommunications facilities shall:
- (1) Either be located in an enclosed building architecturally compatible with the surrounding environment; or
 - (2) Be screened completely with an architecturally compatible wall or fence so the shelter is not visible from adjacent properties, roads, or public areas;
 - (3) In addition, all CMRS telecommunication equipment shelters associated with freestanding CMRS telecommunications facilities shall:
 - (a) Have enclosed buildings, walls, or fencing, the appearance of which is enhanced by vegetation;
 - (b) Be grouped as closely as technically possible to each other and the freestanding facility;
 - (c) Cover a surface area not to exceed four-hundred-fifty (450) square feet per provider;
 - (d) Use designs, materials, and colors compatible with structures and vegetation on the same parcel and adjacent parcels; and
 - (e) Not reduce the parking or landscaped areas below the minimum zone district requirements for other principal uses on the parcel.

4-09-02-08 COMMERCIAL RETAIL

4-09-02-08-01 GENERAL

1. *Entrances:* The building elevation of principal structures shall have at least one (1) road-oriented entrance.
2. *Outdoor Storage:* Accessory outdoor storage is prohibited, except temporary display of items for sale provided the display does not interfere with traffic or limit parking. Otherwise, all facilities for storage of supplies shall be located within a building in accordance with Section 4-03-04-02-02.
3. *Garbage Storage:* Garbage area screening shall consist of a six (6) foot high minimum screen fence made of wood or masonry material. Fencing materials should be cleaned and maintained must be clean and maintained at all times to present an orderly appearance. No garbage storage area shall be located within twenty (20) feet of a public sidewalk.

4-09-02-09 DRIVE-IN ESTABLISHMENTS

4-09-02-09-01 GENERAL

1. *Drive-In Lanes:* Drive-in lanes shall be separate from the circulation lanes needed for access and parking.
2. *Landscaping:* Planting requirements for the drive-up window and access lanes shall be the same as those required for parking area landscaping in accordance with the Parking Performance Standards in Section 4-13 of these standards and regulations.
3. *Communications Equipment:* None.
4. *Outdoor Storage:* Accessory outdoor storage is prohibited. All facilities for storage of supplies shall be located within a building.

4-09-02-10 GOLF COURSES AND DRIVING RANGES, COMMERCIAL

1. *Driving Range Location:* Driving ranges shall be located so adjoining properties are not adversely affected by the activity due to noise, glare, traffic, or other factors.
2. *Outdoor Storage:* Accessory outdoor storage is prohibited. All facilities for storage of supplies shall be located within a building in accordance with Section 4-03-04-02-02.
3. *Supporting Commercial Uses:* Supporting commercial activities shall be designed for patrons of the golf course or driving range only.

4-09-02-11 HEAVY RETAIL AND HEAVY SERVICES

4-09-02-11-01 GENERAL

1. *Entrances:* The building elevation of the principal structure shall have at least one (1) road-oriented entrance.
2. *Outdoor Storage:* Materials may be stored outdoors, provided the storage area is consistent with the zone district allowances. All outdoor storage shall be screened in accordance with the Fencing, Walls and Screening section of these standards and regulations. ***Adopted by the BoCC on December 13, 2010**
3. *Garbage Storage:* Garbage area screening shall consist of a six (6) foot high minimum screen fence made of wood or masonry material. Fencing materials should be cleaned and maintained must be clean and maintained at all times to present an orderly appearance. No garbage storage area shall be located within twenty (20) feet of a public sidewalk.
4. *Smoke and Odor Control:* Smoke and odor shall be controlled by filter, scrubbers, fans, or other means.

4-09-02-11-02 *AUTOMOBILE DEALERSHIP*

1. *Maximum Lot Coverage:* The maximum lot coverage by parking, vehicle areas and buildings is seventy percent (70%).
2. *Access:* Automobile dealerships shall be located on properties with direct access to a collector or arterial road or highway.
3. *Display Area Setback:* The display area shall be set back a minimum of fifty (50) feet from the road right-of-way and fifteen (15) feet from all other property lines.
4. *Minimum Parcel Area:* one-half (0.5) acre
5. *Landscaping:* Boundary landscaping shall minimally conform to the minimum bufferyard standards required in Section 4-17.
6. *Noise Control:* No loudspeaker or music shall be audible from adjacent properties.

4-09-02-11-03 *AUTOMOBILE RENTAL*

1. *Minimum Parcel Area:* two (2) acres
2. *Maximum Lot Coverage:* The maximum lot coverage by parking lots, vehicle areas, storage and buildings shall be seventy percent (70%).
3. *Access:* Automobile rental businesses shall be located on properties with direct access to a collector or arterial road or highway.
4. *Car Storage Area Setback:* The car storage area shall be set back a minimum of fifty (50) feet from the road right-of-way and fifteen (15) feet from all other property lines.
5. 6. *Landscaping:* Boundary landscaping shall minimally conform to the minimum bufferyard standards required in Section 4-17.
8. *Noise Control:* No loudspeaker or music shall be audible from adjacent properties.

4-09-02-11-04 *AUTOMOBILE OR BUS REPAIR, PAINTING, AND BODY WORK*

1. *Outdoor Activities Prohibited:* All repair and work activities shall take place within a completely enclosed structure.
2. *Storage of Vehicles:* All storage of vehicles awaiting repair shall be within the enclosed structure or within a compound yard enclosed by a six (6) foot high solid fence or wall, except for driveway openings.
3. *Landscaping:* Boundary landscaping shall minimally conform to the minimum bufferyard standards required in Section 4-17.
4. *Exhaust Fumes and Odor Control:* Exhaust and odor shall be controlled and treated by filter, scrubbers, fans, or other means.
5. *Noise Control:* No loudspeaker or music shall be audible from adjacent properties.

4-09-02-11-05 *AUTO TOWING AND STORAGE YARD*

1. *Minimum Lot Size:* one (1) acre

2. *Storage of Vehicles:* All storage of vehicles shall be within the enclosed structure or within a compound yard enclosed by a six (6) foot high solid fence or wall, except for driveway openings. Fencing shall be made of wood or masonry materials.
3. *Vehicle classification:* All vehicles stored on the property shall be less than 7,000 lbs. (gross vehicle weight).
4. *Surface material:* All vehicles shall be stored on a hard-surfaced material
5. *Duration:* No vehicle shall be stored for more than ninety (90) days.
6. *Emergency Access:* Vehicles shall be arranged in a neat and orderly manner so that emergency vehicles, such as fire trucks and ambulances, may be able to access within one hundred (100) feet of any portion of the property. In addition to this requirement, all auto towing and storage yard operations shall comply to the requirements of the local fire district.

4-09-02-11-06 *FIREWOOD SALES, STORAGE AND SPLITTING*

1. *Minimum Lot Size:* Five thousand (5,000) square feet
2. *Display of Firewood:* Firewood shall be stacked and displayed for sale in an organized fashion.
3. *Setbacks:* The area where firewood is cut and split must be set back twenty-five (25) feet from any property line.
4. *Sawdust and Debris Control:* Sawdust, woodchips, and any other debris shall be kept from blowing from the site on to other properties.

4-09-02-11-07 *FLEA MARKETS, OUTDOOR*

1. *Minimum Lot Size:* one-half (1/2) acre
2. *Location:* Flea markets shall be located on vacant parcels or parking lots.
3. *Period of Operation:* Flea markets shall be permitted to operate on Saturdays and Sundays during the months of May through August. Additional hours may be permitted by Conditional Use Permit.

4-09-02-11-08 *MOBILE HOME AND MANUFACTURED HOUSING DEALERS WITH MOBILE HOME SALES OFFICE*

1. *Minimum Parcel Size:* five (5) acres
2. *Maximum Lot Coverage:* The maximum lot coverage by parking, vehicle areas and structures is seventy percent (70%).
3. *Access:* This use shall be located on properties with direct access to a collector or arterial road or highway.
4. *Display Area Setback:* The display area shall be set back a minimum of fifty (50) feet from the road right-of-way and twenty-five (25) feet from all other property lines.
5. *Noise Control:* No loudspeaker or music shall be audible from adjacent properties.

6. *Structure Spacing*: All structures shall be separated by a minimum of ten (10) feet.

4-09-02-11-09 TRUCK, TRAILER AND HORSE TRAILER SALES AND RENTAL

1. *Maximum Lot Coverage*: The maximum lot coverage by parking areas, vehicle areas and buildings is eighty percent (80%).
2. *Display Area Setback*: The display area shall be set back a minimum of fifteen (15) feet from the road right-of-way and ten (10) feet from all other property lines.
3. *Landscaping*: Boundary landscaping shall minimally conform to the minimum bufferyard standards required in Section 4-17.
4. *Noise Control*: No loudspeaker or music shall be audible from adjacent properties.

4-09-02-11-10 PAWN SHOPS

1. *Pawn Shops only allowed with a Conditional Use Permit*: Pawn shops are only permitted in the C-4 and C-5 Zone Districts after Conditional Use Permit approval by the Board of County Commissioners.
2. *Outdoor Activities Prohibited*: All activities shall be performed or carried out entirely within an enclosed building.
3. *Outdoor Display Prohibited*: The display of items outdoors is prohibited.
4. *Screened Loading Areas*: Loading areas shall be screened in accordance with the Fencing, Walls, and Screening section (See Section 4-09-01-04) of these standards and regulations.

4-09-02-12 INDOOR COMMERCIAL RECREATION/ENTERTAINMENT

4-09-02-12-01 GENERAL

1. *Setback from School Properties*: No amusement shall be permitted within five hundred (500) feet of the lot line of a public or private school serving students in the 12th grade or under.
2. *Outdoor Storage*: Accessory outdoor storage is prohibited. All facilities for storage of supplies shall be located within a building.
3. *Garbage Storage*: Garbage area screening shall consist of a six (6) foot high minimum screen fence made of wood or masonry material. Fencing materials should be cleaned and maintained must be clean and maintained at all times to present an orderly appearance. No garbage storage area shall be located within twenty (20) feet of a public sidewalk.
4. *Outdoor Activities Prohibited*: All activities shall be performed or carried out entirely within an enclosed building.
5. *Full-Time Management*: The owner of the premises shall maintain a full-time adult manager responsible for the premises during all hours of operation.

6. *Nuisance Violation:* Any place of indoor commercial recreation/entertainment which becomes the location of frequent or repeated violations of County regulations or public disturbance, shall be declared to be a nuisance, and may be cited for a nuisance violation under this section.

4-09-02-12-02 *AMUSEMENT CENTER, VIDEO ARCADE, POOL ARCADE*

1. *Location:* No amusement center shall be established within five hundred (500) feet of a public or private school serving students in the 12th grade or under.
2. *Hours of Operation:* An amusement center shall not be open to the public before 11:00 a. m. or after 11:00 p.m.
3. *Security:* The owner shall maintain one (1) full-time security guard for every twenty (20) coin operated amusement devices.

4-09-02-12-03 *EVENT CENTERS, MOVIE THEATERS*

1. *Minimum Parcel Area:* one-half (½) acre
2. *Security:* The owner shall maintain one (1) full-time security guard for every ten thousand (10,000) square feet of event center or movie theater.

4-09-02-12-04 *BOWLING ALLEYS*

1. *Minimum Parcel Area:* one (1) acre
2. *Security:* The owner shall maintain one (1) full-time security guard for every ten thousand (10,000) square feet of bowling alley.

4-09-02-12-05 *ROLLER SKATING RINKS*

1. *Minimum Parcel Area:* one (1) acre
2. *Security:* The owner shall maintain one (1) full-time security guard for every ten thousand (10,000) square feet of roller skating rink.

4-09-02-13 *KENNEL, COMMERCIAL*

1. *Number of Dogs and/or Cats Permitted:* The maximum number of dog and/or cats permitted in a commercial kennel can be found in Section 4-23. The maximum number of dogs and/or cats allowed does not apply to offspring under five (5) months of age, belonging to one of the adult animals.
2. *Minimum Space Requirements:*
 - a. *Dogs:* Each dog shall be provided a minimum space equal to the following equation:
 - (1) Width of Kennel = Length of dog from nose to base of tail + 2 feet.
 - (2) Length of Kennel = Width of Kennel + 2 feet.
 - (3) Height of Kennel = Head height of dog standing on all four legs + 1 foot.

- b. *Cats*: Each adult cat shall be provided a minimum of six (6) cubic feet of area. Adult female cats with kittens below three (3) months of age shall be provided with a minimum of eight (8) cubic feet of area.
3. *Waste Disposal*: All animal and food wastes shall be handled and disposed of in a sanitary manner as approved by Tri-County Health Department.
4. *Pest Control*: Environmental and/or chemical and scientific controls shall be provided for pest control.
5. *Drainage*: Adequate drainage facilities or improvements shall be constructed to protect any adjacent rivers, streams, or other bodies of water from pollution.
6. *Washroom*: A washroom consisting of a basin or sink and a lavatory shall be provided to maintain the cleanliness among animal caretakers.
7. *Mixing of Dogs and Cats*: Dogs and cats shall not be housed in the same primary enclosure.
8. *Care of Animals*: All dogs and/or cats shall be cared for in a humane and sanitary manner as approved by Adams County Animal Management and Tri-County Health Department.
9. *Operator License Required*: All breeding and boarding kennel operators shall be licensed by the Colorado Department of Agriculture.
10. *Permanent Resident on Property Required*: A person responsible for the commercial kennel, whether the owner of the facility or an employee, shall reside permanently on the subject property. If a responsible party is not available on site, the name and phone number of a responsible party shall be posted on the front of the kennel, on the front door of the caretaker's residence, and in an area visible to any person initially entering the premises. Any dwelling unit constructed to house the owner or employee shall meet the applicable zone district requirements.

4-09-02-14 LODGING, COMMERCIAL

1. *Access*: The parcel shall be accessed by a collector or arterial road or highway.
2. *Entrances*: The building elevation of the principal structure shall have at least one (1) road-oriented entrance.
3. *Outdoor Storage*: Accessory outdoor storage is prohibited. All facilities for storage of supplies shall be located within a building.
4. *Garbage Storage*: Garbage area screening shall consist of a six (6) foot high minimum screen fence made of wood or masonry material. Fencing materials should be cleaned and maintained must be clean and maintained at all times to present an orderly appearance. No garbage storage area shall be located within twenty (20) feet of a public sidewalk.
5. *Accessory Uses*: Any accessory commercial activities such as restaurants and any outdoor recreational activities such as swimming pools shall not be located along the side of the property adjacent to a residential zone or use.

4-09-02-15 MESSAGE BUSINESS

4-09-02-15-01 GENERAL

1. *Required Education:* The applicant/operator shall demonstrate proof of 1,000 hours of completed training in massage therapy with major study in theory, method, profession, or work of massage, which includes principles of anatomy and physiology. Employees are only required to complete 500 hours of completed training. Training shall be completed at a massage therapy school or equivalency program accredited by the state board of education or division charged with the responsibility to approving private occupational schools.
2. *Criminal Background Investigation:* The Adams County Sheriff's Department shall complete a Criminal Background Investigation and shall issue identification cards to all employees/operators.
3. *Zoning Required:* A Conditional Use Permit is required to operate a Massage Business in the C-0, C-1, C-2, C-3, C-4, or C-5 Zone District. Massage Businesses are prohibited in all other Zone Districts.
4. *Time Limitation:* Conditional Use Permits for Massage Businesses may only be issued for a maximum of five (5) years. Renewals shall be considered a Major Amendment and require approval by the Board of County Commissioners. Applications for renewals shall be made not less than ninety (90) days and not more than one-hundred-twenty (120) days prior to the date of expiration.
5. *Annual Reporting:* The applicant/operator shall provide an annual report for review by the Director of Community and Economic Development and the Adams County Sheriff's Department. Reports shall include re-certification of educational requirements, revised Criminal Background Investigation, and issuance of identification cards to any new employees.
6. *Location:* In determining compatibility with the surrounding area, the Board of County Commissioners may consider locating Massage Businesses meeting the following geographic criteria:
 - a. Adjacent to arterial roads as listed in the Adams County Transportation Plan;
 - b. Adjacent to medical offices or other health-related businesses; and
 - c. In commercial/business areas visible to the traveling public.
7. *Denial of a Conditional Use Permit:* Applicant/operator shall not be eligible for a Conditional Use Permit within one (1) year of a denial by the Board of County Commissioners for the same location.
8. *Failure to Comply with Requirements:* May necessitate a show cause hearing before the Board of County Commissioners where the action taken on the Conditional Use Permit may include but is not limited to suspension or revocation.

4-09-02-16 OFFICE

4-09-02-16-01 **GENERAL**

1. *Access:* Entrances to the site shall be minimized and placed in such a way as to maximize safety, maximize efficient traffic circulation, and minimize the impact on any surrounding residential neighborhood.
2. *Entrances:* The building elevation of the principal structure shall have at least one (1) road-oriented entrance.
3. *Outdoor Storage:* Accessory outdoor storage is prohibited. All facilities for storage of supplies shall be located within a building.
4. *Garbage Storage:* Garbage area screening shall consist of a six (6) foot high minimum screen fence made of wood or masonry material. Fencing materials should be cleaned and maintained must be clean and maintained at all times to present an orderly appearance. No garbage storage area shall be located within twenty (20) feet of a public sidewalk.
5. *Outdoor Activities Prohibited:* All uses shall be performed or carried out entirely within an enclosed building.

4-09-02-17 OUTDOOR COMMERCIAL RECREATION

4-09-02-17-01 **GENERAL**

1. *Access:* All outdoor commercial recreation shall have collector or arterial road or highway access. No direct access points through a residential road or along a collector serving only residential areas shall be allowed.
2. *Outdoor Storage:* Accessory outdoor storage is prohibited. All facilities for storage of supplies shall be located within a building.
3. *Garbage Storage:* Garbage area screening shall consist of a six (6) foot high minimum screen fence made of wood or masonry material. Fencing materials should be cleaned and maintained must be clean and maintained at all times to present an orderly appearance. No garbage storage area shall be located within twenty (20) feet of a public sidewalk.
4. *Full-Time Management:* The owner of the premises shall maintain a full-time adult manager responsible for the premises during all hours of operation.
5. *Nuisance Violation:* Any outdoor commercial recreation which becomes the location of frequent or repeated violations of County regulations or public disturbance shall be declared to be a nuisance.
6. *Noise Control:* No central outdoor loudspeakers shall be permitted.

4-09-02-17-02 **AMUSEMENT PARKS**

1. *Minimum Lot Area:* five (5) acres
2. *Hours of Operation:* The amusement park shall limit its hours of operation to 9:00 AM to 10:00 PM.

3. **Setback from Residential Properties:** No amusement shall be permitted within one (1) mile of the lot line of a residentially zoned or used property unless a waiver is obtained in writing from the residential property owner(s) within one (1) mile and a disclosure document is recorded against the residential property. If a waiver cannot be obtained but every reasonable effort has been made by the applicant to receive a waiver, the applicant may apply for a Variance from the Board of Adjustment. Proof shall be submitted in the form of copies of certified mail sent to the residents affected.
4. **Security:** The owner shall maintain one (1) full-time security guard for every ten thousand (10,000) square feet of amusement.

4-09-02-17-03

DRIVE-IN THEATERS

1. *Minimum Parcel Size:* one (1) acre
2. *Maximum Screen Size:* fifteen hundred (1,500) square feet
3. *Projection Screen Visibility:* The projection screen shall not be visible from any public road within fifteen hundred (1,500) feet.
4. *Accessory Uses:* Accessory uses such as snack bars associated with the theater shall be designed for use by patrons of the drive-in theater only.
5. *Screening:* Vehicle parking areas shall be screened so lights will not shine onto adjacent property.
6. *Vehicle Stacking Lanes:* three hundred (300) foot vehicle stacking lanes shall be provided outside the theater entrance.
7. *Dust Control:* If the vehicle parking area is not paved, the theater owner shall spray the lot to control dust from blowing onto adjacent properties.
8. *Property for Daytime Uses:* The use of the theater property for daytime uses, including but not limited to, flea markets, vending stands, and fireworks stands, shall require a Temporary Use Permit.

4-09-02-17-04

GUN AND ARCHERY RANGES

1. *Minimum Parcel Area:* two (2) acres
2. *Setback from Residential Properties:* No shooting range shall be located within one (1) mile of a residentially zoned or used property unless a waiver is obtained in writing from the residential property owner(s) within one (1) mile and a disclosure document is recorded against the residential property. If a waiver cannot be obtained but every reasonable effort has been made by the applicant to receive a waiver, the applicant may apply for a Variance from the Board of Adjustment. Proof shall be submitted in the form of copies of certified mail sent to the residents affected.
3. *Fencing:* The entire range shall be enclosed by a fence a minimum of six (6) feet high.

4. *Warning Signs:* Warning signs that read “Warning: Shooting Range” shall be posted around the perimeter at a minimum distance of every one hundred (100) feet on the fence.
5. *Bufferyard:* Two (2) Type D Bufferyards shall encircle the perimeter of the gun range to provide a natural noise barrier. A ten (10) foot berm shall be incorporated into the bufferyard around the site.
6. *Line of Fire:* Line of fire shall be as close to horizontal as possible, but never below horizontal.
7. *Certified Instructor:* The shooting range shall be supervised by a range officer or a National Rifle Association certified instructor.

4-09-02-17-05 ICE SKATING RINKS

1. *Minimum Parcel Area:* one (1) acre

4-09-02-17-06 MINIATURE GOLF COURSES

1. *Minimum Parcel Area:* one (1) acre

4-09-02-17-07 WATER SLIDE COURSES

1. *Minimum Parcel Area:* two (2) acres
2. *Certified Lifeguard:* One (1) certified lifeguard shall be on duty during all hours of operation.

4-09-02-18 RACING FACILITIES

4-09-02-18-01 GENERAL

1. *Minimum Parcel Area:* forty (40) acres
2. *Outdoor Storage:* Accessory outdoor storage is prohibited. All facilities for storage of supplies shall be located within a building.
3. *Setback from Residential Properties:* No racing facility shall be permitted within one (1) mile of the lot line of a residentially zoned or used property. If a waiver cannot be obtained but every reasonable effort has been made by the applicant to receive a waiver, the applicant may apply for a Variance from the Board of Adjustment. Proof shall be submitted in the form of copies of certified mail sent to the residents affected.
4. *Nuisance Violation:* Any racing facility which becomes the location of frequent or repeated violations of County regulations or public disturbance, shall be declared to be a nuisance, and may be cited for a nuisance violation under this section.

4-09-02-18-02 AUTOMOBILE AND TRUCK RACING

1. *Location:* All automobile and truck racing facilities shall be located at least one (1) mile from any residentially zoned or used property. If night racing is proposed and the track will be lighted, the automobile and truck racing

facility shall be located at least two (2) miles from any residentially zoned or used property. If a waiver cannot be obtained but every reasonable effort has been made by the applicant to receive a waiver, the applicant may apply for a Variance from the Board of Adjustment. Proof shall be submitted in the form of copies of certified mail sent to the residents affected.

2. *Screening:* All racing facilities shall be enclosed by an eight (8) foot high minimum screen fence or wall.

4-09-02-18-03 *DOG AND HORSE RACING*

1. *Location:* All dog racing facilities shall be located at least one (1) mile from any residentially zoned or used property. If a waiver cannot be obtained but every reasonable effort has been made by the applicant to receive a waiver, the applicant may apply for a Variance from the Board of Adjustment. Proof shall be submitted in the form of copies of certified mail sent to the residents affected.
2. *Screening:* All racing facilities shall be enclosed by a six (6) foot high minimum screen fence or wall.
3. *Dog Kennels:* If kennels are provided on the premises, the kennels shall meet all requirements for a commercial kennel as established in these standards and regulations.

4-09-02-19 RESTAURANTS

4-09-02-19-01 *GENERAL*

1. *Outdoor Storage:* Accessory outdoor storage is prohibited. All facilities for storage of supplies shall be located within a building in accordance with Section 4-03-04-02-02.
2. *Garbage Storage:* Garbage area screening shall consist of a six (6) foot high minimum screen fence made of wood or masonry material. Fencing materials should be cleaned and maintained must be clean and maintained at all times to present an orderly appearance. No garbage storage area shall be located within twenty (20) feet of a public sidewalk.
3. *Smoke and Odor Control:* Smoke and odor shall be controlled by kitchen exhaust fans, or other means.

4-09-02-19-02 *BARS AND COCKTAIL LOUNGES*

1. *Effect of Bar or Cocktail Lounge on Neighborhood:* Operation of the establishment shall not be detrimental to the health, safety, peace, comfort, and general welfare of persons residing or working in the neighborhood or be injurious to property or improvements in the area.
2. *Established Need:* The use shall serve public convenience and necessity.
3. *Liquor License Required:* A Liquor License is required from the Board of County Commissioners prior to operation pursuant to state law.

4-09-02-19-03 DRIVE-THRU RESTAURANTS

1. *Limited Number of Establishments:* The use shall not contribute to a disproportionate number of drive-thru establishments in the area or contribute to a land use mix inconsistent with the specific purpose of the zone district in which it is proposed.
2. *Hours of Operation:* Drive-thru establishments within two-hundred-fifty (250) feet of any residentially zoned or used property shall be open for business no earlier than 6:30 a.m. and close no later than 12:00 a.m..
3. *Drive-Thru Window Approval:* The Director of Community and Economic Development shall determine pedestrian safety, the welfare of the adjacent neighborhood, and maintenance of traffic circulation have been adequately addressed before approving the drive-thru window.
4. *Drive-Thru Lanes:* Drive-thru lanes shall be separate from the circulation lanes needed for access and parking.
5. *Landscaping:* Planting requirements for the drive-up window and access lanes shall be the same as those required for parking area landscaping.

4-09-02-20 SERVICES

4-09-02-20-01 GENERAL

1. *Access:* Entrances to the site should be minimized and placed in such a way as to maximize safety, maximize efficient traffic circulation, and minimize the impact on any surrounding residential neighborhood.
2. *Entrances:* The building elevation of the principal structure shall have at least one (1) road-oriented entrance.
3. *Garbage Storage:* Garbage area screening shall consist of a six (6) foot high minimum screen fence made of wood or masonry material. Fencing materials should be cleaned and maintained must be clean and maintained at all times to present an orderly appearance. No garbage storage area shall be located within twenty (20) feet of a public sidewalk.

4-09-02-20-02 OUTDOOR ACTIVITIES PROHIBITED

All uses shall be performed or carried out entirely within an enclosed building.

4-09-02-20-03 OUTDOOR STORAGE

Accessory outdoor storage is prohibited. All facilities for storage of supplies shall be located within a building.

4-10 MIXED-USE PERFORMANCE STANDARDS

4-10-01 GENERAL PERFORMANCE STANDARDS

4-10-01-01 PURPOSE

The purpose of the following general performance standards is to address elements of planning, design, operation, and maintenance to be applied to all mixed-use development in Adams County, except when the mixed-use development is located in the TOD zone district. Any use-specific performance standards contained in these standards and regulations shall also be applied. Where a use-specific performance standard conflicts with a general performance standard, the use-specific standard shall apply.

4-10-01-02 SUBSECTIONS

The following general performance standards are included in this section:

1. Fencing, Walls and Screening

The following general performance standards are located in other sections of these standards and regulations:

1. Parking (See Section 4-13)
2. Signage (See Section 4-15)
3. Landscaping (See Section 4-17)
4. Weeds and Offending Vegetation (See Section 4-18)
5. Site Design Considerations (See Section 4-21)
6. Operational Standards (See Section 4-14)
7. Off-Road Utility, Dumpster, Recycling, and Trash Handling Facilities (See Section 4-22)
8. Off-Premise Signs (See Section 4-16)
9. Sexually Oriented Businesses (See Section 4-20)



Fig. 4-10-A: Vertical articulation

4-10-01-03 ARCHITECTURAL DESIGN

1. *Horizontal Articulation*: Buildings greater than two stories or taller than 30 feet shall be designed to have a clearly identifiable base, body and top with horizontal elements separating these components. The component described

as the body shall constitute a minimum of 50% of the total building height.
(See Figure 4-10-A)

2. *Building Articulation:* For buildings with a façade longer than 50 feet on any street edge, building articulation will be required at every 50 feet along the façade facing that street edge. Building articulation may be achieved through such things as window recesses, vertical and horizontal projections/banding, vertical and horizontal recesses, window composition/design, balconies, and other architectural elements to be substantial in depth, in order to create shadow and architectural relief. Use of different colors does not provide building articulation.
3. *Composition:* Elements within each segment of a building facade, defined by a different roof height, are required to be symmetrical. A symmetrical condition is achieved when facade elements and openings are repeated in the same positions on either side of a central vertical line for that segment.
4. *Entrances:* To the maximum extent feasible, primary facades and entries shall face the adjacent street. Main entrances shall be provided with a direct pedestrian connection to the street without requiring pedestrians to walk through parking lots or cross driveways.
5. *Scale:* Facades shall incorporate a minimum of two (2) continuous details refined to the scale of 12 inches or less within the first 10 feet of the building wall, measured vertically at street level.
6. *Expression:* All masonry elements designed to appear as load-bearing shall be visually supported by other masonry elements directly below. On masonry building walls, expressed or implied structural piers shall be evident as vertical alignments on the facade.
7. *Color:* A maximum of two (2) primary colors for each building segment may be used with a maximum of two (2) secondary accent colors. If accent colors are to be used, they too must be described and used throughout the development and complement the primary colors.

4-10-01-03-01***BUILDING MATERIALS***

1. *General:* A minimum of 50 % of the building walls shall incorporate brick, cast stone, stone, formed concrete, glass in combination with metal or other high quality, long-lasting masonry, or stone material over a minimum percentage of surface area (excluding windows, doors, and curtain walls). The remainder of wall area may incorporate other materials.
2. *Glare:* Building materials shall not create excessive glare. If highly reflective building materials are proposed, such as aluminum, unpainted metal or reflective glass, the potential for glare from such materials will be evaluated to determine whether or not the glare would create a significant adverse impact on the adjacent property owners, neighborhood or community in terms of vehicular safety, outdoor activities and enjoyment of views. If so, such materials shall not be permitted.

3. Transparency:
 - a. *Required Transparency:* Facades shall incorporate transparent features (windows and doors) over a minimum percentage of the surface area of street fronting facades. Minimum percentages for ground level: 25% of surface area minimum; and upper levels of all uses: 15% surface area minimum. Transparency of the ground level shall be calculated within the first 15 feet of the building wall, measured vertically at street level. In cases where a building has more than two facades fronting a street or primary travel way, the transparency requirement shall only be required on one facade based on pedestrian traffic and vehicular visibility. All ground level windows shall provide direct views to the building's interior or to a lit display area extending a minimum of three (3) feet behind the window. Ground level windows shall extend above an eighteen (18) to twenty-four (24) inch base. Materials that restrict the ability of the public to view the inside of a structure from the outside are generally prohibited but may be allowed in limited locations in structures intended for financial or other uses with documentable safety concerns.
 - b. *Glass:* Mirrored glass with a reflectivity or opacity of greater than sixty percent (60%) is prohibited. Windows located along a sidewalk and/or a street on the first floor of a building shall use transparent glass with a maximum visible light reflectance of approximately 0.15 to allow pedestrians to view activity within the building.
 - c. *Location and Details:* Windows shall be individually defined with detail elements such as frames, sills, and lintels, and placed to visually establish and define the structure stories and establish human scale and proportion.

4-10-01-03-02

OPERATIONAL/PHYSICAL COMPATIBILITY STANDARDS

The following conditions may be imposed upon the approval of ~~Conditional Use Permits~~ Rezoning to ensure new development will be compatible with existing neighborhoods and uses, including, but not limited to, restrictions on:

1. Hours of operations and deliveries.
2. Location of activities that generating potential adverse impacts on adjacent uses, such as noise and glare.
3. Placement of trash receptacles.
4. Location and screening of loading and delivery zones.
5. Light intensity and hours of full illumination.

4-10-01-04 FENCING, WALLS, AND SCREENING

4-10-01-04-01

MAXIMUM HEIGHT

The maximum height of fencing, walls and screening shall be seventy-two (72) inches, which may not include barbed wire.

4-10-01-04-02 FENCE BOTTOM

The bottom of the fence shall be no more than six (6) inches above grade at any point.

4-10-01-04-03 FENCES PROHIBITED IN LANDSCAPED AREA

No fence shall be permitted within any required landscaped area.

4-10-01-04-04 ELECTRIC AND BARBED WIRE FENCING PROHIBITED

Electric fencing and fencing consisting only of barbed wire are prohibited.

4-10-01-04-05 RELATIONSHIP TO STRUCTURE DESIGN

Fencing shall relate to the principal architectural features of the building in design, location, and the way in which it connects to the building.

4-10-01-04-06 LONG RUNS OF FENCING DISCOURAGED

Long runs of fencing parallel to public roads are discouraged. Where long runs cannot be avoided, the horizontal alignment of the fences shall be varied to create visual variety and to provide planting pockets between the fence and the road. In addition, periodic breaks in fences should be considered to facilitate pedestrian, bicycle, and transit use.

4-10-01-04-07 SCREEN FENCING

Screen fencing is required to conceal site elements from all adjacent road right-of-way and lesser intensity uses. This section does not affect required landscaping along street frontages or buffering requirements contained in these regulations. In all practicable cases, the screen fencing addressed below shall be behind the required landscaping. The following criteria shall be followed in determining what form of screening is appropriate to accomplish visual buffering in the County.

1. All fencing shall always be maintained and kept in good condition. The condition of fences shall be evaluated through a review of:
 - a. Structural integrity and being functionally sound under the Adams County Building Code; and
 - b. Substantially the same condition as originally permitted or constructed.

4-10-01-04-08 GARBAGE AREA SCREENING

Garbage area screening shall consist of a six (6) foot high minimum screen fence made of wood or masonry material. Fencing materials should be cleaned and maintained must be clean and maintained at all times to present an orderly appearance. No garbage storage area shall be located within twenty (20) feet of a public sidewalk.

4-10-01-04-09 MASONRY WALL

All walls specified to be masonry shall be solid and constructed out of a brick or stone material.

4-10-01-04-10 RETAINING WALLS

Any retaining wall over four (4) feet in height shall require plans prepared by a professional engineer as a condition for a building permit except where waived by the Director of Community and Economic Development. As determined by the Director of Community and Economic Development, any retaining wall over thirty-six (36) inches in height may require a guard rail up to five (5) feet in height and placed at the top of grade.

4-10-01-04-11 TRAFFIC VIEW OBSTRUCTION

Traffic view obstruction as outlined in these standards and regulations, by any fence, wall or screen is prohibited.

4-10-01-04-12 SIDEWALK MAINTENANCE

The property owner of land abutting a constructed public right-of-way is responsible for construction and maintenance of curb, gutter, and sidewalk along the right-of-way abutting his property including snow removal for pedestrian access.

4-10-02 PERFORMANCE STANDARDS BY USE CATEGORY

4-10-02-01 SUBSECTIONS

The following specific performance standards are included in this section:

1. Commercial-Residential Mixed-Use Development

4-10-02-02 COMMERCIAL-RESIDENTIAL MIXED-USE DEVELOPMENT

4-10-02-02-01 MIX OF USES

No less than 75% of the floor area of the ground floor shall be comprised of commercial or institutional uses. The ground floor shall be limited to the following uses found in the Use Chart (Section 3-07-01):

- Any of the uses categorized as Neighborhood Indoor Uses ~~and permitted within the Commercial-5 zone district;~~
- Places of worship (allowed by conditional use permit);
- Government offices;
- Animal hospitals;
- Any of the uses categorized as Commercial Retail ~~and permitted in the Commercial-5 zone district;~~

- Any of the uses categorized as Indoor Commercial Recreation/Entertainment ~~and permitted in the Commercial-5 zone district;~~
- Any of the uses categorized as Office ~~and permitted and permitted in the Commercial-5 zone district;~~
- Restaurants;
- Services; or
- Trade Schools.

Upper floors shall be comprised entirely of multi-family dwelling uses and associated amenities for the residential users.

4-10-02-02-02

DIMENSIONAL STANDARDS

1. *Structure height:* Maximum height must be consistent with the requirements outlined in Section 3-18. ~~The maximum height of the structure shall conform to the standards of the zone district; however, as part of a conditional use permit, the Board of County Commissioners may approve any commercial-residential mixed-use development with a maximum height of up to sixty (60) feet.~~

2. *Setbacks:*

2-3. Setbacks must follow the setbacks outlined in Section 3-18.

~~a. Front Setback: the front building line shall be a minimum of twenty-five (25) feet and a maximum of fifty (50) feet.~~

~~b. Side Corner Setback: minimum of twenty-five (25) feet and no maximum.~~

~~c. Side Setback: minimum of fifteen (15) feet on one side and five (5) feet on the other side; zero (0) foot setbacks may be approved for fireproof structures.~~

~~d. Rear Setback: minimum of fifteen (15) feet or half of the structure height at the leading edge of the rear building line, whichever is greater.~~

~~e. Arterial Roadway and Highway Right of Way Setback: the front building line shall be a minimum of twenty-five (25) feet and a maximum of fifty (50) feet.~~

~~f. Section Line Setback: No section line setback shall apply for this use.~~

g-a. *Height-Related Setbacks:* Additional structure setbacks are required at varying heights of the structure for side and/or rear property lines adjacent to Residential-1-C or Residential-2 zone districts. The structure at each height listed below shall conform to the corresponding setback:

- Upper stories above 35 feet in height shall be stepped down from its highest roofline at least one full story for a depth of at least 15 feet where adjacent to properties zoned R-1-C, or R-2
- Upper stories above 51 feet in height shall be stepped down from its highest roofline at least one full story for a depth of 25 feet where adjacent to properties zoned R-1-C, or R-2

4-10-02-02-03

MULTI-FAMILY DWELLING SIZE

Each apartment or condominium shall have a minimum of floor area as stated below:

- *Efficiency/Studios*: Four-hundred-fifty (450) square feet
- *One Bedroom*: Six hundred (600) square feet
- *Two Bedroom*: Seven-hundred-fifty (750) square feet
- *Three Bedroom*: Nine hundred (900) square feet
- *Four Bedroom*: One thousand (1,000) square feet

4-10-02-02-04

LANDSCAPING

1. *Minimum Landscaped Area*: Not less than ten percent (10%) of the site area shall be landscaped.
2. *Required Ground Material*: A minimum of one-third (1/3) of the required landscape area must be covered by living ground material within one (1) year following occupancy and thereafter. If the required landscaping cannot be completed prior to occupancy, then a bond in the amount of one hundred twenty-five percent (125%) of the cost of the landscaping, as established by a local landscaping firm, must be filed with the Director of Community and Economic Development to guarantee completion of the landscaping within one (1) planting season after occupancy. If the landscaping has not been completed within one (1) planting season, the County may proceed against the bond to complete the landscaping.
3. *Required Trees and Shrubs*: A minimum of one (1) large tree and two (2) shrubs, or two (2) ornamental trees and two (2) shrubs, shall be required for each increment of fifteen hundred (1,500) square feet.
4. *Sense of Place*: Enhanced landscaping and open space is required between public sidewalks and the front façade of the structure. A minimum of two (2) elements demonstrating a sense of place is required. The Board of County Commissioners may accept any of the following examples:
 - Gateways to the site at pedestrian entrances that can be enhanced by special plantings or decorative fencing.
 - Accents, such as brick pavers or other material changes that can enhance the pedestrian experience.
 - Lighting effects, such as decorative fixtures, pole types, lamp color, and style

- Patios with seating
 - Plazas with benches
 - Promenades
 - Terraces
 - Water features
 - Clock Towers
 - Additional elements that are not listed may be accepted with written justification as part of the Conditional Use Permit.
5. *Parking Lot Landscaping:* All parking lots which consist of thirty (30) spaces or more must be designed to include landscaped islands between rows. This landscaping shall be credited toward the total landscaped area required.
 6. *Required Tree Mix:* The selection of trees shall be a mix of large deciduous (10% - 50%) and ornamental (10% - 50%). Evergreens shall be considered ornamental.

4-10-02-02-05***OPEN SPACE***

1. *Requirement:* A commercial-residential mixed-use project is required to provide ten percent (10%) of the site area, minus any public streets, as open space for use by the tenants of the project and/or the general public.
2. *Pedestrian Inclusion:* Open space may include pedestrian pavements and plazas, and any parking lot island greater than four hundred (400) square feet in size.
3. *Coordination with Adjacent Properties:* Open space and trail design shall be coordinated with adjacent properties.

4-10-02-02-06***BICYCLE PARKING***

Bicycle parking shall be provided for all mixed-use development per the requirements in Section 4-13. Bicycle parking areas shall be located near structure entries but shall not encroach into pedestrian walkways. Additional bicycle parking facilities for the residential component can be provided inside structures.

4-11 INDUSTRIAL USES PERFORMANCE STANDARDS

4-11-01 GENERAL PERFORMANCE STANDARDS

4-11-01-01 PURPOSE

The purpose of the following general performance standards is to address elements of planning, design, operation and maintenance to be applied to all industrial development in Adams County. Any use-specific performance standards contained in these standards and regulations shall also be applied. Where a use-specific performance standard conflicts with a general performance standard, the use-specific standard shall apply.

4-11-01-02 SUBSECTIONS

The following general performance standards are included in this section:

1. Fencing, Walls, and Screening
2. Operational/Physical Compatibility Standards

The following general performance standards are located in other sections of these standards and regulations:

1. Parking (See Section 3)
2. Signage (See Section 4-01)
3. Landscaping (See Section 4-17)
4. Weeds and Offending Vegetation (See Section 8)
5. Site Design Considerations (See Section 1)
6. Operational Standards (See Section 4-14)
7. Off-Road Utility, Dumpster, Recycling, and Trash Handling Facilities (See Section 2)
8. Off-Premise Signs (See Section 6)
9. Sexually Oriented Businesses (See Section 4-20)

4-11-01-03 FENCING, WALLS, AND SCREENING

4-11-01-03-01 **MAXIMUM HEIGHT**

Ninety-six (96) inches, which may include more than four (4) strands of barbed wire forming the top eighteen (18) inches or less of the fence, placed at a forty-five (45) degree angle.

4-11-01-03-02 **FENCE BOTTOM**

The bottom of the fence shall be no more than six (6) inches above grade at any point.

4-11-01-03-03 *FENCES PROHIBITED IN LANDSCAPED AREA*

No fence shall be permitted within any required landscaped area.

4-11-01-03-04 *ELECTRIC AND BARBED WIRE FENCING PROHIBITED*

Electric fencing and fencing consisting only of barbed wire are prohibited as an external boundary fence.

4-11-01-03-05 *RELATIONSHIP TO STRUCTURE DESIGN*

Fencing shall relate to the principal architectural features of the building in design, location, and the way in which it connects to the building.

4-11-01-03-06 *LONG RUNS OF FENCING DISCOURAGED*

Long runs of fencing parallel to public roads are discouraged. Where long runs cannot be avoided, the horizontal alignment of the fences shall be varied to create visual variety and to provide planting pockets between the fence and the road. In addition, periodic breaks in fences should be considered to facilitate pedestrian, bicycle, and transit use.

4-11-01-03-07 *SCREEN FENCING*

Screen fencing is required to conceal outside storage from all adjacent road right-of-way and lesser intensity uses. Screening is not required between storage yards provided neither yard is visible from an adjacent road right-of-way. This section does not affect required landscaping along street frontages or buffering requirements contained in these regulations. In all practicable cases, the screen fencing addressed below shall be behind the required landscaping. The following criteria shall be followed in determining what form of screening is appropriate to accomplish visual buffering of outside storage yards in the County.

1. If the property is already developed and the proposed storage area is enclosed by an existing chain link fence, which has a useful life remaining, the property owner shall:
 - a. Install heavy gauge PVC or vinyl inserts.
 - b. The inserts shall achieve a minimum of ninety (90) percent opacity.
 - c. Color of the inserts is at the discretion of the applicant.
 - d. If the existing fence does not have a remaining useful life, the property (or portion of the property affected) defaults to item 2.
2. If the property is not developed and is proposed for outside storage, the property owner shall conceal all outside storage with an eight-foot solid wood fence or masonry wall.
3. If the property is not feasibly screened by a fence from an adjacent road due to topography, the property owner shall:
 - a. Install fast growing trees (preferably a mix of coniferous and deciduous) appropriately spaced to ensure complete screening at maturity.

- b. A chain link fence may be constructed at the discretion of the applicant but must be placed to the interior of the screening trees.
- 4. All fencing shall always be maintained and kept in good condition . Condition of fences shall be evaluated through a review of:
 - a. Structural integrity and being functionally sound under the Uniform Building Code; and
 - b. Substantially the same condition as originally permitted or constructed.

4-11-01-03-08

GARBAGE AREA SCREENING

Garbage area screening shall consist of a six (6) foot high minimum screen fence made of wood or masonry material. Fencing materials should be cleaned and maintained must be clean and maintained at all times to present an orderly appearance. No garbage storage area shall be located within twenty (20) feet of a public sidewalk.

4-11-01-03-09

OUTDOOR STORAGE SCREENING

Outdoor storage area screening shall consist of a six (6) foot high minimum screen fence. Outdoor storage shall not be allowed above the height of the fence.

4-11-01-03-10

MASONRY WALL

All walls specified to be masonry shall be solid and constructed out of a brick or stone material. The wall shall not permit the contents within the wall to be seen from the outside.

4-11-01-03-11

NOISE BARRIER FENCING

Where existing and proposed arterial roads or state highways traverse, or are adjacent to areas of proposed commercial development, the Director of Community and Economic Development may require noise barrier fencing be installed by the developer. Such fencing shall meet the minimum standards of the Colorado Department of Transportation and these standards and regulations.

4-11-01-03-12

RETAINING WALLS

Any retaining wall over four (4) feet in height shall require plans prepared by a professional engineer as a condition for a building permit except where waived by the Director of Community and Economic Development. As determined by the Director of Community and Economic Development, any retaining wall over thirty-six (36) inches in height may require a guard rail up to five (5) feet in height and placed at the top of grade.

4-11-01-03-13

TRAFFIC VIEW OBSTRUCTION

Traffic view obstruction as outlined in these standards and regulations, by any fence, wall, or screen, is prohibited.

4-11-01-03-14 *SIDEWALK MAINTENANCE*

The property owner of land abutting a constructed public right-of-way is responsible for construction and maintenance of curb, gutter, and sidewalk along the right-of-way abutting his property including snow removal for pedestrian access.

4-11-01-04 OPERATIONAL/PHYSICAL COMPATIBILITY STANDARDS

The following conditions may be imposed upon the approval of development applications when industrial uses are proposed adjacent to residentially zoned or used property to ensure new development will be compatible with existing neighborhoods and uses, including, but not limited to, restrictions on:

1. Hours of operations and deliveries;
2. Location of activities generating potential adverse impacts on adjacent uses such as noise and glare;
3. Placement of trash receptacles;
4. Location and screening of loading and delivery zones;
5. Light intensity and hours of full illumination; and
6. Placement and illumination of outdoor vending machines.

4-11-02 PERFORMANCE STANDARDS BY USE CATEGORY

4-11-02-01 SUBSECTIONS

The following specific performance standards are included in this section:

1. Business Park Uses
 - a. Research, Development and Testing
2. Extraction and Disposal Uses
 - a. Extraction Uses
 - b. Solid and Hazardous Waste Disposal
 - c. Oil and Gas Well Drilling and Production
3. Heavy Industrial
 - a. Auction Yards, With Livestock
 - b. Chemical, Petroleum and Explosive Manufacturing
 - c. Metal Industries, Automobile Manufacturing
 - d. Paper, Pulp and Sawmills
 - e. Salvage Yards
 - f. Recycling Facilities, including Scrap Tire
 - g. Solid Waste Transfer Stations
 - h. Outdoor Storage in excess of 100% of the building area
4. Light Industrial
 - a. Auction Houses, Without Livestock
 - b. Dry Cleaning Plants

- c. Electronic, Fabric, Furniture, Medical Supply Production
- d. Food Product Processing and Manufacturing
- e. Landscape Contractor Storage Yard
- f. Accessory Outdoor Storage (Not to Exceed 100% of the building area)
- 5. Energy Facilities
 - a. Solar Energy System
- 6. Moderate Manufacturing or Processing
 - a. Cement, cinder block, concrete, lime, or plaster manufacturing

4-11-02-02 BUSINESS PARK USES

4-11-02-02-01 GENERAL

1. *Access:* Entrances to the site should be minimized and placed in such a way as to maximize safety, maximize efficient traffic circulation, and minimize the impact on any surrounding residential neighborhood.
2. *Outdoor Storage:* Materials may be stored outdoors, provided the storage area is consistent with the zone district allowances. All outdoor storage shall be screened in accordance with the Fencing, Walls, and Screening section (See Section 4-11-01-03) of these standards and regulations.
3. *Garbage Storage:* Garbage area screening shall consist of a six (6) foot high minimum screen fence made of wood or masonry material. Fencing materials should be cleaned and maintained must be clean and maintained at all times to present an orderly appearance. No garbage storage area shall be located within twenty (20) feet of a public sidewalk.
4. *Outdoor Activities Prohibited:* All equipment, material storage, and uses shall be performed or carried out entirely within an enclosed building.

4-11-02-02-02 RESEARCH, DEVELOPMENT AND TESTING

1. *Minimum Parcel Area:* one (1) acre
2. *Fire District Review:* All plans shall be reviewed by the applicable fire district prior to approval in order to determine existing services provide adequate protection for citizens.
3. *Outdoor Activities Prohibited:* All equipment, materials and uses shall be performed or carried out entirely within an enclosed building.
4. *Smoke and Odor Control:* Smoke and odor shall be controlled by filter, scrubbers, fans, or other means.

4-11-02-03 EXTRACTION AND DISPOSAL USES

4-11-02-03-01 EXTRACTION USES

1. *Compliance with Colorado Department of Natural Resources:* Requirements contained in this section shall not exempt the owner or operator of an

extractive industry from compliance with the requirements of Colorado Department of Natural Resources. Prior to the approval of a Conditional Use Permit by the Board of County Commissioners, a reclamation contract shall be signed and approved by the owner or operator and the Colorado Department of Natural Resources.

2. *Site Size*: The site of an extractive industry shall be of sufficient size and dimensions to accommodate the proposed operations.
3. *Blasting Hours*: Operations utilizing explosive devices shall be restricted to Monday through Friday between the hours of 8:00 a.m.. and 5:00 p.m.
4. *Stagnant Water*: Pockets and stagnant pools of water resulting from surface drainage shall either be:
 - a. Sprayed to eliminate breeding places for mosquitoes and other insects using methods and chemicals approved by the Colorado Department of Agriculture; or
 - b. Drained to prevent the creation of such breeding places.
5. *Plan for Development of the Site*: A plan for the Mining Phase and the Reclamation Phase shall be approved by the Director of Community and Economic Development.
6. *Standards of the MCO Zone District*: All other operation and rehabilitation standards of the Mineral Conservation Overlay (MCO) Zone District shall apply as outlined in Section 3-38-06.
7. *Recreational Prospecting in Creeks and Rivers*: In stream recreational prospecting using non-motorized equipment is not regulated by the County. It is incumbent upon the operator of a non-motorized in stream recreational prospecting site to notify and gain permission of the property owner. The use of motorized equipment for such an operation is considered mining. Any operation using motorized equipment is prohibited.

4-11-02-03-02

SOLID AND HAZARDOUS WASTE DISPOSAL

1. *General Operating and Performance Standards*: The following General Operating and Performance Standards are applicable to all Solid Waste Disposal Sites and/or Processing Facilities:
 - a. *Compliance with Colorado Solid Waste Act*: Operators shall comply with the Colorado Solid Waste Act (C.R.S. 30-20-100 et. seq.), and all regulations promulgated pursuant to said Act by the Colorado Department of Public Health and Environment.
 - b. *Compliance with State Standards and Regulations*: Operators shall comply with all adopted State and Federal regulations, whether such regulations are adopted prior to, or after, approval of a Certificate of Designation under these standards and regulations.
 - c. *Performance Bond Required*: Prior to commencing operations, and thereafter during the active life of the facility, the operator shall post and

- maintain a performance bond or other approved financial instrument with Adams County.
- d. **Liability Insurance Required:** All solid waste disposal site and/or processing facility operators shall maintain adequate liability insurance in the amount of one million dollars and submit evidence of such insurance upon request from the Director of Community and Economic Development.
 - e. **Outdoor Processing Prohibited:** All solid waste processing facility operations shall take place completely enclosed within a building unless otherwise specifically provided for in the approved plan.
 - f. **User Service Charges Required:** All solid waste disposal site and/or processing facility operators shall collect service charges from users for the purpose of solid waste management in the County. Such charges shall be collected pursuant to the Board of County Commissioners Resolution of August 28, 1985, as amended.
 - g. **Uncovered Loads:** All uncovered loads shall be charged double the normal disposal rate.
 - h. **Waste Along Public Rights-of-Way Control:** Operators shall remove trash, or other waste material, disposed of or treated at their facility, along all public rights-of-way within one (1) mile of the facility and up to five (5) miles along the approved haul routes, or as otherwise specified.
 - i. **Odor Control:** At no time shall a waste disposal site or waste processing facility create malodorous conditions.
 - j. **Erosion Control:** At no time shall a waste disposal site or processing facility allow soil loss or erosion beyond that provided for in the erosion control measures approved in the design and operations plan.
 - k. **Storage of Untreated or Unprocessed Waste:** Storage of authorized untreated or unprocessed waste shall not exceed the time limit described in the approved plan, conditions of approval required with the Certificate of Designation, or otherwise required by the Colorado Department of Public Health and Environment.
 - l. **Outside Storage:** All allowed accessory outside storage shall be concealed by an eight (8) foot solid screen fence or other effective screening material as approved by the Director of Community and Economic Development.
 - m. **Right-of-Way Screening:** All new facilities shall provide and maintain attractive visual screening from any public right-of-way from which the facility is visible.
 - n. **Waste Minimization Program:** All operators shall conduct a waste minimization program both with the community and with generators, providing public information and assistance for waste reduction, recycling, and reuse programs.

- o. Certification of Special Structures and Equipment: Special structures not addressed in these standards and regulations, and processing equipment which has the potential to create external environmental impacts (through air emissions, groundwater impacts, etc.), shall be certified by a registered professional engineer or other qualified expert, as determined by the Director of Community and Economic Development, as to proper installation and construction in accordance with the approved design and operations plan prior to start of operations.
- p. Quarterly Reports: Operators shall submit quarterly reports no later than thirty (30) calendar days following the end of the calendar quarter to the Director of Community and Economic Development, Tri-County Health Department, and the Colorado Department of Public Health and Environment, summarizing:
 - (1) Results of Monitoring Data: The results of air and water monitoring data, monitoring of landfill gas, and other environmental monitoring data, as applicable, prepared by a qualified independent firm or other qualified professionals, including in-house certified staff and laboratories acceptable to the Director of Community and Economic Development.
 - (2) Received Waste Figures: Daily average and cumulative figures for the quantity and types of waste received. The cumulative figure shall be related to a percentage completion figure for the current phase of operation or approved operating capacity.
 - (3) Gross Quarterly Revenues: Gross quarterly revenues for calculation of the County's Solid Waste Management Fee.
- q. Annual Reports: Operators shall submit annual reports to the Director of Community and Economic Development, Tri-County Health Department, and the Colorado Department of Public Health and Environment.
 - (1) Purpose of Annual Reports: The annual reports shall be used to determine if the amount of the performance bond is still adequate and whether timely progress is being made toward completion or closure, if applicable to the specific operation.
 - (2) Content of Annual Reports: The annual reports shall summarize the following information
 - (a) Waste Types and Volumes: The waste types and volumes handled throughout the year.
 - (b) Operation Completion: The percentage of operation completion to date.
 - (c) Monitoring Information: An interpretation of all monitoring information on a yearly basis.
 - (d) Reclamation Activities: A tabulation of reclamation activities to date.

- (e) Operational Plans for Following Year: A description of operational plans for the following calendar year.
- 2. *Landfill Standards (required in addition to General Standards):*
 - a. Quality Assurance (QA) Program Required: All operators shall fund an independent quality assurance (QA) quality control program to ensure construction of synthetic or clay liners for cells meet required specifications in the approved design and operations plan. The QA program shall be performed by a qualified professional, approved by the Director of Community and Economic Development, representing the County. The expense shall be charged to the operator.
 - b. Radiation Monitoring Program: The landfill operator shall operate a radiation monitoring program in accordance with an approved plan.
 - c. Quantity of Paper Permitted: The quantity of paper permitted in a demolition and construction debris landfill is limited and is established by the Board of County Commissioners for each landfill. This standard shall be followed during operations.
- 3. *Incinerator Standards (required in addition to General Standards):*
 - a. Monitoring Program: The specific monitoring program approved by the County for on-site soils and air monitoring shall be followed.
 - b. Waste Minimization Program: The waste minimization program approved by the County shall be followed.
 - c. Ash Transportation: All ash will be transported in a manner minimizing the release of fugitive dust.
 - d. Pollution Control Device Residue Collection: The program for residue collection from air pollution control devices approved by the County shall be followed.
 - e. Incinerator Operation: The incinerator shall be operated in accordance with the approved design and operations plan.
 - f. Radioactivity Monitoring: The operator shall operate a low level radioactivity monitoring program in accordance with an approved plan.
- 4. *Inert landfill Operation Standards (required in addition to General Standards):*
 - a. *Materials Acceptance Plan:* Operators shall develop and implement a Materials Acceptance Plan detailing procedures for certifying incoming loads as inert, including material acceptance, load inspection, and load rejection procedures for all waste material brought to the fill site. Loads containing trash, organic material, metal material, and other waste material not meeting the definition of inert fill for landfilling shall be rejected and documentation of hauler, source, and haul date shall be kept onsite for at least one-year. A visual inspection screening shall be made where loads are offloaded and incidental amounts of materials not meeting the definition of inert material shall be removed. All materials removed from the waste stream

- shall be disposed of at an approved waste disposal facility and records kept of such disposal.
- b. *Fencing*: An eight (8) foot solid screen fence or security fence, with additional screening material, as approved by the Director of Community and Economic Development, shall enclose all outside storage.
 - c. *Traffic Control Plan*: Provisions of the traffic control plan shall be followed.
 - d. *Nuisance Control Plan*: Provisions of the nuisance control plan detailing measures to mitigate those off-site impacts as specified in Section 4-13, General Operations, shall be followed.
 - e. *Appearance*: All sites shall maintain a clean, neat, and orderly appearance. Stockpiles of materials may only be placed as specified in the design and operation plan.
 - f. *Performance Bond*: Prior to commencing operations, and thereafter during the active life of the facility, and for five (5) years after closure, the operator shall post and maintain a performance bond or other approved financial instrument with Adams County. The amount of said bond shall be \$2,000.00 per acre. Should any corrective actions be required by the County in order to protect the health, safety, and general welfare which result from failure of the operator to follow any regulations, standards, or conditions of approval, the performance bond shall be forfeited in an amount sufficient to defray the expense of said actions, including staff time expended by Adams County involved in such corrective actions.
5. *Composting Operation Standards (required in addition to General Standards)*:
- a. *Removal of Trash from Right-of-Way*: Operators shall remove trash, or other waste material, of the type, which is brought to the composting facility, along all public rights-of-way within one-half (1/2) mile of the facility.
 - b. *Performance Bond*: Prior to commencing operations, and thereafter during the active life of the facility, the operator shall post and maintain a performance bond or other approved financial instrument with Adams County. Said bond shall be sufficient to ensure compliance with operating conditions of the Permit, the amount of which shall be established by the Board of County Commissioners. Should any corrective actions be required by the County in order to protect the health, safety, and general welfare which result from failure of the operator to follow any regulations, standards, or conditions of approval, the performance bond shall be forfeited in an amount sufficient to defray the expense of said actions, including staff time expended by Adams County involved in such corrective actions.
 - c. *Environmental Bond*: Prior to commencing operations, and thereafter during the active life of the facility, and for five (5) years after closure, the operator shall post a bond sufficient to ensure compliance with the

- closure plan, and to effect remedial measures if environmental damage is found to be taking place.
- d. *Traffic Control Plan*: Provisions of the approved traffic control plan shall be followed.
 - e. *Appearance*: All sites shall maintain a clean, neat, and orderly appearance. Litter, dust, and odors may not leave the boundaries of the site.
 - f. *Vehicle Parking*: Transfer vehicles may not be parked on public streets.
 - g. *Vector Controls*: All sites shall maintain vector controls as prescribed by the approved plan.
 - h. *CDPHE Regulations*: Colorado Department of Public Health and Environment Regulations 6CCR 1007-2, Section 14 are hereby incorporated in these Zoning Regulations.
6. **Infectious Waste Disposal Site and/or Processing Facility Standards (required in addition to General Standards)**
- a. *Radiation Monitoring Program*: The operator shall operate a radiation monitoring program in accordance with an approved plan.
 - b. *General Monitoring Program*: The general monitoring program, approved by the County for each infectious waste disposal and/or processing facility, shall be adhered to.
 - c. *Temperature Operating Charts*: Temperature operating charts from an infectious waste disposal and/or processing facility shall be retained for two (2) years for review by the Director of Community and Economic Development. The County may require additional monitoring if a facility has problems maintaining a temperature or other operational standard.
 - d. *Truck Washing*: All trucks shall be washed at least once a week with a detergent and disinfectant to minimize nuisance conditions, unless spills or leaks are detected which must be disinfected immediately. All wash water shall be properly controlled to prevent runoff.
 - e. *Waste Incineration*: Infectious waste incineration facilities shall be permitted to burn infectious waste only. Incineration of wastepaper, contraband, or other materials is not permitted unless specifically approved as part of the wastestream.
7. *Hazardous Waste Disposal Site and Facility Standards*: All hazardous waste disposal sites and facilities shall meet the standards established by State and Federal regulatory requirements.

4-11-02-03-03

OIL AND GAS FACILITY

4-11-02-03-03-01

Purpose

This Section is enacted to protect and promote the health, safety, values, convenience, order, prosperity, and general welfare of the current and future residents of the County. It is the County's intent by enacting this Section to

facilitate the development of oil and gas resources within the unincorporated area of the County while avoiding or mitigating potential land use conflicts between such development and existing, as well as planned, land uses. It is recognized that under state law the surface and mineral estates are separate and distinct interests in land and that one may be severed from the other. Owners of subsurface mineral interests have certain legal rights and privileges, including the right to use that part of the surface estate reasonably required to extract and develop their subsurface mineral interests from a consenting surface owner, subject to compliance with the provisions of this Section and any other applicable statutory and regulatory requirements. Similarly, owners of the surface estate have certain legal rights and privileges, including the right to have the mineral estate developed in a reasonable manner and to have adverse impacts upon their property, associated with the development of the mineral estate, avoided, or mitigated through compliance with this Section.

4-11-02-03-03-02

Definitions

Oil and Gas Facility means an oil and gas facility as defined by the rules and regulations of the Colorado Oil and Gas Conservation Commission (“COGCC”) For any other definition not listed in this section, the definitions listed in Chapter 11 of the Adams County Development Standards and Regulations and the COGCC’s regulations shall govern. If there is a conflict between the definitions in Chapter 11 and the COGCC’s definitions, the COGCC’s definitions shall prevail. If the term is not found in the COGCC’s definitions or in Chapter 11, the term shall have its common meaning along with the spirit and intent of the Development Standards and Regulations and may be subject to interpretation by the Director of Community and Economic Development or his or her designee.

4-11-02-03-03-03

General Provisions

1. Access: Oil and gas well installation shall be located to provide convenient access, shall accommodate the traffic and equipment related to the oil and gas operations and emergency vehicles, and shall conform to COGCC rules and Adams County Development Standards and Regulations. Oil and gas operations shall avoid or minimize impacts to the physical infrastructure of the County transportation system.
2. Signage: A sign with the 24-hour, 7-days per week contact information shall be placed close to the intersection of the access road and the right of way so that it is legible from the public right of way. Signage shall conform to COGCC regulations for signage and posting.
3. Building Permit Required: For all new or substantially modified wells, a building permit is required for the installation of permanent electrical, pumps, tank batteries, and all other above-ground structures as well as any

other applicable permits including, but not limited to, culvert permits, oversized-load permits, and floodplain use permit.

4. Setbacks: Oil and Gas Facilities shall be at least 2,000 feet from the property line of any existing residences or platted residential lots, schools or future school facilities, state licensed daycares, high occupancy building units, environmentally sensitive areas, and designated parks and open spaces. Oil and Gas Facilities shall be at least 1,000 feet from groundwater under the direct influence of surface water (GUDI) wells and Type III Aquifer wells as defined by Colorado Water Quality Control Commission and COGCC rules.
 - a. Setbacks will be measured from the edge of the Oil and Gas Location, as defined by the COGCC, the measurement of setbacks will not include the access road.
 - b. Administrative Waiver from setback requirements: an administrative waiver may be obtained from the setback requirements if the Operator receives a written waiver from each primary resident and property owner located within the setback. Staff will evaluate the granting of an Administrative Waiver from setback requirements based on the following criteria: (1) the number of affected residents within the setback (2) location of the facility, (2) size of the facility, (4) compatibility of the facility with surrounding land uses; and (5) conformance with the Adams County Comprehensive Plan.
 - i. No Administrative Waivers will be issued from setback requirements for school facilities, future school facilities, state licensed daycares, groundwater wells, environmentally sensitive areas or designated parks and open spaces.

For Oil and Gas Facilities that do not meet the above setback requirements: A waiver may be granted by the Board of County Commissioners that complies with the requirements of Section 2-02-14-07-07.

5. Fees and Permits: All applicable County fees adopted by the County, including postage fees and inspection fees, must be paid at time of application and prior to issuance of a building permit, including for all applicable permits required by the Adams County Development Standards and Regulations.
6. Oil and Gas Road Impact and Maintenance Fees:
 - a. Operators shall pay oil and gas road impact and maintenance fees, as approved by the Board of County Commissioners, for all proposed oil and gas wells and pads. This fee shall be paid at the time of issuance of an Oil and Gas Facilities Permit. Any person or entity required to pay the oil and gas road impact fee may elect to submit an independent study and fee calculation to demonstrate that the nature, timing, or location of the proposed oil and gas development is likely to generate impacts costing less to mitigate than the amount of

the fee that would be generated by the use of the fee schedule. Any independent fee study for oil and gas development shall generally follow the methodology established in the Adams County Oil & Gas Traffic Impact Study.

- i. The preparation of the independent fee calculation study shall be the sole responsibility of the electing party.
- ii. Any person or entity who requests to perform an independent fee calculation study shall pay an application fee for administrative review. An administrative decision related to the independent study may be appealed to the Board of County Commissioners. The appeal shall be filed within 14 days of staff decision and shall follow the appeal process established for OGF Permit Waivers.

7. Safety Standards:

- a. Operator shall implement a safety management plan and maintain a safety management system applicable to all covered processes. Upstream facilities consisting of a standard, repeatable design may be covered with a single safety management plan. The safety management system shall provide for employees and systems to oversee implementation and periodic revision of the plan. The plan shall include the following elements and describe the manner in which each of the following elements will be applied to the covered processes:
 - i. Process safety information. Compilation of written process safety information needed to conduct process hazard analysis. Process safety information shall include information pertaining to hazards of substances and chemicals used by the process, information pertaining to the technology of the process, information pertaining to the equipment used in the process, and information pertaining to the hazards of the substances or chemicals in the process. Documentation that equipment used in the process complies with recognized and generally accepted good engineering practices;
 - ii. Operating procedures. Written operating procedures that provide clear instructions for safely conducting activities involved in each covered process consistent with the process safety information, and at least annual review of operating procedures to ensure they reflect current operating practices;
 - iii. Employee participation. Plan for ensuring employee participation in conduct and development of process hazards analysis and access to process hazards analysis;
 - iv. Training. Written procedures detailing initial and refresher employee training requirements and documentation of employee training;

- v. Mechanical integrity. Written procedures designed to maintain the on-going integrity of process equipment, ensure employees involved in maintenance are properly trained to ensure the ongoing integrity of process equipment, ensure that process equipment is tested and inspected in accordance with manufacturer specifications, correct deficiencies in equipment in a safe and timely manner, and ensure that new equipment is installed or constructed properly;
- vi. Management of change. Written procedures to manage changes to covered processes, technologies, equipment, and procedures;
- vii. Pre-startup reviews. Written procedures regarding pre-startup safety reviews;
- viii. Compliance audits. Written procedures requiring an audit every five years to verify compliance with the procedures and practices developed under the safety management plan, and procedures requiring correction of any deficiencies identified in audit; operator will make results of audit available to inspector upon request;
- ix. Incident investigation. Written procedures requiring investigations of all near-misses and incidents, including root cause analysis of all incidents resulting in fatalities or serious environmental harm, establishing a system to promptly address and resolve the incident, and requiring that all employees and contractors whose job tasks are relevant to the investigation of the near miss or incident review the investigation report.
- x. Hot work. The facility shall ensure that all hot work complies with local and state fire prevention and protection requirements.
- xi. Contractors. Written procedures describing how operator screens, oversees, shares process safety and emergency response and preparedness information with contractors;
- xii. Process hazard analysis. Process hazard analysis for each covered process;
- xiii. Incident history. List of all reportable safety events as defined by the COGCC rules and regulations that have occurred at the operator's facilities within the last five years, along with any investigation reports, root cause analysis and operational or process changes that resulted from the investigation of the accident;
- xiv. Safety culture assessment. Written procedures requiring operator periodically review safety culture, and at a minimum conduct such review after each major accident; and
- xv. Inherently safer systems analysis. Require analysis at least every five years, whenever a change is proposed at the facility that

could result in an incident, after an incident if recommended by the investigation report or root cause analysis, and during the design of new processes, equipment, or facilities.

- xvi. Operator shall make available the safety management plan to Adams County at the County's request. Adams County may retain outside consultants to review safety management plan and may request modifications to safety management plan based on its review. Operator shall reimburse County for any costs associated with retaining outside consultants.
- b. Automatic safety protective systems and surface safety valves. Operator is required to install automated safety system prior to commencement of production. Automated safety system shall include the installation, monitoring and remote control of a surface safety valve or a wellhead master control valve and shall be able to remotely shut in wells on demand. Surface safety valve or a wellhead master control valve shall be equipped to operate remotely via the automated safety protective system. Operator shall test the automated safety system quarterly to ensure functionality and provide results of testing to County within 14 days of such testing.
- c. Incident and accident reporting.
 - i. Incidents. As soon as practicable, but no more than three (3) days of any reportable safety event or emergency situation as defined by the COGCC, Operator shall submit a report to the County including the following, to the extent available:
 - (a) Fuel source, location, proximity to residences and other occupied buildings, cause, duration, intensity, volume, specifics, and degree of damage to properties, if any beyond the facility, injuries to persons, emergency response, impacts, if any, to public health, safety, welfare, the environment or wildlife resources, and remedial and preventative measures to be taken within a specified amount of time.
 - (b) If public health, safety, welfare, the environment, or wildlife resources are threatened, the Operator responsible for the operation causing the threat shall immediately notify the County's Local Government Designee ("LGD") electronically and orally.
 - ii. County may require Operator to conduct root cause analysis of any incidents or Grade 1 gas leaks, as defined by the COGCC.
 - iii. Operator shall keep a daily incident log that shall be made available to Adams County upon request. Any spill or release

- that is reportable to the COGCC shall be simultaneously reported to the County's LGD and applicable fire district.
- iv. The Operator shall notify the County's LGD within 24 hours of discovery all spills of one barrel or more that leaves the facility or released outside of berms or secondary containment, all spills of any material or volume on permeable ground at the facility that has a reportable spill quantity under any law, all spills or releases required to be reported by COGCC regulations, and copies of any self-reporting submissions that operator provides to the COGCC.
 - v. Notification of the surface owner or the surface owner's tenant, and the water rights holder if applicable, of spills and releases in conformance with COGCC Rules.
 - vi. The Operator may be required to obtain additional permits from the County, such as an inert fill or access permits, for site remediation as defined in Chapter 4 of the Adams County Development Standards and Regulations.
- d. Worker Training and Records
- i. Workers at an OGF shall have nationally recognized certifications for the work they are performing. This includes, but is not limited to, Hazard Communications Training, Hazardous Waste Operations Certifications, heavy equipment operator training, and welding certifications per API 1104 and/or ASME Section 9.
 - ii. All workers at an OGF shall have completed a nationally recognized occupational safety and health training program.
 - iii. Upon request from the County, the Operator shall supply the County written procedures detailing employee training requirements and training records.
8. Spill Prevention and Containment. Oil and gas operations shall be in compliance with COGCC safety and spill and release requirements.
- a. Requirements to minimize and prevent liquid spills and releases include the following:
 - i. Berms or other secondary containment devices around crude oil, condensate, and produced water storage tanks enclosing an area sufficient to contain and provide secondary containment for 150% of the largest single tank.
 - ii. Berms or other secondary containment devices shall be sufficiently impervious to contain any spilled or released material.
 - iii. Inspection of all berms and containment devices at regular intervals, but not less than monthly. Berms shall be inspected within forty-eight (48) hours of a precipitation event of 1.0" or

- more, and Operator shall make necessary repairs as soon as possible, but not more than seventy-two (72) hours after the event.
- iv. Maintain all berms and containment devices to ensure they are in good condition.
 - v. A prohibition on the storage or use of ignition sources inside the secondary containment area unless the containment area encloses a fired pressure vessel.
 - vi. Construction of containment berms using steel rings, designed and installed to prevent leakage and resist degradation from erosion or routine operation.
 - vii. Construction of secondary containment areas with a synthetic or engineered liner that contains all primary containment vessels and flowlines and is mechanically connected to the steel ring to prevent leakage.
 - viii. For locations within 500 feet and upgradient of a surface water body or ground water source, tertiary containment, such as an earthen berm, around oil and gas facilities. Alternatively, the County may require Operator to install retention ponds for stormwater management.
 - ix. Discharge valves shall be secured, inaccessible to the public and located within the secondary containment area. Open-ended discharge valves shall be placed within the interior of the tank secondary containment.
- b. Anchoring. Anchoring is required within floodplain or geological hazard areas, as needed to resist flotation, collapse, lateral movement, sinking, or subsidence, and in compliance with Federal Emergency Management Agency (FEMA). All guy line anchors left buried for future use shall be identified by a marker of bright color not less than four feet in height and not greater than one (1) foot east of the guy line anchor.
9. Chemical Handling and Requirements
 - a. The owner or operator of any installation that is required to prepare or have available a safety data sheet for a hazardous chemical under the Occupational Safety and Health Act of 1970, 29 U.S.C. 651 et seq., and regulations promulgated under that Act, shall submit both a safety data sheet (SDS) for each such chemical and an annual emergency and hazardous chemical inventory form to the Local Emergency Planning Commission (LEPC) and the local fire district. A comprehensive and universal listing of all hazardous chemicals stored, handled, and/or used on site must be maintained in an inventory list and must be made available to the County upon request.

- b. Drilling and completion chemicals shall be removed at most sixty days after completion.
 - c. Operator shall provide to the County a copy of the chemical disclosure registry form provided to the COGCC pursuant to the COGCC's "Hydraulic Fracturing Chemical Disclosure" rule prior to conducting hydraulic fracturing.
 - d. The following toxic, including orally toxic chemicals shall not be added to the hydraulic fracturing fluid:
 - i. Benzene
 - ii. Lead
 - iii. Mercury
 - iv. Arsenic
 - v. Cadmium
 - vi. Chromium
 - vii. Ethylbenzene
 - viii. Xylene
 - ix. 1,3,5-trimethylbenzene
 - x. 1,4-dioxane
 - xi. 1-butanol
 - xii. 2-butoxyethanol
 - xiii. N,N-dimethylformamide
 - xiv. 2-ethylhexanol
 - xv. 2-mercaptoethanol
 - xvi. Benzene, 1, 1'-oxybis-,tetrapropylene derivatives, sulfonated, sodium salts
 - xvii. Butyl glycidyl ether
 - xviii. Polysorbate 80
 - xix. Quaternary ammonium compounds, dicoco alkyldimethyl, chlorides
 - xx. Bis hexamethylene triamine penta methylene phosphonic acid
 - xxi. Diethylenetriamine penta
 - xxii. FD&C blue no 1.
 - xxiii. Tetrakis (triethanolaminato) zirconium (IV) (TTZ)
10. Emergency Preparedness and Response
- a. In General. Oil and gas operations shall not cause unreasonable risks of emergency situations such as explosions, fires, gas, oil or water pipeline leaks, ruptures, hydrogen sulfide or other toxic gas or fluid emissions, and hazardous material vehicle accidents or spills.
 - b. Emergency Preparedness Plan. Each Applicant with an operation in the County is required to implement an emergency preparedness plan for each specific oil and gas facility. The plan shall be referred to the Office of Emergency Management (OEM), and the applicable fire district, filed with the County and updated on an annual basis or as

conditions change (responsible field personnel change, ownership changes, etc.). The emergency preparedness plan shall consist of at least the following information:

- i. Name, address, and phone number, including 24-hour emergency numbers for at least two persons located in or near Adams County who are responsible for emergency field operations.
- ii. An as-built facilities map in a format suitable for input into the County's GIS system depicting the locations and type of above and below ground facilities including sizes, and depths below grade of all oil and gas gathering and transmission lines and associated equipment, isolation valves, surface operations and their functions, as well as transportation routes to and from exploration and development sites, for emergency response and management purposes. The information concerning pipelines and isolation valves shall be held confidentially by the County's OEM and shall only be disclosed in the event of an emergency. The County shall deny the right of inspection of the as-built facilities maps to the public pursuant to C.R.S. § 24-72-204.
- iii. Detailed information addressing each potential emergency that may be associated with the operation. This may include any or all the following: explosions, fires, gas, oil or water pipeline leaks or ruptures, hydrogen sulfide or other toxic gas emissions, or hazardous material vehicle accidents or spills. For each potential emergency, threshold / trigger levels shall be pre-identified that govern when an emergency state is declared by the Applicant.
- iv. The plan shall include a provision that any spill outside of the containment area or which has the potential to leave the facility or to threaten a water body shall be reported to the emergency dispatch and the Director immediately.
- v. Detailed information identifying site access, evacuation routes as determined by first responders, impact zones for each emergency scenario identifying impacted facilities, and buildings and health care facilities anticipated to be used.
- vi. Project specific emergency preparedness plans are required for any project that involves drilling or penetrating through known zones of hydrogen sulfide gas.
- vii. The plan shall include a provision that obligates the Applicant to reimburse the appropriate emergency response service providers for costs incurred in connection with any emergency.

- viii. Detailed information that the Applicant has adequate personnel, supplies, and funding to implement the emergency response plan immediately at all times during construction and operations. Supplies can include adsorption boom, granulated materials, and coordination of foam supplies with the local first responders.
 - ix. The plan shall include provisions that obligate the Applicant to keep onsite and make immediately available to any emergency responders the identification and corresponding Safety Data Sheets (SDS) of all products used, stored, or transported to the site. The SDS sheets shall be provided immediately upon request to the Director, a public safety officer, or a health professional. In cases of spills or other emergency events, the plan shall include provisions establishing a notification process to emergency responders of potential products they may encounter, including the products used in the hydraulic fracturing fluids.
 - x. The plan shall establish a process for informing surrounding neighbors and schools identified as being within the emergency impact zone of applicable emergency response plan and procedures.
11. Recycle, Reuse and Disposal of Fluids:
- a. Operator shall recycle drilling, completion, flowback and produced fluids unless technically infeasible.
 - b. Exploration & Production (E&P) Waste may be temporarily stored in tanks while awaiting transportation to licensed disposal or recycling sites.
 - c. Produced Water must be transported by pipelines unless economically or technically infeasible.
12. Stormwater Controls:
- a. Oil and gas operations shall be in compliance with COGCC rules related to stormwater management regulations and Adams County Stormwater Quality Regulations as contained in the Adams County Development Standards and Regulations / Ordinances and other applicable federal, state, and county requirements.
 - b. The Owner or Operator must provide a stormwater management plan that identifies possible pollutant sources that may contribute pollutants to stormwater, best management practices, sampling procedures (if required), and inspections that, when implemented, will reduce or eliminate any possible water quality impacts.
13. Well Plugging and Abandonment:
- a. An Operator shall comply with all COGCC rules regarding well abandonment and reclamation, including, but not limited to, removal

- of all equipment from the location and restoring the surface of the land to its original state. Notice of well plugging and abandonment shall be submitted by the Operator to the Community and Economic Development Department at least seven (7) days prior to the commencement of decommissioning or plugging operations. Notice shall include, at a minimum, the approved Form 6 from COGCC, the surveyed coordinates of the decommissioned well or facility, planned or proposed access route(s), planned duration of activities, planned hours of operation, and a list of equipment to be utilized at the site.
- b. The Operator shall submit the COGCC required Notice of Intent to Abandon report to the County concurrently with the COGCC.
 - c. Concurrently with notice to the County, notice shall be sent by the Operator or contractor to all property owners and current residents within one-half (1/2) mile of the Oil and Gas Facility, well, or site being decommissioned or plugged and abandoned. Notice shall occur at least seven (7) days prior to commencement of decommissioning or plugging operations.
 - d. Decommissioned oil and gas well assessment. Prior to any hydraulic fracturing, and at periods following hydraulic fracturing, the Operator shall perform assessment and monitoring of plugged and decommissioned or removed from use, and dry and removed from use oil and gas wells (abandoned wells) within one-quarter mile of the projected track of the borehole of a proposed well. The assessment and monitoring include:
 - i. Identification of all abandoned wells located within one-quarter mile of the projected track of the borehole of a proposed well based upon examination of COGCC and other publicly available records,
 - ii. A Risk assessment of leaking gas or water to the ground surface or into subsurface water resources, taking into account plugging and cementing procedures described in any recompletion or plugged and abandoned (P&A) report filed with the COGCC.
 - iii. Notification to the County and COGCC of the results of the risk assessment of the plugging and cementing procedures.
 - iv. Permission from each surface owner who has an abandoned well on the surface owner's property to access the property in order to test the abandoned well. If a surface owner has not provided permission to access after thirty days from receiving notice, the applicant shall not be required to test the abandoned well.

- v. Soil gas surveys from various depths and at various distances, depending on results of risk assessment, of the abandoned well prior to hydraulic fracturing
 - vi. Soil gas surveys from various depths and at various distances, depending on results of risk assessment, of the abandoned well within ninety (90) days after completion, and then every year after production has commenced if initial survey results suggest increased risk of leaking gas or water from the abandoned well.
 - vii. Notification of the results of the soil gas survey to the County and the COGCC within three weeks of conducting the survey or advising the County that access to the abandoned wells could not be obtained from the surface owner.
 - viii. In the event that contamination is detected during any soils testing, no further operations may continue until the cause of the contamination is detected and resolved and the County has given its approval for additional operations to continue.
 - e. Marking of plugged and abandoned wells. The Operator shall permanently mark by a brass plaque set in concrete, similar to a permanent benchmark to monument the plugged and abandoned well's existence and location. Such plaque shall contain all information required by the COGCC and the County.
14. Noise. The Operator shall control noise levels as follows:
- a. Prior to operations Operator shall obtain a baseline noise study that encompasses at least five (5) days, one of those days being a weekend. The Operator may use the baseline noise study submitted with the Development Application to fulfill this requirement, if that noise study is completed within twelve (12) months of any ground disturbing activities.
 - b. Beginning with construction and up to production, the County will require continuous noise monitoring for all oil and gas facilities located with one-half mile (1/2), or greater depending on the location, nature, and size of the facility, of the property line of any existing residences, schools, state licensed daycares or high occupancy building units. The County may require continuous noise monitoring be conducted by an approved third-party consultant based on the location, nature, and size of the facility.
 - c. The Operator shall conform to COGCC Regulations for noise level.
 - d. The Operator shall post 24-hour, 7 days per week contact information to deal with all noise complaints arising from Operator's oil and gas facility. Such posting shall be visible from the public rights-of-way.
 - e. For Oil and Gas Facilities located within 2,000 feet of a land use or zoning designation boundary the Operator shall be required to

comply with the lower maximum permissible noise level as defined in COGCC regulations for noise of that corresponding land use or zone district.

- i. For locations within 2,000 feet of a land use or zoning designation boundary, noise must be attenuated to the maximum permissible noise levels for the corresponding land use or zone district, as specified in COGCC rules, at the land use designation boundary as determined by the Director of Community and Economic Development.
- f. The Operator shall update the noise modeling study or noise impact analysis if the planned or actual equipment at the Oil and Gas Facility is expected to produce noise levels that will exceed those previously presented to the County or if the noise modeling study or noise impact analysis was completed more than twelve (12) months prior to any ground disturbing activities.
- g. To ensure the Operator controls noise to the allowable levels set forth above, one or more of the following may be required based on the location, nature, and size of the facility:
 - i. Acoustically insulated housing or cover enclosing the motor or engine;
 - ii. Noise management plan identifying hours of maximum noise emissions, type, frequency, and level of noise to be emitted, and proposed mitigation measures;
 - iii. Obtain all power from utility line power or renewable sources;
 - iv. Utilize the most current equipment to minimize noise impact during drilling, completions, and all phases of operation including the use of "Quiet Fleet" noise mitigation measures for completions;
 - v. Sound walls around well drilling and completion activities to mitigate noise impacts;
 - vi. Restrictions on the unloading of pipe or other tubular goods between 6:00 p.m. and 8:00 a.m.;
 - vii. Any abatement measures required by COGCC for high-density areas, if applicable.
 - viii. The use of electric drill rigs.
 - ix. Tier 4 or better diesel engines, diesel and natural gas co-fired Tier 2 or Tier 3 engines, natural gas fired spark ignition engines, or electric line power for hydraulic fracturing pumps.
 - x. Use of quiet design mufflers (also referred to as hospital grade or dual dissipative) or equivalent.
 - xi. The use of liquefied natural gas dual fuel hydraulic fracturing pumps.

- h. Professional Consultant(s) Required: The baseline noise study and noise modeling shall be prepared by one (1) or more professionals deemed professionally qualified by the Community and Economic Development Department. Each professional shall be deemed qualified by the Department of Community and Economic Development based on education, professional certifications, experience in the field, and their understanding of the Adams County oil and gas regulations and COGCC rules pertaining to noise. The County shall maintain a list of qualified professional consultants. The applicant for an Oil and Gas Facility shall select one (1) or more individuals from the County's list of qualified consultants to prepare the required baseline noise studies and noise modeling reports.
 - i. Professional qualifications for review and consideration may be submitted to the County by the sound professional, the applicant, or the Operator.
15. Air Emissions: Air contaminant emission sources shall comply with the permit and control provisions of the state air quality control program (C.R.S. § 25-7-101 et seq.) and the rules and regulations promulgated by the State Air Quality Control Commission. The Operator shall employ the following control measures and operating procedures to avoid or minimize all emissions into the atmosphere.
 - a. Air quality action days. Operator shall respond to air quality action day advisories posted by the CDPHE for the front range area by implementing suggested air emission reduction measures as feasible. Emissions reduction measures shall be implemented for the duration of an air quality action day advisory and may include measures such as:
 - i. Minimize vehicle and engine idling;
 - ii. Reduce truck traffic and worker traffic;
 - iii. Delay vehicle refueling;
 - iv. Suspend or delay use of fossil fuel powered ancillary equipment;
 - v. Postpone construction or maintenance activities, if feasible;
 - vi. Postpone well maintenance and liquids unloading activities that would result in emission to the atmosphere.
 - b. Leak Detection and Repair (LDAR). Operator shall develop and maintain an LDAR program using modern leak detection technologies for equipment used at the facility that complies with applicable Air Quality Control Commission (AQCC) Regulations and the following requirements:
 - i. Inspections must occur at least semi-annually; more frequent inspections may be required based on the nature, location, and size of the facility.

- ii. Any leaks discovered by Operator, including any verified leaks that are reported to Operator by a member of the public, shall be reported to the County no later than twenty-four hours after discovery. The Operator shall maintain a weekly log of all reported leaks and shall make that log available upon request from the County.
 - iii. Operator shall repair leaks in accordance with AQCC Regulation 7 LDAR repair provisions such that repair of an identified leak is initiated no later than 5 working days from the date of discovery and completed within 30 days. If the leak presents an imminent hazard to persons or property, the Operator may not operate the affected component, equipment or pipeline segment until the Operator has corrected the problem and notified the County of the successful repair. In the event of leaks that do not pose an imminent hazard to persons or property, if more than 30 days repair time is needed after a leak is discovered, Operator shall contact the County and provide an explanation of why more time is required.
 - iv. Plan shall include detailed recordkeeping of the inspections for leaking components.
 - v. At least once per year, the Operator shall notify the County five (5) business days prior to an LDAR inspection of its facilities to provide the County the opportunity to observe the inspection.
- c. Well Completions and Emissions Control
- i. Operators shall utilize EPA Reduced Emission Completions for oil wells and gas wells.
 - ii. Operators shall utilize closed loop, pitless drilling, completions systems without permanent on-site storage tanks for containment and/or recycling of all drilling, completion, and flowback fluids. Any emissions must be routed to and controlled by a flare or combustor operated with at least a 98% destruction removal efficiency.
- d. Combustion Devices
- i. For any flares or combustion devices used, manufacturer test or other data must be maintained and demonstrate that the device has a destruction removal efficiency of 98% for hydrocarbons.
 - ii. To the extent used, all flares, thermal oxidizers, or combustion devices shall be designed and operated as follows:
 - (a) The flare and or combustor shall be fired with natural gas.

- (b) The flare and or combustor shall be designed and operated in a manner that will ensure no visible emissions during normal operation. Visible emissions are defined as the observation of smoke for any period or periods of duration greater than or equal to one minute in any fifteen minute period during normal operation, pursuant to EPA Method 22. Visible emissions do not include radiant energy or water vapor.
 - (c) The flare and or combustor shall always be operated with a flame present when emissions may be vented to it.
 - (d) All combustion devices shall be equipped with an operating auto-igniter.
 - (e) If using a pilot flame ignition system, the presence of a pilot flame shall be monitored using a thermocouple or other equivalent device to detect the presence of a flame. A pilot flame shall be maintained at all times in the flare's pilot light burner. A telemetry system shall be in place to monitor pilot flame and shall activate a visible and audible alarm in the case that the pilot goes out.
 - (f) If using an electric arc ignition system, the arcing of the electric arc ignition system shall pulse continually, and a device shall be installed and used to continuously monitor the electric arc ignition system.
- e. Well Liquids Unloading
 - i. Best management practices during liquids unloading activities are required including the installation of artificial lift, automated plunger lifts and at least 90% emissions reductions when utilizing combustion to control any venting.
 - ii. If manual unloading is permitted, Operator shall remain onsite.
 - f. General air quality protection measures.
 - i. Operators should work to limit truck traffic to and from the site.
 - ii. Hydrocarbon emissions control of at least 98% or better for crude oil, condensate, and produced water tanks with uncontrolled actual emissions of Volatile Organic Compounds (VOCs) greater than two tons per year (TPY) VOCs.
 - iii. No venting other than if necessary for safety or during an emergency or as otherwise allowable in COGCC rules.

- iv. Operators should consolidate product treatment and storage facilities within a facility.
 - v. Operators should centralize compression equipment within a facility.
 - g. Site-specific air quality protection measures. To eliminate or minimize air emissions, the County may require any or all of the following depending on the size, location and nature of the facility:
 - i. Ambient Air Monitoring. An air monitoring plan that describes how the operator will conduct baseline monitoring within 500 feet of a proposed facility prior to construction and conduct monitoring during the drilling, completion, and production phases of development. The plan may include monitoring for all potential emissions, including but not limited to, methane, VOCs, Hazardous Air Pollutants (HAPs), Oxides of Nitrogen (NO_x), Particulate Matter (PM), and Fine Particulate Matter (PM 2.5). Operator shall pay for the baseline and ongoing monitoring. Baseline and continuous monitoring shall be done by a consultant approved of by the County. Any continuous monitoring system shall be able to alert the operator of increases in monitored air pollutant concentrations.
 - ii. Implementation of tankless production techniques.
 - iii. The use of zero emission dehydrators.
 - iv. Use of a pressure-suitable separator and vapor recovery unit (VRU) where applicable.
 - v. Pipeline infrastructure for produced water, natural gas, crude oil, and condensate constructed and placed into service prior to the start of any fluid flow from any wellbore.
 - vi. The use of no-bleed continuous and intermittent pneumatic devices. This requirement can be met by replacing natural gas with electricity or instrument air or routing the discharge emissions to a closed loop-system or process.
 - vii. Automated tank gauging.
 - viii. Flaring shall be eliminated other than during emergencies or upset conditions; all flaring shall be reported to the county
16. Odors:
- a. Operator shall implement and maintain, an odor mitigation plan that demonstrates how the Operator will minimize odors from its operations and comply with Colorado Department of Public Health and Environment, Air Quality Control Commission, Regulation No. 2 Odor Emissions, 5 CCR 1001-4, Regulation No. 3, 5 CCR 1001-5, and Regulation No. 7, 5 CCR 1001-9 sections VII and VIII. The plan shall also provide a plan for timely responding to odor complaints from the community, and for identifying and implementing additional odor

- control measures to control odors emanating from the Oil and Gas Facility.
- b. Operator shall notify the County’s LGD no later than 24 hours after receiving odor complaint.
 - c. Operator shall prevent odors from oil and gas facilities from affecting the health and welfare of the public by proactively addressing and, to the fullest extent, resolving complaints filed by members of the community, in coordination with County and Tri-County Health Department staff.
 - d. In response to an odor-related complaint, the County may require the Operator to provide a complete description of all activities occurring at the Oil and Facility and measures or actions taken to reduce odors to the County’s LGD within 24 hours upon request.
 - e. The Director of Community and Economic Development may require an Operator to collect and analyze a speciated air sample to measure for volatile organic compounds or hazardous air pollutants in response to an odor-related complaint. Speciated air sample collection shall be done utilizing a third-party vendor approved by the County.
 - f. To ensure compliance with the odor mitigation plan, the County may require the Operator to implement any of the following measures depending on the size, location, and nature of the facility:
 - i. Adding an odorant which is not a masking agent or adding chillers to the mud systems.
 - ii. Using filtration systems or additives to minimize odors from drilling and fracturing fluids except that operator shall not mask odors by using masking fragrances.
 - iii. Enclose shale shaker to contain fumes from exposed mud, where safe and feasible,
 - iv. Wipe down drill pipe each time drilling operation “trips” out of hole
 - v. Increasing additive concentration during peak hours provided additive does not create a separate odor. Additive must be used per manufacturer’s recommended level.
 - vi. Requiring the use of, at a minimum, low odor Category III drilling fluid.
17. Dust.
- a. Operator shall minimize dust pollution associated with onsite activities and traffic.
 - b. No untreated produced water or other process fluids shall be used for dust suppression.
 - c. The Operator shall avoid creating dust or dust suppression activities

within 300 feet of the ordinary high-water mark of any water body unless the dust suppressant is water.

- i. Safety Data Sheets (SDS) for any chemical-based dust suppressant shall be submitted to the County prior to use.
- d. To ensure the Operator controls dust, one or more of the following may be required based on the location, nature, and size of the facility:
 - i. Ceasing all earthwork activities when wind speeds equal or exceed 30 MPH at any time measured by onsite anemometer,
 - ii. The use of reduced speed restrictions,
 - iii. Approved dust suppression activities,
 - iv. Ceasing ongoing truck traffic causing fugitive dust, until Operator has minimized dust to acceptable levels.

18. Visual Aesthetics.

- a. All permanent equipment on an Oil and Gas Facility, regardless of construction date, which are observable from any public highway, road, or publicly maintained trail will be painted in uniform, non-contrasting, nonreflective color tones (similar to the Munsell Soil Color Coding System), and with colors matched to but slightly darker than the surrounding landscape. Fencing shall be required around all well site equipment, including, but not limited to, storage tanks, well heads, and meters if the well site is visible from a subdivision west of Imboden Road. Such fencing shall screen equipment, provide safety precautions, and be compatible with the surrounding environment. Should fencing apply to a well site, the design and construction of such fencing shall be approved by the Community and Economic Development Department prior to the construction of any site. If a chain link fence is required to achieve safety requirements set by the COGCC, then landscaping and other screening mechanisms shall be required that comply with the County's Development Standards and Regulations and the Operator's safety requirements. Operator shall be responsible for obtaining consent by surface owner allowing any required fencing.
- i. Required sound walls shall comply with a color scheme approved by the County, blending with natural background.
- b. Operator shall be required to provide maintenance funding through bonding to ensure funds are available for upkeep of any planted vegetation throughout the duration of operations, including production. Weed control is required at the facility and along access roads until final reclamation and abandonment. All landscaping shall be in compliance with County requirements and in compliance with the safety requirements of the Operator. Existing vegetation shall be minimally impacted. Motorized equipment shall be restricted to the well sites and access roads to the well sites. Operator is responsible

- for obtaining consent by surface owner allowing landscaping as well as automatic irrigation for landscaping in urban mitigation areas and/or parks/recreation areas. All plant materials shall be kept in a healthy growing condition at all times.
- c. Site access and security. Site shall be properly secured during all phases of operations, including, but not limited to, security fencing or barriers to prevent unauthorized access to site. Site shall be properly secured prior to the start of drilling.
19. Lighting. The Operator shall minimize light escaping the facility as follows:
- a. All lighting shall be directed downward and inward and use fully shielding bulbs to prevent light emissions above a horizontal plane drawn from the bottom of the fixture.
 - b. Operator shall conform to COGCC Regulations for lighting standards.
 - c. Operator shall provide sufficient on-site lighting to ensure the safety of personnel on or near the site.
 - d. If the facility has a noise barrier (sound walls, etc.), the Operator shall install facility lighting beneath the noise barrier, except for drilling rig lights.
 - e. To ensure the Operator controls light escaping from the facility, one or more of the following may be required based on the location, nature, and size of the facility:
 - i. The use of timers or motion sensor lighting,
 - ii. The use of full cut-off lighting,
 - iii. The use of reduced light intensity colors and low-glare or no-glare lighting.
20. Community Outreach.
- a. The Operator shall hold quarterly neighborhood meetings from initial permit approval by the County, through the completion of the first wellbore, or longer as determined by the Director of Community and Economic Development for all oil and gas facilities located within one mile (1) of any existing residences, platted residential development, high occupancy building units, school facilities, or state licensed daycare centers. The Operator shall hold additional quarterly neighborhood meetings for each subsequent return to the Oil and Gas Facility for any drilling or completion operations if there have been no neighborhood meetings held for a period of six consecutive (6) months or more. Notice for quarterly neighborhood meetings shall be sent by the Operator to all property owners, current residents, or school facility or childcare center administrators within one mile (1) at a minimum, or greater, as determined by the Director of Community and Economic Development, of the facility. Notice for

- the quarterly neighborhood meetings shall occur at least 14 days prior to the meeting.
- b. At the quarterly neighborhood meetings, the Operator shall provide an update on the status of any pending permits with the County, state or federal agencies associated with facility, an overview of all planned or ongoing operations at the Oil and Gas Facility and allow those in attendance to ask questions and provide input related to the facility.
 - c. The location, timing, and format of the quarterly neighborhood meetings will be approved by the County.
 - d. The Operator shall provide a recording or summary of the neighborhood meeting, which includes, at a minimum, a list of attendees and their contact information, if provided, format of the meeting, an overview of comments or questions received, and the Operator's responses to the County within seven (7) days of the meeting.
 - e. The County may require one or more of the following based on the location, nature, and size of the facility:
 - i. The Operator to provide written and digital materials in languages other than English;
 - ii. The Operator to provide interpretation services at neighborhood meetings and;
 - iii. The Operator to hold additional neighborhood meetings to accommodate resident or property owner input.
21. Cumulative Impacts. Operators shall evaluate and address the potential cumulative impacts from the Oil and Gas Facility, and all reasonably foreseeable development associated with other oil and gas activity and heavy industrial operations within one mile (1), at a minimum, of the Oil and Gas Facility. Operators shall minimize, avoid, mitigate, and offset cumulative impacts from oil and gas operations to the extent technically feasible. This may be achieved through a suite of best management practices, engineering, or operations controls, and/or compensatory measures.
- a. The evaluation and review of cumulative impacts may require the submission of quantitative and/or qualitative analysis and data for the following impact areas, at a minimum:
 - i. Air Quality;
 - ii. Public Health and welfare, including nuisance-type impacts;
 - iii. Traffic;
 - iv. Water resources;
 - v. Wildlife, Ecosystems, and Soil.
 - b. The Operator shall follow all COGCC regulations and standards that address cumulative impacts related to noise, odor, dust, and light.

- c. An Operator may submit substantially equivalent plans, data, or analyses as required in COGCC rules for addressing and evaluating cumulative impacts.
22. Transportation and Traffic
- a. General: Oil and gas operations shall minimize impacts to the physical infrastructure of the County transportation system.
 - b. Mud tracking. Operator shall take all practical measures to prevent mud and dirt tracking onto public right of ways and shall remove tracked mud and dirt within a reasonable time not to exceed four hours.
 - c. Private Roads. The Operator shall construct (unless already constructed) and maintain an access road designed to meet County and fire district standards and support an imposed load of 75,000 pounds that will accommodate emergency response vehicles such as, but not limited to, law enforcement, emergency command vehicles (cars/SUVs), ambulances, hazardous materials response vehicles, water tenders, and fire apparatus during construction and operation of new tank batteries, new drilling activity and reworks or recompletions of existing wells, unless a local fire department or fire district agrees to a different or lesser standard or waived by the County. With respect to new roads to new tank batteries, the Operator agrees to construct access roads at least twenty (20') feet wide (unless waived by the local fire district and the County's Public Works Department) with a Class 6 road base, or as approved by the local fire district, at least nine inches (9") thick. Best efforts will be made to improve inadequate access to existing tank battery sites identified by the fire district or County, based on service calls and demonstrated problems of accessing the site. Operator and County agree that spot inspections of access roads may be done by the County and/or appropriate emergency response agency, at such County or agency's sole risk and expense, to ensure that emergency access in accordance with this section is maintained. Operator is required to maintain and repair any damaged roads within ten (10) business days of County notice. Operator will assure that temporary access roads are reclaimed and reseeded with an appropriate native seed mixture within sixty days of discontinued use. Erosion shall be controlled in accordance with the Erosion and Sediment Control Plan while the roads are in use.
 - d. Public Roads. Operator shall utilize existing roads and access points where practical and apply for and obtain access permits for its oil and gas facilities from the County's Public Works Department.
- i. Requirements for the access permit may include the following:

- (a) A location that provides a safe entrance and exit that accommodates the type and volume of traffic using the access and reduces impact to residents on local roadways;
 - (b) Haul route and traffic data;
 - (c) Pre and post inspection of roadways used by the Operator;
 - (d) Collateral or bond to ensure that road damage caused by the Operator is repaired;
 - (e) Dust control (material used for dust control must be pre-approved by the County);
 - (f) Road maintenance agreement during drilling phase; and
 - (g) Payment of all applicable fees.
 - ii. Operator shall exercise reasonable efforts to minimize heavy truck traffic on local roads within residential neighborhoods between the hours of 9 p.m. and 6 a.m.
 - iii. Operator shall work with and show written evidence that the applicable school district(s) has been consulted to minimize traffic conflicts with school buses when schools are in session.
 - iv. Operator shall obtain any legally valid and applicable oversize and/or overweight moving permit from the County's Public Works Department for all vehicles that exceed legal vehicle dimensions or weights as specified by the Colorado Department of Transportation and the County's Development Standards and Regulations.
 - e. All applicable transportation fees shall be paid prior to issuance of a notice to proceed, including without limitation:
 - i. Access permit fees
 - ii. Oversize/overweight permit fees
 - iii. Right of way construction permit fees; and
 - iv. Traffic impact and road maintenance fees.
23. Water and Wildlife Protection.
- a. Water Bodies and Water Quality:
 - i. General. Oil and gas operations shall not cause adverse impacts to surface or ground waters within Adams County. Operators shall comply with all Adams County rules, COGCC Regulations, and applicable water quality standards set by the Colorado Department of Public Health and Environment and Colorado Water Quality Control Commission.
 - ii. The owner or Operator shall provide the County with the information it provides to the COGCC ensuring compliance with the water quality protection standards contained in COGCC Regulations.

- iii. The owner or Operator shall provide all water source test results to the County and maintain records of such results.
 - iv. The owner or Operator shall make available to the County upon approval by the COGCC, its plans concerning downhole construction details and installation practices, including casing and cementing design selected to protect surface waters and source water aquifers from contamination.
 - v. Wastewater Injection Wells used for produced water disposal are prohibited in Adams County.
 - vi. Floodplain. Any disturbance within a 100-year floodplain will be allowed if the Operator has obtained a Floodplain Use Permit from the County and has complied with all of the County's legally adopted floodplain and engineering regulations. A "100-year floodplain" shall be, for purposes of this Section, a "Special Flood Hazard Area" as identified and mapped by the Federal Emergency Management Agency's National Flood Insurance Program and adopted by the County.
- b. Water source sampling and testing: Using records of the Colorado Division of Water Resources, the applicant shall be required to identify and offer to sample all available water sources located within one-half mile of the proposed facility. All sampling must be conducted by third-party consultant approved of by the County. Sampling requirements include:
- i. Initial baseline samples and subsequent monitoring samples.
 - ii. Initial collection and testing of baseline samples from available water sources shall occur within twelve months prior to the commencement of drilling a well, or within twelve months prior to the re-stimulation of an existing well for which no samples were collected and tested during the previous twelve months.
 - iii. Post-stimulation samples of available water sources shall be collected and tested pursuant to the following time frame:
 - (a) One sample within six months after completion;
 - (b) One sample between twelve and eighteen months after completion;
 - (c) One sample between sixty and seventy-two months after completion;
 - (d) For multi-well pads, collection shall occur annually during active drilling and completion.
 - iv. Operator shall collect a sample from at least one up-gradient and two down-gradient water sources within a one-half mile radius of the facility. If no such water sources are available, operator shall collect samples from additional water sources within a radius of up to one mile from the facility until samples

- from a total of at least one up-gradient and two down-gradient water sources are collected. Operators should give priority to the selection of water sources closest to the facility.
- v. An Operator may rely on existing groundwater sampling data collected from any water source within the radii described above, provided the data was collected within the twelve months preceding the commencement of drilling the well, the data includes measurement of all of the constituents measured in Table 4-11-A, and there has been no significant oil and gas activity within a one-mile radius in the time period between the original sampling and the commencement of drilling the well.
 - vi. The Operator shall make reasonable efforts to obtain the consent of the owner of the water source. If the Operator is unable to locate and obtain permission from the surface owner of the water source, the Operator shall advise the Director of Community and Economic Development that the applicant could not obtain access to the water source from the surface owner.
 - vii. Testing for the analytes listed in Table 4-11-A, and subsequent testing as necessary or appropriate.
 - viii. Standard industry procedures in collecting samples, consistent with the COGCC model Sampling and Analysis Plan, shall be followed.
 - ix. Reporting the location of the water source using a GPS with sub-meter resolution.
 - x. Field observations. Reporting on damaged or unsanitary well conditions, adjacent potential pollution sources, odor, water color, sediment, bubbles, and effervescence.
 - xi. Test results. Provide copies of all test results described above to the County, the COGCC, and the water source owners within three months after collecting the samples.
 - xii. Subsequent sampling. If sampling shows water contamination, additional measures may be required including the following:
 - (1) If free gas or a dissolved methane concentration level greater than one milligram per liter (mg/l) is detected in a water source, determination of the gas type using gas compositional analysis and stable isotope analysis of the methane (carbon and hydrogen).
 - (2) If the test results indicate thermogenic or a mixture of thermogenic and biogenic gas, an action plan to determine the source of the gas.

- (3) Immediate notification to the County, the COGCC, and the owner of the water source if the methane concentration increases by more than five mg/l between sampling periods, or increases to more than ten mg/l.
 - (4) Immediate notification to the County, the COGCC and the owner of the water source if BTEX and/or TPH are detected as a result of testing. Such detections may result in required subsequent sampling for additional analytes.
 - (5) Further water source sampling in response to complaints from water source owners.
 - (6) Timely production and distribution of test results, well location, and analytical data in electronic deliverable format to the Director of Community and Economic Development, the COGCC, and the water source owners.
- c. Wildlife Resources
- i. General: Operators shall avoid, minimize, and mitigate adverse impacts to wildlife resources. Wildlife Resources, as used in these regulations shall mean the COGCC definition.
 - ii. Operators shall comply with all COGCC Regulations for wildlife impacts.
 - iii. Operators shall actively engage Colorado Parks and Wildlife, where applicable, for the sake of avoiding, minimizing, and mitigating wildlife impacts.
 - iv. Operators shall share all findings, recommendations, and reports resulting from any consultation with Colorado Parks and Wildlife with the County within seven (7) days.

24. Flammable material. The area twenty-five (25) feet around anything flammable shall be kept free of dry grass or weeds, conform to COGCC safety standards and applicable fire code. The operator's conceptual review application and application shall be reviewed by the serving fire district.

Table 4-11-A: Water Quality Analytes	
GENERAL WATER QUALITY	Alkalinity Conductivity & TDS Ph Dissolved Organic Carbon (or Total Organic Carbon) Bacteria Hydrogen Sulfide
MAJOR IONS	Bromide Chloride Fluoride Magnesium Potassium Sodium Sulfate Nitrate + Nitrite as N (total)
METALS	Arsenic Barium Boron Chromium Copper Iron Lead Manganese Selenium Strontium
DISSOLVED GASES AND VOLATILE ORGANIC COMPOUNDS	Methane Ethane Propane BTEX as Benzene, Toluene, Ethylbenzene, Xylenes Total Petroleum Hydrocarbons (TPH)
OTHER	Water Level Stable isotopes of water (Oxygen, Hydrogen, Carbon) Phosphorus

25. Removal of debris. All excess debris shall be removed during construction activities. Site shall remain free of debris and excess materials at all times

during operations. Burning of debris and other materials is strictly prohibited at all times.

26. Removal of equipment. No permanent storage of equipment. When no longer used, equipment shall be removed within thirty days unless a Temporary Use Permit for said storage is obtained from the County.
27. Maintenance of machinery. Routine field maintenance of equipment involving hazardous materials within 300 feet of any water body is prohibited. All fueling shall occur over impervious material and shall not be done during storm events. Operator shall operate and maintain all equipment in accordance with manufacturer specifications. Regular maintenance checks are required for all equipment.
28. Burning. No open burning of trash, debris, or other flammable materials.
29. Chains. Traction chains shall be removed from heavy equipment on public streets.
30. Off-location flow lines and crude oil transfer lines
 - a. Off-location flow lines and crude oil transfer lines regulated by the COGCC shall be sited to avoid areas containing existing or proposed residential, commercial, and industrial buildings; places of public assembly; surface water bodies; and designated open space.
 - b. Without compromising pipeline integrity and safety, applicant shall share existing pipeline rights-of-way and consolidate new corridors for pipeline rights-of-way to minimize impact.
 - c. Setbacks from residential, commercial, or industrial buildings, places of public assembly, the high-water mark of any surface water body and sensitive environmental features will be determined on a case-by-case basis in consideration of the size and type of pipeline proposed and features of the proposed site.
 - d. Operator must conduct leak detection inspections or pressure testing in order to identify flowline leaks or integrity issues in accordance with COGCC Regulations.
 - e. Operator must make available to County upon request all records required to be kept by COGCC
 - f. Buried pipelines shall have a minimum of four feet cover.
31. Gathering Lines
 - a. Gathering lines shall be sited to avoid areas containing existing or proposed residential, commercial, and industrial buildings; places of public assembly; surface water bodies; and designated open space.
 - b. Without compromising pipeline integrity and safety, Operator shall share existing pipeline rights-of-way and consolidate new corridors for pipeline rights-of-way to minimize impact.
 - c. Setbacks from residential, commercial, or industrial buildings, places of public assembly, the high-water mark of any surface water body and sensitive environmental features will be determined on a case-

- by-case basis in consideration of the size and type of pipeline proposed and features of the proposed site.
- d. Operator must make available to County upon request all records submitted to the Pipeline and Hazardous Materials Safety Administration (PHMSA) or the Public Utilities Commission (PUC) including those related to inspections, pressure testing, pipeline accidents and other safety incidents.
32. Temporary surface water lines
- a. Operator shall use temporary surface water lines, unless infeasible.
 - b. Operator shall not use County drainage culverts or ditches for laying and operation of temporary water lines.
 - c. Operator may use County Road Right-of-Way, for the laying and operation of temporary water lines on the surface and in accordance with Adams County Standards and Regulations only after the approval of all applicable County permits,
 - d. Operator will bury temporary water lines at existing driveway and gravel road crossings, if available, with County approval.
33. Financial Assurance.
- a. Operators shall be required to maintain environmental liability insurance to cover gradual pollution events.
 - b. Operator shall be required to file and maintain financial assurance as determined on a site-specific basis prior to commencing operations, and thereafter during the active life of the facility, the operator shall post and maintain a performance bond or other approved financial instrument with Adams County. Should any corrective actions be required by the County in order to protect the health, safety, welfare, and the environment which result from failure of the operator to follow any regulations, standards, or conditions of approval, the performance bond shall be forfeited in an amount sufficient to defray the expense of said actions, including staff time expended by Adams County involved in such corrective actions.
34. Mapping Information. Operator shall agree to provide coordinates and/or exact location of well sites to the County's GIS Department within forty-eight (48) hours of final completion of a well site in a format acceptable to the County. Any subsequent changes to a well site location shall also be provided to the County within forty-eight (48) hours of such changes.

4-11-02-03-03-04

INSPECTION AND ENFORCEMENT

1. Inspection: In recognition of the potential impacts associated with oil and gas facilities, all wells and accessory equipment and structures may be examined by the inspectors of the County at reasonable times to determine compliance with applicable provisions of this chapter, the International Fire Code, the International Building Code, and all other applicable standards in these

Regulations. The County reserves the right in its discretion to make spot inspections or to inspect without notice in the event of an issue potentially involving an immediate risk to public health, safety, welfare, the environment, or wildlife, or damage to the property of another. For the purpose of implementing and enforcing the provisions of this chapter, the inspector and other authorized personnel have the right to enter upon private property. The County may use the information collected on the inspections to enforce the requirements of this chapter. The County may also report this information to appropriate state and federal officials, including but not limited to information regarding alleged violations of state and federal rules. Operator shall make available to County, upon request, all records required to be maintained by these regulations or to show compliance with these regulations, and the rules and regulations promulgated by the COGCC and the CDPHE, including permits, Air Pollutant Emission Notices (APENs) and other documents required to be maintained by the COGCC, CDPHE and these regulations. The County will charge a yearly inspection fee for all Oil and Gas Facilities in the County. Fees for Oil and Gas Facility inspections shall be assessed according to the County's adopted fee schedule.

2. State Notification of Violations: Adams County will cooperate fully with the State of Colorado by notifying the Oil and Gas Conservation Commission of any and all violations of the Colorado Laws and Regulations.
3. Delinquent Taxes: One condition of any oil and gas well building permit is that all taxes as provided by statute, shall be paid.
4. Penalties and Fines: The County has authority under C.R.S. § 29-20-104, as amended, to impose fines for leaks, spills, and emissions.¹ The following table summarizes the fine schedule for violations of these Development Standards and Regulations:

¹ Violations of Section 4-10-02-03-03-03(15) are capped at \$300/day per violation in accordance with the State Air Pollution Control Act, C.R.S. § 25-7-128.

		Rule Classification		
		Class 1: Paperwork other ministerial regulations, a violation of which presents no direct risk of harm to public health, safety, welfare, and the environment.	Class 2: Regulations related at least indirectly to promoting the public health, safety, welfare, and the environment and wildlife resources, a violation of which presents a possibility of distinct, identifiable actual or threatened adverse impacts to those interests	Class 3: Regulations directly related to protecting public health, safety, welfare, the environment, and wildlife resources, a violation of which presents a significant probability of actual or threatened adverse impacts to those interests.
Degree of threatened or actual impact to public health, safety, welfare, the environment, or wildlife	<u>Major:</u> Actual significant adverse impacts	\$5,000	\$10,000	\$15,000
	<u>Moderate:</u> Threat of significant adverse impacts, or moderate actual adverse impacts	\$1,500	\$5,000	\$10,000
	<u>Minor:</u> No actual adverse impact and little or no threat of adverse impacts	\$200	\$2,500	\$5,000

TABLE 4-11-B: Fine Structure

6. County Violations: In addition to the fines outlined above, the County has authority to cite violations under its control pursuant to Section 1-05-06 Criminal Remedies and Enforcement.
7. Legal Non-conforming: Adams County recognizes that there are oil and gas operations that were legally established prior to the effective date of these regulations that may or may not conform to these regulations. These operations may continue, provided the facility is not substantially modified.
8. Hearing, Enforcement and Appeal Procedures for Air Quality Violations
 - a. Hearings:
 - i. Operators of OGFs may request a hearing in front of the BOCC to contest any alleged violations of the provisions contained in the Air Quality section of these Development Standards and Regulations or to contest permitting decisions involving the provisions contained in the Air Quality section of these Development Standards and Regulations. The BOCC shall grant request for a hearing within 15 days of receipt of such request.

- ii. Hearing date will be set within 90 days
 - iii. Notice will be printed in a newspaper of general circulation in the area where the OGF is located.
 - iv. Director of Community and Economic Development shall appear as a party in all hearings adjudicating decisions of the Community and Economic Development Department.
 - v. The Director of Community and Economic Development shall have the same right to judicial review as other parties.
 - vi. All testimony shall be under oath or affirmation.
 - vii. A full and complete record of proceedings and testimony presented shall be taken and filed.
 - viii. Information related to secret processes or methods of manufacture or production must be kept confidential. The person seeking to keep information confidential has the burden of proof. Except as provided in the Clean Air Act, information claimed to be related to secret processes or methods of manufacture or production which is emissions data may not be withheld as confidential; except such information may be submitted under a claim of confidentiality and the County shall not disclose such information unless required under the Clean Air Act.
 - ix. Any person who is affected and not adequately represented shall have an opportunity to be a party upon prior application to and approval by the BOCC in its discretion; such party shall have the right to be heard and cross-examine witnesses.
 - x. BOCC shall make a decision within 30 days of completion of the hearing
 - xi. Burden of proof is on Director of Community and Economic Development with respect to any hearings involving alleged violations.
 - xii. Where the Operator requests a hearing before the BOCC on a Permit involving provisions contained in the Air Quality section of these Development Standards and Regulations, the permit applicant bears burden of proof with respect to justification therefor and information, data, and analysis supportive thereof or required with respect to the application
- b. **Judicial Review:**
 - i. Final orders or determinations of the Community and Economic Development Director or the BOCC are subject to judicial review
 - ii. Any party may move the court to remand the case to the Director of Community and Economic Development or the BOCC in the interests of justice for purpose of adducing additional evidence and findings; such party shall show reasonable grounds for failure to adduce such evidence previously.
 - iii. Any proceeding for judicial review shall be filed in the district court in which the OGF is located.
- c. **Injunctions:**

shall submit a signed waiver acknowledging the existence of the facility.

2. **Plugged and Abandoned, and Former Oil and Gas Production Sites:** This Section is enacted to protect and promote the health, safety, morals, convenience, order, prosperity, or general welfare of the present and future residents of the County. These regulations are based upon the land use authority of the County.
 - a. Prior to submittal of a final plat or site-specific development plan, each plugged and abandoned well shall be located and surveyed. The plugged and abandoned well shall be permanently marked by a brass plaque set in concrete similar to a permanent benchmark to monument its existence and location. Such plaque shall contain all information required on a dry hole marker by the Colorado Oil and Gas Conservation Commission and the County.
 - b. As a condition of review of any final plat or site-specific development plan which contains a plugged and abandoned well or former oil and gas production site or is within 200 feet of such well or site, the owner shall submit a location diagram of the location of the well.
 - c. On every final plat or site-specific development plan which contains a plugged and abandoned well, there shall be dedicated a well maintenance and workover setback depicted on the plat, the dimensions of which shall be not less than fifty feet in width and 100 feet in length. No structures shall be located within this setback. The plugged and abandoned well shall be located in the center of the setback. There shall be public access for ingress and egress to the setback of a width of not less than twenty feet.
 - d. Every final plat and site specific development plan which contains a plugged and abandoned well or a site specific development that includes a property that is less than 200 feet from a plugged and abandon well, shall include the following notation: "The owner shall disclose to prospective purchasers of lots within a radius of 200 feet of the plugged and abandoned well of (1) the location of the plugged and abandoned well, (2) the location of the maintenance and workover setback, and (3) the purpose for the well maintenance and workover setback."
 - e. As a condition of building permit review, no dwelling shall be constructed within fifty (50) feet of a plugged and abandoned well.
 - f. Prior to issuance of a grading permit within a development containing a known reserve pit site, the reserve pit site shall be tested for expansive soils. Reserve pits containing expansive soils in locations proposed for buildings shall be subject to the provisions of the International Building Code.

- g. No utility lines shall be installed within ten feet of any plugged and abandoned well.

4-11-02-03-03-06 COGCC AND COUNTY APPROVALS REQUIRED

Development of the OGF shall not commence unless and until applicant receives an approved OGF Permit, including any approved waiver(s), and receives all required approvals and permits from COGCC.

4-11-02-04 HEAVY INDUSTRY

4-11-02-04-01 GENERAL

1. *Outdoor Storage:* Materials may be stored outdoors, provided the storage area is consistent with the zone district allowances. All outdoor storage shall be screened in accordance with the Fencing, Walls, and Screening section (See Section 4-11-01-03) of these standards and regulations.
2. *Garbage Storage:* Garbage area screening shall consist of a six (6) foot high minimum screen fence made of wood or masonry material. Fencing materials should be cleaned and maintained must be clean and maintained at all times to present an orderly appearance. No garbage storage area shall be located within twenty (20) feet of a public sidewalk
3. *Smoke and Odor Control:* Smoke and odor shall be controlled by filter, scrubbers, fans, or other means.
4. *Hours of Operation:* The hours of operation shall be from 7:00 a.m. to 7:00 p.m. for this use category when within two-hundred feet of a residentially used dwelling.

4-11-02-04-02 AUCTION YARDS, WITH LIVESTOCK

1. *Minimum Parcel Area:* one (1) acre
2. *Location:* All auction yards shall be located at least fifty (50) feet away from any on-property residence, fifty (50) feet from any right-of-way and five hundred (500) feet from any off-property residence.
3. *Operation in Accordance with County Tax Regulations:* The yard shall operate in accordance with the County Sales and Tax Department Regulations.
4. *Animal Care:* All animals shall be cared for in a humane and sanitary manner as approved by the Colorado Department of Agriculture and the State Veterinarian's Office.
5. *Manure Handling:* Manure shall be handled and disposed of in a sanitary method, approved by Tri-County Health Department.

4-11-02-04-03

CHEMICAL, PETROLEUM AND EXPLOSIVE MANUFACTURING

1. *Minimum Parcel Area:* three (3) acres
2. *Fire District Review:* All plans shall be reviewed by the applicable fire district prior to approval in order to determine existing services provide adequate protection for citizens.
3. *Outdoor Activities Prohibited:* All equipment, materials and uses shall be performed or carried out entirely within an enclosed building.
4. *Security Fence and Fireproof Building:* The use shall be totally enclosed by a fireproof building.
5. *Prohibited Accessory Uses:* Service stations, dwellings, or research laboratories are not considered accessory uses involved in the manufacture and storage of chemicals, petroleum products, or explosives.

4-11-02-04-04

METAL INDUSTRIES, AUTOMOBILE MANUFACTURING

1. *Minimum Parcel Area:* three (3) acres
2. *Outdoor Activities Prohibited:* All equipment, materials and uses shall be performed or carried out entirely within an enclosed building.
3. *Security Fence:* The use shall be totally enclosed by a security fence or wall at least eight (8) feet high.

4-11-02-04-05

PAPER AND PULP AND SAWMILLS

1. *Minimum Parcel Area:* two (2) acres
2. *Outdoor Activities Prohibited:* All equipment, materials and uses shall be performed or carried out entirely within an enclosed building.

4-11-02-04-06

SALVAGE YARDS

1. *Screening:* The salvage operations and yards shall be enclosed by a screen fence at least eight (8) feet high, measured from the lowest point of grade. The fence shall be maintained in good condition. No stored materials shall be visible from ground level immediately outside the fence.
2. *Stored Materials:* The applicant shall demonstrate the stored materials will not pose a danger to surrounding properties or residents, due to noise, runoff, animal or insect populations or other factors.
3. *Additional Conditions:* The Director of Community and Economic Development may add additional conditions in order to protect the general welfare of citizens.

4-11-02-04-07

RECYCLING FACILITIES, INCLUDING SCRAP TIRE

1. *Fencing:* An eight (8) foot solid screen fence or security fence, with additional screening material, as approved by the Director of Community and Economic Development, shall enclose all outside storage.
2. *Traffic Control Plan:* Provisions of the traffic control plan shall be followed.
3. *Nuisance Control Plan:* Provisions of the nuisance control plan shall be followed.
4. *Appearance:* All sites shall maintain a clean, neat, and orderly appearance. Stockpiles of materials may only be placed as specified in the design and operation plan.
5. *Recordkeeping:* All operators shall maintain records showing amounts of stockpiled materials both processed and unprocessed that are consistent with the amounts allowed in the Permit. In addition, records containing customer lists and records showing amounts of recycled material shipped off site shall be maintained.
6. *Performance Bond:* Prior to commencing operations, and thereafter during the active life of the facility, and for one (1) year after closure, the operator shall post and maintain a performance bond or other approved financial instrument with Adams County. The amount of said bond shall be \$3.00 per tire including unprocessed and processed tire amounts allowed in the Permit for tire recycling facilities and the amount necessary to remove materials from recycling facilities for disposal at an appropriate disposal facility. The amount of the bond shall be calculated to include removal, tipping fees, and transportation costs. Should any corrective actions be required by the County in order to protect the health, safety, and general welfare which result from failure of the operator to follow any regulations, standards, or conditions of approval, the performance bond shall be forfeited in an amount sufficient to defray the expense of said actions, including staff time expended by Adams County involved in such corrective actions.
7. *Removal of Trash from Right-of-Way:* Operators shall remove trash, or other waste material, of the type, which is brought to the facility, along public rights-of-way within one-half (1/2) mile of the facility.

4-11-02-04-08

SOLID WASTE TRANSFER STATIONS

1. *Removal of Trash from Right-of-Way:* Operators shall remove trash, or other waste material, of the type, which is brought to the transfer station, along all public rights-of-way within one-half (1/2) mile of the facility.
2. *Performance Bond:* Prior to commencing operations, and thereafter during the active life of the facility, the operator shall post and maintain a performance bond or other approved financial instrument with Adams County. Said bond shall be sufficient to ensure compliance with operating

conditions of the Permit, the amount of which shall be established by the Board of County Commissioners. Should any corrective actions be required by the County in order to protect the health, safety, and general welfare which result from failure of the operator to follow any regulations, standards, or conditions of approval, the performance bond shall be forfeited in an amount sufficient to defray the expense of said actions, including staff time expended by Adams County involved in such corrective actions.

3. *Environmental Bond:* Prior to commencing operations, and thereafter during the active life of the facility, and for five (5) years after closure, the operator shall post a bond sufficient to ensure compliance with the closure plan, and to effect remedial measures if environmental damage is found to be taking place.
4. *Traffic Control Plan:* Provisions of the approved traffic control plan shall be followed.
5. *Fencing:* Eight (8) foot solid screen fencing or other screening material as approved by the Director of Community and Economic Development shall enclose all transfer stations.
6. *Appearance:* All sites shall maintain a clean, neat, and orderly appearance. Litter, dust, and odors may not leave the boundaries of the site.
7. *Vehicle Parking:* Transfer vehicles may not be parked on public streets.
8. *Vector Controls:* All sites shall maintain vector controls as prescribed by the approved plan.
9. *Storage of Solid Waste:* All solid wastes not transferred within 24 hours shall be stored in closed containers or in totally enclosed buildings. In no case may solid waste be stored longer than seven (7) days.
10. *CDPHE Regulations:* Colorado Department of Public Health and Environment Regulations 6CCR 1007-2, Section 7 are hereby incorporated in these Zoning Regulations.
11. *Non-Conforming Facilities:* All trash transfer stations in existence or approved through a public hearing process specifically to operate a trash transfer station, prior to the adoption of this amendment, are considered legally non-conforming. Existing trash transfer station owners and operators meeting said specification will not be required under these regulations to obtain a Conditional Use Permit to continue operations.

4-11-02-04-09

OUTDOOR STORAGE IN EXCESS OF 100% OF THE BUILDING AREA

1. All outdoor storage shall be screened in accordance with the fencing, walls, and screening section (see Section 4-09-01-03) of these standards and regulations.
2. All outdoor storage shall not exceed the height of the fence, unless specifically approved by the board of county commissioners as part of the conditional use permit.
3. All outdoor storage shall consist of non-hazardous materials as determined by the Colorado Department of Public Health and Environment.
- ~~4.~~ All outdoor storage shall be designed with adequate access areas and shall meet all requirements of the local fire district.
- 5.4. Outdoor storage in excess of 100% of the building area within the Industrial-2 and Industrial-3 zone districts shall meet the following:
 - a. Outdoor storage in excess of eighty percent (80%) of the entire lot or 10 acres shall require an approved conditional use permit.
 - b. Outdoor storage consisting of less than eighty percent (80%) of the entire lot or 10 acres shall be considered a use-by-right in the I-2 and I-3 zone district and shall meet the above criteria.

4-11-02-05 LIGHT INDUSTRY

4-11-02-05-01

GENERAL

1. *Outdoor Storage:* Materials may be stored outdoors, provided the storage area is consistent with the zone district allowances. All outdoor storage shall be screened in accordance with the Fencing, Walls, and Screening section (See Section 4-11-01-03) of these standards and regulations.
2. *Garbage Storage:* Any garbage storage area shall be enclosed by a sight-obscuring fence made of wood or masonry material. Garbage area screening shall consist of a six (6) foot high minimum screen fence made of wood or masonry material. Fencing materials should be cleaned and maintained must be clean and maintained at all times to present an orderly appearance. No garbage storage area shall be located within twenty (20) feet of a public sidewalk.
3. *Smoke and Odor Control:* Smoke and odor shall be controlled by filter, scrubbers, fans, or other means.

4-11-02-05-02

AUCTION HOUSES, WITHOUT LIVESTOCK

1. *Minimum Parcel Area:* one (1) acre
2. *Setback from Residential Properties:* All auction houses shall be located at least fifty (50) feet away from any on-property residence, fifty (50) feet

from any right-of-way and two hundred (200) feet from any off-property residence.

4-11-02-05-03

DRY CLEANING PLANTS

1. *Minimum Parcel Area:* one (1) acre
2. *Fire District Review:* All plans shall be reviewed by the applicable fire district prior to approval in order to determine the existing services provide adequate protection for citizens.
3. *Outdoor Activities Prohibited:* All equipment, materials and uses shall be performed or carried out entirely within an enclosed building.

4-11-02-05-04

ELECTRONIC, FABRIC, FURNITURE, AND MEDICAL SUPPLY PRODUCTION

1. *Minimum Parcel Area:* one (1) acre
2. *Outdoor Activities Prohibited:* All equipment, materials and uses shall be performed or carried out entirely within an enclosed building.
3. *Smoke and Odor Control:* Smoke and odor shall be controlled by filter, scrubbers, fans, or other means.

4-11-02-05-05

FOOD PRODUCT PROCESSING AND MANUFACTURING

1. *Minimum Parcel Area:* one (1) acre
2. *Fire District Review:* All plans shall be reviewed by the applicable fire district prior to approval in order to determine the existing services provide adequate protection for citizens.
3. *Outdoor Activities Prohibited:* All equipment, materials and uses shall be performed or carried out entirely within an enclosed building.

4-11-02-05-06

RECREATIONAL VEHICLE AND BOAT STORAGE FACILITY

1. *Minimum Lot Size:* two (2) acres
2. *Fencing:* All storage of vehicles and boats shall be within the enclosed structure or within a compound yard enclosed by an eight (8) foot high solid fence or wall, except for driveway openings. Fencing shall be made of wood or masonry materials. No fencing shall be allowed within a required landscape bufferyard.
3. *Surface material:* All vehicles shall be stored on a hard-surfaced material.
4. *Emergency Access:* Vehicles shall be arranged in a neat and orderly manner so that emergency vehicles, such as fire trucks and ambulances, may be able to access within one hundred (100) feet of any portion of the property. In addition to this requirement, all operations shall comply to the requirements of the local fire district.
5. *Wastewater Dumping Station:* All facilities designated for recreational vehicle storage shall be required to include a wastewater dumping station. These facilities are required to be permitted by the Tri-County

Health Department. Wastewater Dumping Station shall be located a minimum of one hundred (100) feet from any property line.

4-11-02-05-07

LANDSCAPE STORAGE YARD

1. *Outdoor Storage:* Outdoor storage of rock, soil, mulch, and other non-living landscaping materials, and equipment, is permitted. Equipment and material storage areas must be screened from view from adjacent parcels and road right-of-way by an eight-foot-high minimum screen fence. Only products, materials, and equipment owned and operated by the landscape business may be stored on the site.
2. Any nursery which contains ten (10) percent or more of the approved living nursery area for hardscape materials shall be classified as a Landscape Storage Yard. Hardscape includes but is not limited to the storage of rock, soil, mulch, and other non-living landscape materials and equipment.
3. All commercial vehicles and/or equipment in excess of seven thousand (7,000) pounds gross vehicle weight and/or hardscape used for the landscape storage yard business shall be screened from any adjoining residentially zoned or used property with an eight (8) foot solid screen fence in accordance with the approved landscape plan.
4. In all Agricultural Zone Districts, no more than two (2) commercial vehicles and/or equipment in excess of seven thousand (7,000) pounds gross vehicle weight used for the landscape storage yard business shall be allowed per acre with a maximum of five (5) unless otherwise permitted through a Conditional Use Permit.

4-11-02-05-08

ACCESSORY OUTDOOR STORAGE (NOT TO EXCEED 100% OF THE BUILDING AREA)

1. All outdoor storage shall be screened in accordance with the Fencing, Walls, and Screening section (See Section 4-10-01-03) of these standards and regulations.
2. All outdoor storage shall not exceed the height of the fence, unless specifically approved by the Board of County Commissioners as part of the Conditional Use Permit.
3. All outdoor storage shall consist of non-hazardous materials as determined by the Colorado Department of Public Health and Environment.
4. All outdoor storage shall be designed with adequate access areas and shall meet all requirements of the local fire district.

4-11-02-06 ENERGY FACILITIES

4-10-02-06-01

SOLAR ENERGY SYSTEM, PRINCIPAL

1. *Site Plan:* A site plan review is required for large-scale solar energy systems prior to building permit approval. Site Plan documents shall include:
 - a. Property lines and physical features, including roads, for the project site;
 - b. Proposed changes to the landscape of the site, grading, vegetation clearing and planting, exterior lighting, screening vegetation or structures;
 - c. Blueprints or drawings of the solar energy system showing the proposed layout of the system, the distance between the proposed solar collector and all property lines, and the tallest finished height of the solar collector;
 - d. Name, address, and contact information for proposed system installer; and
 - e. Name, address, phone number and signature of the project proponent, as well as all co-proponents or property owners, if any; Lot Coverage: The area covered by ground-mounted solar energy systems, where the ground beneath is permeable or pervious, shall not be included in calculations for lot coverage for purposes of zoning.
2. *Location:* All solar panels and equipment (excluding fencing, poles, buried cables, and wires necessary to connect to facilities of the electric utility) shall meet the minimum setbacks for the applicable zone district. Additional setbacks may be required to mitigate noise and visual impacts, or to provide for designated road or utility corridors, as identified through the review process.
3. *Maximum Height:* The height shall be measured from the highest grade below each solar panel. Ground-mounted solar energy systems shall not exceed twenty (20) feet in height.
4. *Signage:* Clearly visible warning signs shall be placed on the fence, barrier, or facility perimeter to inform individuals of potential voltage hazards.
5. *Security:* All solar panels and equipment (excluding poles and wires necessary to connect to facilities of the electric utility) shall be enclosed by a fence at least six (6) feet high. Wildlife-friendly fence options are encouraged.
6. *Landscape Requirements:* Ground-mounted solar energy systems shall be evaluated on a site-specific basis and landscaping may be required. Native grasses and wildflower mixes are encouraged.

7. *Fire Code:* The solar energy system shall conform to all requirements of the currently adopted fire code. Landscape requirements per this section are in addition to any fire break requirements of the adopted fire code.
 - a. *Vegetation Management Plan:* A site-specific plan will be provided by the operator that outlines how vegetation will be kept to minimum levels on the perimeter of the facility. This may include treatment, mowing, and/or other methods of fuel-reduction.
8. *Lighting:* If lighting is provided at the site, lighting shall be shielded and downcast such that the light does not spill onto the adjacent parcel. Motion sensor control is preferred.
9. *Stormwater/Erosion Mitigation Plans:* For ground mounted systems, regardless of size, applicant must provide plan(s) showing what measures or best management practices will be used to prevent and/or contain erosion under the drip line of the solar panels.
10. *Wildlife Corridors:* For Medium and Large Energy Systems, wildlife corridors shall be maintained within natural drainages by leaving those areas open and free of obstruction.
11. *Decommissioning:* Any solar energy system which is no longer producing energy or has been abandoned shall be removed, not including a temporary cease in production for maintenance or force majeure. The owner or operator shall physically remove the installation within 150 days after the date of discontinued operations. The owner or operator shall notify the Adams County Community & Economic Development Department by certified mail within 30 calendar days of the proposed date of discontinued operations and plans for removal. Decommissioning shall consist of:
 - a. Physical removal of all solar energy systems, structures, and equipment from the site.
 - b. Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations.
 - c. For ground-mounted solar energy systems, stabilization, or re-vegetation of the site as necessary to minimize erosion. Adams County may allow the owner or operator to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation.

4-11-02-07 MODERATE MANUFACTURING AND PROCESSING

4-11-02-07-01 CEMENT, CINDER BLOCK, CONCRETE, LIME OR PLASTER MANUFACTURING

1. *Outdoor Activities:* Manufacturing shall be performed or carried out entirely within an enclosed building. If an accessory outdoor storage

permit is obtained, no more than ten percent (10%) of that area may be used for assembly of products. Any outdoor assembly area must be screened in accordance with the Fencing, Walls, and Screening section (See Section 4-10-01-03) of these standards and regulations. When this use is located in an Industrial-2 or Industrial-3 zone district, the manufacturing does not need to be performed or carried out entirely within an enclosed building.

2. *Outdoor Storage:* Materials may be stored outdoors, provided the storage area is consistent with the zone district allowances. All outdoor storage shall be screened in accordance with the Fencing, Walls, and Screening section (See Section 4-11-01-03) of these standards and regulations. Separate permits are required for accessory outdoor storage.
3. *Garbage Storage:* Any garbage storage area shall be enclosed by a sight-obscuring fence made of wood or masonry material. Garbage area screening shall consist of a six (6) foot high minimum screen fence made of wood or masonry material. Fencing materials should be cleaned and maintained must be clean and maintained at all times to present an orderly appearance. No garbage storage area shall be located within twenty (20) feet of a public sidewalk.
4. *Dust and other off-site impacts:* Dust, noise and other off-site impacts must be appropriately mitigated to reduce the effects on adjacent parcels.
5. *Lighting:* Lighting shall be shielded and downcast such that the light does not spill onto adjacent parcel(s) or rights-of-way.
6. *Hours of operation:* When abutting residentially zoned or used property, hours of operation shall be restricted to 7:00 a.m. to 7:00 p.m.
7. *Conditional use permit required in the I-1 zone district:* When cement, cinder block, concrete, lime, or plaster manufacturing cannot meet any of the items 1-5 above in the I-1 zone district, then a conditional use permit shall be required. If items 1-5 above can be met in the I-1 zone district, then the use shall be a permitted use.

4-12 RECREATIONAL USES PERFORMANCE STANDARDS

4-12-01 GENERAL PERFORMANCE STANDARDS

4-12-01-01 PURPOSE

The purpose of the following general performance standards is to address elements of planning, design, operation and maintenance to be applied to all recreational development in Adams County. Any use specific performance standards contained in these standards and regulations shall also be applied. Where a use specific performance standard conflicts with a general performance standard, the use specific standard shall apply.

4-12-01-02 SUBSECTIONS

The following general performance standards are included in this section:

1. Project Compatibility
2. Fencing and Walls
3. Lighting

The following general performance standards are located in other sections of these standards and regulations:

1. Parking (See Section 4-13)
2. Signage (See Section 4-01)
3. Landscaping (See Section 4-16)
4. Weeds and Offending Vegetation (See Section 4-18)
5. Site Design Considerations (See Section 4-21)
6. Operational Standards (See Section 4-14)
7. Off-Road Utility, Dumpster, Recycling, and Trash Handling Facilities (See Section 4-22)
8. Off-Premise Signs (See Section 4-16)

4-12-01-02-01 PROJECT COMPATIBILITY

4-12-01-02-01-01 Purpose

The purpose of this section is to ensure the physical and operational characteristics of proposed structures and uses are compatible when considered within the context of the surrounding area. While it is important that structures are compatible with other development in the area, it is most important that development support the parks and open space goals of the zone district in which the use is located. For this reason, there are no specific architectural standards that are required for recreational uses.

4-12-01-02-01-02 **Architectural Character**

The character of structures dedicated to recreational uses should be compatible with the general character of the area, to the extent practicable. Compatibility can be achieved through techniques such as the use of similar proportions in structure mass and outdoor spaces, similar relationships to the road, similar window and door patterns, and/or the use of building materials with color shades and textures similar to those existing in the immediate area of the proposed development. Brick and stone masonry are considered compatible with wood framing and other materials.

4-12-01-02-01-03 **Structure Size, Height, Bulk, Mass, Scale**

New structures shall either be similar in size and height, or if larger, be articulated and subdivided into massing proportional to the mass and scale of other structures in the immediate vicinity.

4-12-01-02-01-04 **Structure Orientation**

Placement of structures shall be based on operational needs for the spaces, as well as natural features that should be highlighted or retained. To the maximum extent feasible, primary facades and entries shall face the adjacent road. Main entrances shall face a connecting walkway with a direct pedestrian connection to the road without requiring pedestrians to walk through parking lots or cross driveways. Any restroom facilities should be screened, to the extent practicable, from surrounding properties. Entrances to restroom facilities should be fully visible from public areas on the property.

4-12-01-02-01-05 **Building Materials**

1. *General:* Building materials shall either be similar to the materials already being used in the immediate area or, if dissimilar materials are being proposed, other characteristics such as scale and proportions, form, architectural detailing, color and texture, shall be utilized to ensure enough similarity exists for the structure to be compatible, despite the differences in materials.
2. *Glare:* Building materials shall not create excessive glare. If highly reflective building materials are proposed, such as aluminum, unpainted metal or reflective glass, the potential for glare from such materials will be evaluated to determine whether or not the glare would create a significant adverse impact on the adjacent property owners, neighborhood or community in terms of vehicular safety, outdoor activities and enjoyment of views. If so, such materials shall not be permitted.
3. *Windows:* Mirror glass with a reflectivity or opacity of greater than sixty percent (60%) is prohibited. Clear glass shall be used for institutional front windows or doors. Windows shall be individually defined with detail

elements such as frames, sills, and lintels, and placed to visually establish and define the structure stories and establish human scale and proportion.

4-12-01-02-01-06 **Land Use Transition**

When land uses with significantly different visual character are proposed adjacent to each other and where gradual transitions are not possible or not in the best interest of the community, the proposed structure shall, to the maximum extent feasible, achieve compatibility through compliance with the standards set forth in this Section regarding scale, form, materials, and colors and adoption of operational standards including limits on hours of operation, lighting, placement of noise-generating activities and similar restrictions.

4-12-01-02-01-07 **Operational/Physical Compatibility Standards**

The following conditions may be imposed upon the approval of development applications to ensure new development will be compatible with existing neighborhoods and uses, including, but not limited to, restrictions on:

1. Hours of operations and deliveries
2. Location of activities generating potential adverse impacts on adjacent uses such as noise and glare
3. Placement of trash receptacles
4. Location and screening of loading and delivery zones
5. Light intensity and hours of full illumination
6. Placement and illumination of outdoor vending machines

4-12-01-02-02 **FENCING, WALLS AND SCREENING**

4-12-01-02-02-01 **Maximum Height**

In the Neighborhood Park (NP) Zone, fences shall be limited to no more than seventy two (72) inches; within the Regional Park (RP) and Natural Areas (NA) Zone Districts, fences shall be limited to ninety six (96) inches. All fences more than forty-two (42) inches in height require a building permit. Permitted exceptions to these maximum heights include:

1. When a recreational use is adjacent to existing or proposed arterial roads or state highway. Fences bordering such roads may be uniformly built higher with approval from the Director of Community and Economic Development.
2. Safety fences required for recreational uses, such as tennis courts, are permitted to be built higher with approval from the Director of Community and Economic Development.
3. Fences associated with public outdoor pools, as outlined in section 4-12-02-02-03.

4-12-01-02-02-02 **Fencing Material**

Fencing consisting of only barbed wire is prohibited unless in or immediately adjacent to Agricultural areas. Barbed wire fencing is allowed by right in the Natural Areas (NA) Zone District. Low and transparent fences are encouraged to provide open views for parks and open spaces and to support wildlife crossings.

4-12-01-02-02-03 **Retaining Wall**

Any retaining wall over four (4) feet in height shall require preparation by a professional engineer as a condition for a building permit, except where waived by the Director of Community and Economic Development. As determined by the Director of Community and Economic Development any retaining wall over thirty-six (36) inches in height may require a guard rail up to five (5) feet in height and placed at the top of grade.

4-12-01-02-02-04 **Traffic View Obstruction**

Traffic view obstruction, as outlined in these standards and regulations, is prohibited.

4-12-01-02-02-05 **Screen Fencing**

Screen fencing is required to conceal outside storage from all adjacent road right-of-way and lesser intensity uses. Screening is not required between storage yards provided neither yard is visible from an adjacent road right-of-way. This section does not affect required landscaping along street frontages or buffering requirements contained in these regulations. In all practicable cases, the screen fencing addressed below shall be behind the required landscaping. The Director of Community Development shall determine what form of screening is appropriate to accomplish visual buffering.

4-12-01-02-02-06 **Garbage Area Screening**

Garbage area screening shall consist of a six (6) foot high minimum screen fence.

4-12-01-02-02-07 **Outdoor Storage Screening**

Outdoor storage area screening shall consist of a six (6) foot high minimum screen fence. Outdoor storage shall not be allowed above the height of the fence.

4-12-01-02-02-08 **Masonry Wall**

All walls specified to be masonry fencing shall be constructed out of a brick or stone material which does not permit the contents within the fenced area to be seen from the outside.

4-12-01-02-02-09 **Noise Barrier Fencing**

Where existing and proposed arterial roads or state highways traverse or are adjacent to areas of proposed recreational development the Director of Community and Economic Development may require noise barrier fencing be installed. Such fencing shall meet the minimum standards of the Colorado Department of Transportation and these standards and regulations.

4-12-01-02-03 **LIGHTING**

4-12-01-02-03-01 **Operational Considerations**

Public and quasi-public recreational facilities such as baseball, softball, soccer, or football fields are exempt from lighting height restrictions and glare limitations onto adjacent properties provided the lights are only used while the field is in use. Reasonable Hours of Operation limitations may be placed on any recreational use by the Director of Community and Economic Development.

4-12-02 **PERFORMANCE STANDARDS BY USE CATEGORY**

The following specific performance standards are included in this section:

1. Indoor Public Uses
2. Outdoor Public Uses
3. Performance standards for residential uses, institutional uses, commercial uses and industrial uses permitted in a recreational zone district may be found in Sections 4-07, 4-08, 4-09, and 4-10.

4-12-02-01 **INDOOR PUBLIC USES**

4-12-02-01-01 **GENERAL**

1. Screened Parking: Off-road parking for the guests shall be screened with landscaping meeting the requirements of a Type C Bufferyard (See Section 4-16-06). Property owners who develop near existing parks shall maintain landscape character of the existing park use.
2. Outdoor Storage: Accessory outdoor storage is prohibited. All facilities for storage of supplies shall be located within a building.
3. Garbage Storage: Any garbage storage area located outside shall be screened from public view in accordance with Section 4-08-01-02-02-05 of these standards and regulations.

4-12-02-02 **OUTDOOR PUBLIC USES**

4-12-02-02-01 **GENERAL**

1. Screened Parking: Off-road parking for the guests shall be screened with landscaping meeting the requirements of a Type C Bufferyard (See Section

4-16-06). Property owners who develop near existing parks shall maintain landscape character of the existing park use.

2. *Outdoor Storage:* Accessory outdoor storage is prohibited. All facilities for storage of supplies shall be located within a building.
3. *Garbage Storage:* Any garbage storage area located outside shall be screened from public view in accordance with Section 4-08-01-02-02-05 of these standards and regulations.

4-12-02-02-02 PICNIC AREAS, PARKS, AND PLAYGROUNDS

1. *Setbacks:* Picnic areas, parks, and playgrounds shall be setback twenty (20) feet from all abutting residentially or commercially zoned properties unless designed as an accessory use to an adjacent use.
2. *Hours of Operation:* Outdoor activities shall not begin before 7:00 a.m. and shall conclude by 9:00 p.m. when abutting residentially zoned or used property. Special events, with a temporary use approval, may be approved for alternate hours.
3. *Lighting:* Lighting for all facilities shall be turned off by 9:15 p.m, or as otherwise approved through a temporary use review.
4. *Outdoor Storage:* Accessory outdoor storage is prohibited. All facilities for storage of supplies shall be located within a building or structure.
5. *Garbage Storage:* Any garbage storage area located outside shall be screened from public view in accordance with Section 4-08-01-02-02-05 of these standards and regulations.

4-12-02-02-03 SWIMMING POOLS, PUBLIC

1. *Setbacks:* Swimming pools shall be set back one fifty (50) feet from abutting residential and commercial zone districts and uses.
2. *Outdoor Storage:* Accessory outdoor storage is prohibited. All facilities for storage of supplies shall be located within a building.
3. *Garbage Storage:* Any garbage storage area located outside shall be screened from public view in accordance with Section 4-08-01-02-02-05 of these standards and regulations.
4. *Certified Lifeguard:* At least one (1) certified lifeguard shall be on duty during all hours of operation.
5. *Fencing:* Fencing height and location for public swimming pools shall be governed by requirements of the International Building Codes, as adopted by Adams County.

4-12-02-02-04 ANIMAL RELATED OUTDOOR, PUBLIC

1. *Screened Parking:* Off-road parking for the guests shall be screened with landscaping meeting the requirements of a Type C Bufferyard (See

- Section 4-16-06). Property owners who develop near existing parks shall maintain landscape character of the existing park use
2. *Setbacks:* Animal related shall be set back at least one-hundred (100) feet from abutting residential and commercial zone districts and uses.
 3. *Outdoor Storage:* Accessory outdoor storage is prohibited. All facilities for storage of supplies shall be located within a building.
 4. *Garbage Storage:* Any garbage storage area located outside shall be screened from public view in accordance with Section 4-08-01-02-02-05 of these standards and regulations.
 5. *Minimum lot area:* the following animal related outdoor uses require a minimum lot area for site function:
 - *Aquarium:* 10 acres
 - *Botanical:* 10 acres
 - *Wildlife Preserve:* 50 acres
 - *Zoo:* 20 acres
 6. *Fencing:* Fencing height and location for animal related outdoor public use shall be governed by requirements of the International Building Codes, as adopted by Adams County.
 7. *No offensive impacts:* There shall be no offensive noise, vibration, smoke, dust, odors, heat or glare noticeable at or beyond the property line.

4-124-13 OTHER DESIGN STANDARDS AND CONSIDERATIONS

4-12-014-13-01 OPEN SPACE RESIDENTIAL DEVELOPMENTS

4-12-01-014-13-01-01 DESIGN STANDARDS

In order to preserve open space, tree cover, scenic views and other natural features, the Board of County Commissioners may permit a property owner to increase the density of development of an area by as much as fifty percent (50%) and allow a reduction in the minimum size of lots by not more than fifty percent (50%) provided the development conforms to all applicable regulations for residential subdivisions and the following requirements. This reduction is implemented as part of a P.U.D.

4-12-01-024-13-01-02 OPEN SPACE/CONSERVATION AREA REQUIRED

The owner shall commit a minimum of thirty percent (30%) of the property to open space or conservation. No lot committed to open space/conservation shall be less than two (2) acres in area.

4-12-01-034-13-01-03 ACCEPTABLE OPEN SPACE/CONSERVATION AREA

No open area may be accepted as common open space or conservation area within an open space residential development unless it meets the following requirements:

1. The location, size, and character of the common open space/conservation area is suitable for the residential development or agricultural use;
2. The common open space/conservation area is for preservation of natural flora and fauna, amenity or recreational purposes, or agricultural use; and
3. The uses authorized within the open space/conservation area are appropriate to the scale and character of the development, considering its size, density, expected population, topography and the number and type of dwellings provided, or appropriate for agricultural use.

4-12-01-044-13-01-04 IMPROVEMENT OF OPEN SPACE

Common open space will be suitably improved for its intended use, except that common open space containing natural features worthy of preservation may be left unimproved. The buildings, structures, and improvements to be permitted in the common open space are those appropriate to the uses, which are authorized for the common open space.

4-12-01-054-13-01-05 USE OF OPEN SPACE/CONSERVATION AREAS

No more than twenty-five percent (25%) of the minimum required open space shall be designated for active recreation purposes in order to preserve a reasonable proportion of natural areas on the site. The purposes for which open space areas are proposed shall be documented.

Conservation areas zoned Conservation (CO) may be used based on the use restrictions in said zone district.

~~4-12-01-064-13-01-06~~ **CONCENTRATION OF OPEN SPACE/CONSERVATION AREAS**

Where practical, open space/conservation areas shall be concentrated in large usable areas.

~~4-12-01-074-13-01-07~~ **CONTIGUITY OF OPEN SPACE/CONSERVATION AREAS**

Where possible, open space/conservation areas shall connect to adjacent off-site open space areas and designated greenways. Where the intended use of the conservation area is agricultural, the conservation area shall be connected to adjacent off-site agricultural area.

~~4-12-01-084-13-01-08~~ **PRIORITIZATION OF OPEN SPACE TYPES**

The following list represents the relative desirability of different types of open space/conservation areas, and should be used as the basis for determining the optimum location for open space/conservation areas within a proposed Open Space Subdivision:

1. Critical areas including riparian areas and floodplain.
2. Pastures and farmland currently or traditionally used for agriculture.
3. Trails and greenways.
4. Significant stands of trees.
5. Mature vegetation on ridgelines.

~~4-12-01-094-13-01-09~~ **CALCULATION OF OPEN SPACE/CONSERVATION AREA**

The calculation of open space/conservation areas shall include all common public or privately held open space/conservation areas but shall exclude all right-of-way for public roads and the easement width for private roads, and storm water facilities. Individual private residential lot areas shall not be included in the open space/conservation area calculation.

~~4-12-01-104-13-01-10~~ **OWNERSHIP OF OPEN SPACE**

Land shown on the final plat as common open space, and landscaping and/or planting contained therein, shall be permanently maintained by, and conveyed to one of the following:

1. An association of owners shall be formed and continued for the purpose of maintaining the common open space. The association shall be created as an association of owners under the laws of the state and shall adopt and propose articles of incorporation or association and bylaws and adopt and improve a declaration of covenants and restrictions on the common open space acceptable to the County in providing for the continuing care of the space.

2. A public agency or district, which agrees to maintain the common open space and any buildings, structures or other improvements which have been placed on it.

~~4-12-01-114-13-01-11~~ **OWNERSHIP AND ZONING OF CONSERVATION AREAS**

Land shown in the final plat as a conservation area shall be rezoned Conservation (CO) and shall be maintained by and conveyed to one of the following:

1. An association of owners shall be formed and continued for the purpose of maintaining the conservation area. The association shall be created as an association of owners under the laws of the state and shall adopt and propose articles of incorporation or association and bylaws and adopt and improve a declaration of covenants and restrictions on the conservation area acceptable to the County in providing for the continuing care of the space.
2. A public agency or district, which agrees to maintain the conservation area and any buildings, structures, or other improvements, which have been placed on it.

The conservation area may be held in private ownership where the intended purpose of the conservation area is agricultural use. The maintenance of the conservation area in private ownership shall be approved by the Board of County Commissioners based on the appropriateness of the land's continued agricultural use and the adequacy of the proposed maintenance plan.

~~4-12-01-124-13-01-12~~ **MAINTENANCE OF OPEN SPACE/CONSERVATION AREAS**

A maintenance plan shall be submitted and approved as part of the Open Space Subdivision process. The maintenance plan shall meet the landscape and open space/conservation maintenance requirements contained in Section 4-24. Where the Conservation Area is intended to be used for agriculture, the maintenance plan shall be approved by the Conservation District and shall meet the requirements of Section 4-24.

~~4-12-01-134-13-01-13~~ **RELATIONSHIP TO PARKS AND OPEN SPACE REQUIREMENTS**

All Open Space Subdivisions shall also meet the parkland dedication requirements of the Adams County Subdivision Regulations. Open space/conservation areas established for the purpose of meeting the requirements of this Section shall not be counted toward the parkland dedication requirements contained in the Adams County Subdivision Regulations.

~~4-12-024-13-02~~ **NATURAL, AGRICULTURAL, AND CULTURAL RESOURCES PROTECTION**

~~4-12-02-014-13-02-01~~ **PURPOSE**

The purpose of the Natural, Agricultural, and Cultural Resources Protection standards is to: (1) provide for the protection of natural, wildlife, agricultural, and cultural resources, which are an essential component of the community's economic base and establish the

character of the community; and (2) preserve and enhance the quality-of-life County residents enjoy.

~~4-12-02-024-13-02-02~~ OVERVIEW

There are four (4) subsections to accomplish the purpose of this Section.

1. Resources Review
 - a. *Purpose:* The purpose of this subsection is to coordinate the application of all resource protection standards, the standards of the Natural Resources Conservation Overlay (NRCO), and agricultural and cultural resources preservation objectives.
 - b. *Methodology:* This subsection specifies the types of projects for which a Resources Review must be performed, the content of the Resources Review, and the procedure by which projects requiring a Resources Review are processed.
2. Natural Resources Protection and Natural Resources Conservation Overlay (NRCO)
 - a. Individual Protected Resources
 - (1) *Purpose:* The purpose of this subsection is to protect the following individual natural resources:
 - (a) Waterbodies
 - (b) One Hundred (100) Year Floodplains
 - (c) Wetlands
 - (2) *Methodology:* The above listed resources and their subcategories are specifically defined by these standards and regulations. The subsection specifies the mechanisms used to protect the identified resources.
 - b. Natural Resources Conservation Overlay (NRCO) District
 - (1) *Purpose:* The purpose of the Natural Resources Conservation Overlay District (NRCO) is to protect areas of identified exceptional environmental value, such as wildlife habitat areas, or areas hazardous for development, such as floodplains. The overlay zone district is established as a means of assuring these lands are treated in a particularly sensitive manner to protect the associated natural resources.
 - (2) *Methodology:* The NRCO District specifies the mechanisms used to protect the identified resources. Specifically, the standards are established to help assure natural resources are identified and adequate mitigation is implemented in association with development to assure the long-term protection of important habitat for wildlife as a cohesive and functional system throughout the County. Development is to be designed to protect the areas wildlife needs to survive; therefore, development is to be kept outside of the NRCO, as much as possible.
 - (3) *Mapping:* The areas within the NRCO District are shown on the Adams County Zoning Map, which has been adopted as part of these standards

and regulations. These boundaries are approximate due both to the scale of the map and the difficulty in identifying vegetation and other land characteristics for a large area.

3. Cultural Resources Preservation
 - a. *Purpose:* The purpose of this subsection is to identify and protect important cultural resources in association with proposed development.
 - b. *Methodology:* This subsection describes what cultural resources are significant and a series of mechanisms and their objective of cultural resources protection.
4. Agricultural Preservation:
 - a. *Purpose:* The purpose of this subsection is to identify the mechanisms in these standards and regulations and otherwise utilized by Adams County for the purpose of promoting agricultural preservation.
 - b. *Methodology:* This subsection describes the following mechanisms and their objective of agricultural preservation. These mechanisms include agricultural district zoning, conservation district zoning, land uses permitted in agricultural zone districts, exemptions for regulations for agricultural uses, and open space subdivision standards.

~~4-12-02-03-014-13-02-03~~ RESOURCES REVIEW

~~4-12-02-03-014-13-02-03-01~~ **PURPOSE**

This subsection establishes a Resources Review to coordinate the application of all resource protection standards, the standards of the Natural Resources Conservation Overlay District (NRCO), and agricultural and cultural resource preservation objectives. This subsection further defines the methodology and standards for conducting the Resources Review. The review shall identify the natural, scenic, cultural, and agricultural resources defined in these standards and regulations, and describe how the proposed development will be designed in order to preserve these resources and to meet the standards of this subsection.

~~4-12-02-03-024-13-02-03-02~~ **APPLICABILITY**

All development proposals subject to the provisions of the NRCO District, and any activity, including subdivisions, which disturb an area of one (1) acre or more, shall comply with the provisions of this subsection unless specifically exempted below.

~~4-12-02-03-034-13-02-03-03~~ **EXEMPTIONS**

The following activities and development shall be exempt from this subsection.

1. *Agriculture:* Activities conducted for agricultural purposes.

2. *Development within an Approved Project:* All development pursuant to a project approval already received from Adams County.
3. *Single-Family Home:* Development of a single-family home provided:
 - a. The location proposed for the single-family home is not within the NRCO;
 - b. The single-family home is the only residence on the individual lot or parcel or the density on the site is less than or equal to one (1) dwelling unit per thirty-five (35) acres of base site area; and
 - c. The application for development demonstrates compliance with all setback/buffer standards specified in the Individual Protected Resources and NRCO District subsections of these standards and regulations.
4. *Expansion:* Expansion of an existing building or the addition of an accessory structure to a residential single-family dwelling.

~~4-12-02-03-044-13-02-03-04~~ **METHODOLOGY**

1. *General Content:* A Resources Review shall describe the existing conditions of the property, describe the development proposal and the rationale for the location of proposed open space, if applicable, and a description of how the proposal meets all the applicable standards and objectives of this Section and the Adams County Comprehensive Plan.
2. *Site Specific Content:* A Resources Review for all proposed developments not otherwise exempted, shall contain the following components, as applicable to the property proposed for development and the proposed project.
 - a. *Individual Protected Resources Component:* The Resources Review for property containing protected resources shall contain an individual protected resources component including maps and/or plans depicting the location of water bodies, one hundred (100) year floodplains, and wetlands. This component also shall describe the level to which all resources are either conserved or developed, depict the setbacks/buffers of all resources for which setbacks/buffers are required, and contain a mitigation plan, if applicable.
 - b. *NRCO Component:* A Resources Review shall contain a NRCO component including a site-specific review identifying the location of areas used by wildlife as habitat or migration routes and any area protected by the NRCO District, and plans identifying how the proposed development on the land complies with the standards of the NRCO District.
 - c. *Cultural Resources Component:* A Resources Review shall contain a cultural resources component including a written review of the proposed development, depicts the locations of all cultural resources and includes plans identifying how the proposed development on the land complies with the standards of the Cultural Resources subsection.

- d. *Agricultural Component*: A Resources Review shall contain an agricultural component identifying the location of agricultural land and describes related agricultural operations, such as irrigation practices, occurring on the land.
3. *Recommendations*: A Resources Review shall contain recommendations for mitigating any negative impacts of the proposed development on the natural, cultural and agricultural resources. The review also shall contain recommendations for resolving conflicting objectives when the Resources Review identifies areas where such conflicts exist.
4. *Priorities*: In reviewing and approving, approving with conditions, or denying an application containing lands regulated by more than one (1) resource category, the Standards for Development in the NRCO District shall be achieved to the maximum extent practical first. The requirements of the individual protected resources shall generally receive second priority but may receive first priority in instances where the individual protected resource would be greatly damaged by development and the damage can be avoided by a change in development design creating a minimal impact to the NRCO.
5. *Professional Consultant(s) Required*: The Resources Review shall be prepared by one (1) or more professionals who have been certified as "qualified" by the Community and Economic Development Department. Individuals may be certified to prepare one (1) or more components of a Resources Review depending upon their qualifications. Each professional shall be deemed qualified by the Department of Community and Economic Development based on education, professional certifications, experience in the field, and their understanding of these standards and regulations, and the Adams County Comprehensive Plan. The Department of Community and Economic Development may form a multi-departmental committee to assist in the certification of consultants.
6. *Selection of Consultant(s)*: The County shall maintain a list of qualified professional consultants. The developer of a project requiring a Resources Review shall select one (1) or more individuals from the list of certified consultants to prepare the review. The County also can select a consultant from the same list to review the work of the developer's consultant. In these instances, the County's consultant shall be paid by the County.

~~4-12-02-03-054-13-02-03-05~~ **PROCEDURE**

The Resources Review shall be consolidated and considered with the review necessary to obtain the first development permit for the proposed development for which the review is conducted.

~~4-12-02-044-13-02-04~~ **INDIVIDUAL PROTECTED RESOURCES AND NRCO DISTRICT**

~~4-12-02-04-014-13-02-04-01~~ **PURPOSE**

Waterbodies and wetlands provide critical functions in controlling flood waters, providing wildlife habitat, cleansing water resources, and contributing to the special scenic quality of Adams County. Reserving the one hundred-year (100) year floodplain protects against the loss of life and property during flood events. The purposes of this Section are to define critical resources, and establish protection standards for waterbodies, floodplains, and wetlands.

~~4-12-02-04-024-13-02-04-02~~ **INDIVIDUAL PROTECTED RESOURCES (WATERBODIES, ONE HUNDRED (100) YEAR FLOODPLAINS, AND WETLANDS)**

1. *Purpose:* This Section establishes the protection standards for waterbodies, floodplains, and wetlands, in order to protect the community as a whole from potential negative impacts caused by development which may affect these resources or their functions. This Section prohibits development on and within a certain distance of these resources.
2. Resource Definitions
 - a. *Waterbodies:* "Waterbodies" means natural features or manmade reservoirs (i.e., rivers, streams, lakes), which convey or contain surface water.
 - b. *River:* "River" means the South Platte River and Clear Creek.
 - c. *Stream:* "Stream" means a body of running water which is neither one of the identified rivers nor an irrigation ditch, and has one (1) or more of the following characteristics:
 - (1) Has an average annual flow of three (3) cfs or greater including return water from sub-irrigation practices.
 - (2) Provides a habitat area for one (1) or more species of fish or waterfowl.
 - d. *Natural Lake/Pond:* A "natural lake/pond" means a body of standing water, usually at least six (6) feet deep, which was created by natural processes.
 - e. *Riparian Plant Community:* Riparian plant communities associated with watercourses in Adams County shall be delineated using "Riparian Community Type Classification of Colorado", USDA Forest Service, 1990.
 - f. *Floodplains:* "Floodplains" means land adjacent to a watercourse which is subject to flooding as a result of the occurrence of the 100-year or one percent (1%) frequency flood of a watercourse. Flood or flooding means a general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters and/or the unusual and rapid accumulation or runoff of surface waters from any source.

- g. *Wetlands*: "Wetlands" means an area where water is at, near, or above the land surface long enough to support aquatic or hydrophytic vegetation and which has soils indicative of wet conditions. Delineation of wetlands in the County shall be according to the 1989 Army Corps of Engineers definition of jurisdictional wetlands. This definition excludes irrigation induced wetlands.
- 3. *No Development or Setbacks/Buffers Required*: Due to the risk of severe negative impacts on the community at large, if waterbodies, floodplains, and wetlands are wholly or partially developed, and the necessity to protect the natural functions of these resources, development of these resources is prohibited in most cases and a setback/buffer is required.
- 4. *Development Prohibited*: Development in waterbodies, the one hundred (100) year floodplain, wetlands, and significant wildlife habitat is prohibited except for essential facilities as specified below.
 - a. *Setback/Buffers Required*
 - (1) *Measurement*: Setbacks shall be measured from the mean high water or top of bank, whichever is farthest from the thread of the watercourse or the center of the waterbody.
 - b. *Setback/Buffer Definitions*
 - (1) *Buffer*: The area protected by the setback is the "buffer" and shall remain free from development, parking, open storage of vehicles, refuse, or any other material. Terrain disturbance for bona fide agricultural purposes, flood protection, wildlife habitat enhancement, or pathways are permitted in the buffer upon receipt of applicable permits.
- 5. *Minimum Setback/Buffer Required*: All development is required to be setback from specified resources as follows:
 - a. *Rivers*: Minimum one-hundred-fifty (150) feet.
 - b. *Streams*: Along streams, development shall be located out of the riparian plant community, but in no case shall the required setback be less than fifty (50) feet nor more than one hundred-fifty (150) feet.
 - c. *Natural Lake/Pond*: Adjacent to natural lakes or ponds, development shall be located out of the riparian plant community, but in no case shall the required setback be less than fifty (50) feet nor more than one hundred-fifty (150) feet.
 - d. *Wetlands*: Minimum fifty (50) feet.

~~4-12-02-04-034-13-02-04-03~~ **DEVELOPMENT OF ESSENTIAL FACILITIES**

- 1. *Essential Facilities in or Adjacent to Waterbodies and Floodplains*: Certain water dependent uses must be located in or adjacent to waterbodies and/or in floodplains. These may be permitted provided all structures meet the following requirements:

- a. *Flood Control, Irrigation, or Essential Crossings:* Only structures, which are essential to flood control, irrigation or essential road or utility crossings, shall be permitted.
 - b. *Not for Human Habitation:* Structures in the floodplain shall not be intended or designed for human habitation.
 - c. *Elevation of Structures and Utilities:* Any generally horizontal element not part of the support structure shall be at least one (1) foot above the one hundred (100) year flood elevation. All service and utility connections, such as electrical and heating equipment, water, sewer, electric, or gas, shall be similarly located.
 - d. *Floodway:* Except for crossings for access, no structures shall intrude into the floodway.
 - e. *Minimum Obstruction of Flood Waters:* Structures constructed in the flood fringe shall not cause any rise more than one-half (1/2) foot in the 100-year water surface elevation and structures constructed in the floodway shall cause zero (0) feet of rise. Should a development cause more rise than allowed, a Conditional Letter of Map Revision (CLOMR) shall be submitted. Any increase in flood height shall be confined to the subject property and shall cause no increase in the flood height on adjacent properties.
 - f. *Compliance with Floodplain Overlay District:* All development within the floodplain shall comply with the Adams County Floodplain Overlay District standards. In the event of a discrepancy between the Floodplain Overlay District standards and these standards, the more stringent standard shall control.
 - g. *Minimize Negative Impacts on Wildlife:* All development shall be designed to minimize negative impacts on wildlife.
 - h. *Fill in Floodplains:* Fills or deposition of materials in floodplains may be allowed provided the following standards are met:
 - (1) Fill shall be allowed only for essential crossings, water dependent uses, or flood control.
 - (2) No fill shall be in the floodway or within twenty (20) feet of the floodway.
 - (3) Fill or other materials shall be protected against erosion by riprap, vegetative cover, sheet piling, or bulkhead sufficient to prevent erosion.
 - (4) Fill shall be clean and compacted to minimize erosion potential.
2. *Essential Facilities in or Adjacent to Wetlands:* Wetlands may be developed under the following circumstances. Notwithstanding, receipt of a local permit for developing wetlands does not absolve a developer from obtaining all other State or Federal permits necessary to develop wetlands.
 - a. *High-Intensity Use Degrades Wetland/Wetland Agriculture-Induced:* Where the intensity of adjoining uses causes the retained wetlands to

become degraded habitats and the wetland area is suitable for development due to planning, location, and other factors, or where the wetland is induced by agricultural irrigation, a wetland may be developed.

- b. *Necessary to Reshape Wetland to Provide Building Site:* Where, due to parcel shape and interaction with topography, it is necessary to reshape the wetland boundary to provide a building envelope, a wetland may be redeveloped. Filling up to five (5) percent of the wetland on the parcel, not to exceed one (1) acre, is permitted.
- c. *No Alternate Site:* Development shall be permitted only where it is demonstrated the proposed activity cannot be practically located at an alternative, non-wetland site.
- d. *Practical Measures to Reduce Impact:* It shall be demonstrated reasonable project modification measures have been taken to reduce wetland loss and degradation.
- e. *On-Site Mitigation Wherever Possible:* On-site mitigation shall be provided wherever possible. On-site mitigation shall be at a ratio of one and one-half (1.5) acres of new wetland for every one (1) acre of wetland filled. All off-site mitigation shall be at a ratio of two and one half (2.5) acres of new wetland for every one (1) acre filled. It shall also be demonstrated these new wetlands will restore lost wetland functions and values.
- f. *Wetland Replanting:* The new wetland area shall be planted with a hydric tolerant mix of seeds in suitable areas, wetland plants, and suitable seed bank soils. A wetlands biologist, or other professional with experience in wetland creation, shall certify the planting plan.
- g. *Persistence:* It shall be demonstrated the created or restored wetland will be at least as persistent as the impacted wetland system it replaces.
- h. *Buffers:* Buffers shall be provided around wetlands created pursuant to this subsection.

~~4-12-02-04-044-13-02-04-04~~ **NATURAL RESOURCES CONSERVATION OVERLAY (NRCO) DISTRICT**

See Chapter 3 for NRCO District standards and open space requirements.

~~4-12-02-054-13-02-05~~ **AGRICULTURAL RESOURCES PRESERVATION**

~~4-12-02-05-014-13-02-05-01~~ **PURPOSE**

Ranching and farming are agricultural uses, which formed the original basis for the communities in Adams County. In all areas of the County, the agricultural industry is threatened by residential development and urbanization. Paradoxically, much of the attraction for residents of Adams County is the open space created by agricultural operations, the very operations threatened by increasing urbanization. The purpose of this Section is to identify the

mechanisms in these standards and regulations, which have been adopted for the purpose of promoting agricultural preservation.

~~4-12-02-05-024-13-02-05-02~~ **SUMMARY OF MECHANISMS TO PROMOTE AGRICULTURAL PRESERVATION**

The following mechanisms are available through application of these standards and regulations as incentives for land in Adams County to be maintained in agricultural production.

1. *Agricultural Assessment*: By Colorado Statute, agricultural uses in Adams County do not pay property taxes on the market value of land upon which they are located. If they did, agriculture in Adams County would have disappeared long ago. Agricultural assessments are a conscious decision in order to retain agriculture for as long as possible.
2. *Open Space Subdivisions and P.U.D.s*: Developments in the Agricultural Districts are required to cluster homes and to provide either thirty percent (30%) or sixty percent (60%) open space. If the property proposed for development has an existing agricultural operation, or a landowner wishes to establish an agricultural operation on the portion of the property proposed as open space, agriculture is an accepted and encouraged use of the required open space.
3. *Agricultural Zoning Density*: Developments in the Agricultural Districts are kept at a low density. Residential development and agriculture are generally incompatible. The more the permitted form of development can either prevent or mitigate such conflicts, the more likely it is that agricultural operations can continue. Low development densities can help to mitigate some conflicts.
4. *Agricultural Land Uses*: Certain uses generally compatible with agricultural uses have been permitted in the Agricultural Districts in order to provide opportunities for agricultural families to diversify their income base yet retain their primary way of life--agriculture. The following uses have been permitted in the Agricultural Districts, in many cases, specifically to promote agriculture: Agricultural employee housing, mobile home, nurseries, bed and breakfasts, agricultural support and service uses, produce stands, campgrounds, outdoor recreational uses, home businesses, cottage industries including small food manufacturing operations, etc.

~~4-12-02-05-034-13-02-05-03~~ **STANDARDS**

Any conversion of agricultural land shall comply with the following standards.

1. *Site Evaluation*: Farm and ranch lands shall be assessed according to the USDA Agricultural Soil Capability Classifications. The site shall be

mapped and the soils with the lowest classifications shall be developed first.

2. *Agricultural Connectivity and Efficiency:* Agricultural lands or operations proposed for development shall be reviewed to determine what impacts the proposed development will have on the continued agricultural use of the undeveloped portions of the tract. Development shall be located so as to ensure the agricultural continuity is maintained and the remaining agricultural tracts are able to be used efficiently.

~~4-12-02-064-13-02-06~~ CULTURAL RESOURCES PRESERVATION

~~4-12-02-06-014-13-02-06-01~~ **PURPOSE**

The purpose of this subsection is to identify and protect important cultural resources in association with proposed development.

~~4-12-02-06-024-13-02-06-02~~ **METHODOLOGY**

A survey for important cultural and historic resources meeting the criteria of the Colorado State Historic Preservation Office (SHPO) shall be conducted in all cases where more than five (5) acres will be disturbed. The survey shall meet the requirements of the SHPO and be conducted by a professional approved to conduct historic and cultural resource surveys by the SHPO Office.

~~4-12-02-06-034-13-02-06-03~~ **STANDARDS**

1. *No Development or Setbacks/Buffers Required:* Due to the risk of severe negative impacts to cultural resources from development, and the necessity to protect these historic resources for future generations, development which would destroy the historic and cultural significance of these resources is prohibited in most cases and a setback/buffer is required.
2. *Development Prohibited:* Development of a site, which would result in the destruction of a cultural or historic resource, is prohibited except as specified below.
 - a. *Use Degrades Value:* Where the intensity of adjoining uses causes the retained resource to be placed at significant risk or to become degraded, the resource may be relocated or excavated pursuant to a plan approved by the SHPO.
 - b. *Necessary to Reshape the Land to Provide Building Site:* Where, due to parcel shape and interaction with topography, it is necessary to remove the resource in order to develop the remainder of the site, the resource may be relocated or excavated pursuant to a plan approved by the SHPO.

- c. *Practical Measures to Reduce Impact:* It shall be demonstrated all reasonable project modification measures have been taken to reduce the chance of loss and degradation.
- 3. *Setback/Buffers Required:* A setback from all identified resources shall be provided.
 - a. *Measurement:* Setbacks shall be measured from the boundaries of the resource identified.
 - b. *Setback/Buffer Definitions*
 - (1) *Buffer:* The area protected by the setback is the "buffer" and shall remain free from development, parking, open storage of vehicles, refuse, or any other material.
 - c. *Minimum Setback/Buffer Required:* All development is required to be setback from identified cultural resources by at least one hundred (100) feet unless an alternative setback is justified by the Resource Review Recommendations.
 - d. *Setback Standards from Section Lines and Section Line Roads:* Setbacks from Section Lines and Section Line Roads shall be one hundred (100) feet from the right-of-way centerline or the Section Line where a road right-of-way is not established. The Section Line and Section Line Road setback may be varied at the discretion of the Director of Community and Economic Development where the Director of Community and Economic Development determines:
 - (1) A new Section Line Road could not be reasonably aligned within one hundred (100) feet of the Section Line;
 - (2) The existing Section Line Road can be reasonably expanded within the existing right-of-way;
 - (3) The existing right-of-way is adequate for construction of a new Section Line Road; or
 - (4) Due to the prevailing development pattern, future road construction or expansion is generally precluded such that the setback would have limited or no effect on future road expansion or construction options.

In no case shall the Director of Community and Economic Development reduce the setback below the minimum right-of-way setback required within the applicable zone district.

4-134-14 PARKING, LOADING, AND CURB CUT REQUIREMENTS

4-13-014-14-01 APPLICABILITY

Off-road parking and loading requirements in all new developments shall comply with the general access, circulation, and parking standards set forth in this Section.

4-13-024-14-02 GENERAL STANDARDS

4-13-02-014-14-02-01 SAFETY BARRICADES

A curb, rail, fence, guard, or other continuous safety barricade of a height or design sufficient to retain vehicles within the parking area shall be provided except for single-family residences and duplexes.

4-13-02-024-14-02-02 COMMERCIAL AND INDUSTRIAL PARKING LOT SCREENING/FENCING REQUIRED

For each boundary line of a commercial or industrial parking area abutting directly on a residential lot a wall, fence, or screen planting of a year-round nature shall be installed at least forty-eight (48) inches high to serve as a barrier for passage of persons and waste material, to conceal glare from headlights, and to reduce noise, fumes, and pavement heat.

4-13-02-034-14-02-03 PLANTINGS PROTECTED

Wheel or bumper guards shall be located so no part of any vehicle extends beyond the boundary lines of the parking area or comes in contact with walls, fences, plantings, or any other structures.

4-13-02-044-14-02-04 PARKING AREA LANDSCAPING REQUIREMENTS

Parking areas are required to meet standards for landscaping within the parking area and around the perimeter of the parking area. Landscaping requirements are found in Section 4-17 of these standards and regulations.

4-13-02-054-14-02-05 SURFACE OF PARKING AREA

Except for agricultural areas, off-road parking areas shall be surfaced and maintained with a portland or asphalt concrete surface, or other suitable surface as determined by the Director of Community and Economic Development. Drainage shall be subject to the approval of the Director of Community and Economic Development.

The surface of the parking area shall be maintained with the following minimum requirements:

1. Potholes shall not exceed six (6) inches deep or six (6) inches wide.
2. Cracks shall not exceed three (3) inches in width.

3. The parking area shall be maintained in a weed free condition pursuant to Section 4-17.
4. All striping shall be evident at the property line.

~~4-13-02-064-14-02-06~~ DESIGN AND LAYOUT OF PARKING LOTS

Parking stall designs, driveways, and other details of a plan for parking shall be subject to the approval of the Director of Community and Economic Development.

~~4-13-02-074-14-02-07~~ LIGHTING

Any lighting used to illuminate required off-road parking areas shall be arranged in conformance with the following:

1. Lights shall be shielded so directly emitted light shall not shine directly onto surrounding properties;
2. Light shall be arranged so neither direct nor reflect light may create a traffic hazard and no color light(s) may be used in a manner which would be confused with traffic control devices;
3. No blinking, flashing, rotating or otherwise animated lights shall be permitted except temporary holiday lighting displays or safety devices required by federal, state, county, or local regulations;
4. The maximum lighting level shall not exceed one (1.0) foot-candle for parking areas and twenty (20.0) foot-candles in loading areas and unloading platforms; and
5. Light levels measured twenty (20) feet beyond the property line shall not exceed one-tenth (0.1) foot-candle as a direct result of on-site lighting.

~~4-13-02-084-14-02-08~~ SIGNS

Only signs indicating entrances and exits or designating conditions of use, direction, or identification shall be maintained within a parking area. Signs indicating entrances, exits, or conditions of use shall not exceed four (4) square feet in area, nor shall there be more than one (1) such sign for each entrance or exit.

~~4-13-02-094-14-02-09~~ ENTRANCES AND EXITS, CURB CUTS, CURB RETURNS:

All curb cuts are subject to approval of the Director of Community and Economic Development or the Colorado Department of Transportation for State Highways and are not a use by right. Their placement, size, use, signing, and construction shall conform (at the developer's expense) to the Director of Community and Economic Development written requirements. An Access Permit for all entrances, curb cuts, and curb returns shall be obtained from the Director of Community and Economic Development.

~~4-13-02-104-14-02-10~~ **EXPANSION OR ENLARGEMENT OF USE**

Whenever any building or use is enlarged in height or in ground coverage, off-road parking for said expansion or enlargement shall be in accordance with the requirements of these standards and regulations.

~~4-13-034-14-03~~ **SINGLE- AND TWO-FAMILY DWELLINGS**

~~4-13-03-014-14-03-01~~ **GENERAL**

Off-road parking for one- and two-family dwellings shall be designed to meet the following objectives:

1. Provide an adequate number of parking spaces for the use.
2. Minimize conflicts with traffic on adjacent roadways.

~~4-13-03-024-14-03-02~~ **AMOUNT OF PARKING REQUIRED**

One- and two-family dwellings shall provide a total of two (2) off-road parking spaces per dwelling unit.

~~4-13-03-034-14-03-03~~ **ACCESS TO PARKING**

Access to the off-road parking shall comply with the provision of these standards and regulations, including but not limited to, the following:

1. Obtaining an Access Permit.
2. Limiting the number and spacing of accesses based on the functional classification of the roadway.

~~4-13-03-044-14-03-04~~ **PAVED PARKING REQUIRED**

Whenever an access to off-road parking spaces is adjacent to a paved road, the access shall be paved with asphaltic concrete, concrete, or similar material from the edge of the roadway to the right-of-way line for the roadway.

~~4-13-03-054-14-03-05~~ **ADDITIONAL PARKING SPACES**

Any area used to park vehicles on a single-family or duplex lot, shall be clearly delineated, improved with concrete, asphalt, stone pavers, or minimum $\frac{3}{4}$ " rock (provided the installation is sufficient to support the vehicles), maintained free of weeds, and display no visible dirt surface. Parking vehicles or trailers behind the house or on any landscape is prohibited. At least 30% of the front and side yards must be covered in living material and may not be used for parking (4-16-09-01-02(3)). Access permits may be required if a new driveway from the right-of-way is created (8-01-10).

~~4-13-044-14-04~~ **MULTI-FAMILY RESIDENTIAL AND NON-RESIDENTIAL**

~~4-13-04-014-14-04-01~~ **GENERAL**

Off-road parking for multi-family and non-residential developments shall be designed to meet the following objectives:

1. Provide for the safe and convenient movement of vehicles, bicycles, and pedestrians to and from the site and through the site.
2. Efficiently provide an adequate number of parking spaces for the site.
3. Minimize the interference of drive-in facilities and loading zones with access and circulation within the site.

~~4-13-04-024-14-04-02~~ **ACCESS STANDARDS**

Parking areas shall be designed with clearly defined and unobstructed points of ingress and egress rather than continuous access from an adjacent roadway. No parking space or lot will be permitted which would require a vehicle to back into the roadway to exit the space or lot.

Entrances and exits to the parking lot shall be sited with the objectives of minimizing disruption to traffic flows on the access road. When a parking lot is adjacent to both an arterial road and a road of lower functional classification such as a collector, access shall be from the lower classification road to avoid interfering with the primary function of the arterial road, which is to move traffic rather than to provide access.

When entrances and exits must be located off of higher classification roads, they shall be sited so as to create the least interference with intersections and to preserve the traffic carrying capacity of the road. Speed change lanes or auxiliary lanes shall be provided if required by the Director of Public Works. Wherever possible, entrances and exits shall be separated from intersections per the criteria set forth in Chapter 8 of these regulations.

Entrances and exits to the parking lot should also be sited with the objective of minimizing conflicts within the parking lot and encouraging efficient circulation patterns. The property owner is responsible for all maintenance of the access to and from a public right-of-way.

In cases where there are adjacent and compatible land uses, parking areas shall be designed with circulation between the uses in mind, providing internal connections between the parking areas for the adjacent uses.

~~4-13-04-034-14-04-03~~ **SPACES REQUIRED**

In connection with every institutional, commercial, and industrial use, there shall be provided, at the time any building or structure is erected, enlarged, or increased in capacity, off-road parking spaces in accordance with the following requirements:

Use	Minimum Required Off-Road Parking Spaces
Art galleries	1 space for each 300 sq. ft. of gross floor area
Auto repair shops	2 spaces for each service bay
Banks and other financial institutions	1 space for each 200 sq. ft. of gross floor area used by general public and 1 space for each 600 sq. ft. not used by general public
Bed and breakfast inns	1 space per rental unit and 1 space per 4 employees
Boarding houses	1 space for each rental unit
Car wash, automatic or self-service	5 spaces per bay automatic and 2 for self-service
Churches	See "Places of worship"
Clubs and lodges	1 space for 200 sq. ft. of gross floor area used by the general public or membership and 1 space for every 600 sq. ft. not used by the general public or membership
Colleges and universities	as determined by Director of Community and Economic Development
Commercial dormitory	1 space for each rental unit
Contractor's offices	1 space for each 10,000 sq. ft. of gross floor area
Contractor's yards, building	1 space for each 10,000 sq. ft. of yard materials, storage
Convalescent centers	1 space per 4 beds plus 1 space for each 2 staff members
Correctional facilities	Sufficient spaces to supply 1 space for each employee per shift and 1 space for every 5 occupants. The requirement may be modified with the use permit.
Day care facility	1 space for each employee on a major shift, plus 2 drop off spaces for patrons
Dormitories, fraternity, and sorority houses	1 space for each 2 beds

Dwellings	
Single family	2 spaces for each dwelling unit
Two-family	2 spaces for each dwelling unit. The Planning Commission may require up to 1 space for every 2 units for visitor parking.
Multifamily	
Studio/ Efficiency	0.75 spaces per unit type
1 Bedroom	1.0 spaces per unit type
2 Bedroom	1.5 spaces per unit type
3+ Bedroom	2.0 spaces per unit type
Visitor	Minimum of 15% of the required parking shall be provided for visitors in addition to the minimum required off-road parking
Efficiency units	1 per unit
Retirement communities, elderly housing	1 space for every 2 multi-family units plus 1 space for each 4 staff members whose work is associated with the units or with the occupants of the units. 1 space for each single-family unit
Event Center	1 space for each 4 seats or 1 space for each 40 sq. ft. of gross floor area available for the accommodation of movable seats in the event center, whichever is greater.
Fairgrounds	1 space for each 600 sq. ft. of gross floor area
Funeral homes	1 space for each 4 seats in chapel

Golf courses	Based on review by the Director of Community and Economic Development considering site size, topography and supporting facilities
Government buildings	Based on review by the Director of Community and Economic Development considering site size, topography and supporting facilities
Hospitals	1 space for every 2 beds; 1 space for each doctor and nurse; and 1 space for every 4 additional employees
Hotels	1 space per rental unit
Junk yards	1 space plus 1 space for each 10,000 sq. ft. of yard
Laboratories, research	1 space per 1,000 sq. ft. of floor and area facilities
Manufacturing, processing, assembly, distribution, bottling works, machine shop, metal, woodworking, plumbing, electrical, printing shop, roofing shop	1 space for each 1,000 sq. ft. of floor area
Medical, dental, and similar offices	4 spaces for each doctor or nurse and 1 space for each employee
Meeting rooms, exhibit halls	1 space for each 4 seats or 1 space for each 40 sq. ft. of floor area available for the accommodation of movable seats or exhibits
Mobile home park	2 spaces for each mobile home site
Motels	1 space per rental unit
Museums	1 space for each 300 sq. ft. of gross floor area
Night clubs	1 space for each 3 seats
Offices	1 space for each 300 sq. ft. of gross floor area
Nursing homes	See: "Convalescent center"
Offices	1 space for each 300 sq. ft. of gross floor area
<u>Parks, Open Spaces, and Trailheads</u>	<u>Based on review by the Director of Community and Economic Development considering site size, topography and supporting facilities</u>
Places of worship	1 space for every 5 seats
Radio, TV recording studio	1 space for each 300 sq ft of gross floor area
Recreation, indoor	Based on review by the Planning Commission considering site size, topography, and type of use
Recreation, outdoor	Based on review by the Planning Commission
Restaurants, cafeterias, dining rooms including drive-up windows	1 space for every 3 seats
Retail spaces or other unspecified	See: "Service establishments"
Schools	
Kindergarten, elementary	1 space for each classroom and 1 space per 300 sq. ft. of administrative office space
High school, college, vocational, business	6 spaces for each classroom and 1 space per 300 sq. ft. of administrative office space
Service establishments and retail	
Dealing infrequently with public such as furniture repair, secretarial services.	1 space for each 600 sq. ft. of gross floor area

Dealing frequently with public such as barber shops, beauty shops, laundromats, video stores, drug stores, groceries, etc.	1 space for each 200 sq. ft. of gross floor area
Transportation terminals	
Freight	1 space per 1,000 sq. ft. of gross floor space
Passenger	1 space per 200 sq. ft. of gross floor space
Veterinary establishments	4 spaces for each doctor and 1 for each employee
Warehouses	1 space for each 5,000 sq. ft. of gross floor area
Wholesale establishments	1 space for each 900 sq. ft. of gross floor area

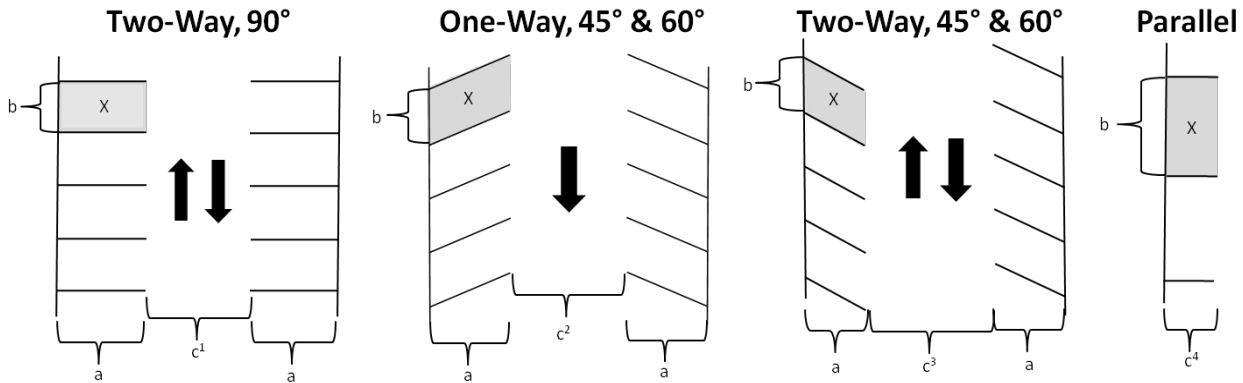
4-13-04-044-14-04-04 PARKING LOT LAYOUT

1. In general, surface parking lots shall be beside or behind the land use they serve. Circulation patterns around parking lots can be established using various stall types, angled parking, one or two-way drive aisles, signing, or pavement marking.
2. Parking Stall Options by Type. Required parking may choose the following mix of parking stall types and sizes:
 - a. Standard stalls: up to 100% of total required parking;
 - b. Compact stalls: up to 20% of total required parking;
 - c. Micro stalls: up to 5% of total required parking.
3. Fraction: If the calculation of the number of vehicular parking spaces in the Table 8.10-1 Table of Vehicular Parking Spaces contains a fraction, such number shall be rounded up or down to the next whole number:
 - a. Fractions less than one-half (.5) shall be rounded down to the whole number; and
 - b. Fractions which are one-half (.5) and greater shall be rounded up to the next higher whole number.
4. Motorcycle stalls: Automobile parking requirements may be reduced one (1) space for every four (4) motorcycle spaces, provided up to a maximum five (5) percent of the total required automobile spaces.
5. Tandem Stalls.
 - a. Tandem parking may be permitted for up to fifty percent (50%) of the total residential parking requirement of multifamily developments if all of the following criteria are met:
 - i. Each residential unit may have only one (1) tandem parking stall (equaling two (2) parking spaces) for each multifamily dwelling unit requiring two (2) parking spaces.
 - ii. Ingress and egress for the tandem parking stalls do not interfere with the safety of residents or adjacent property owners, and the functionality of adjacent parking.
 - b. For calculating the percentages of allowed parking stall options: Tandem parking is equivalent to two (2) standard parking spaces.

- c. Design Standards.
 - i. Tandem parking stalls are permitted when their size equals two (2) standard stall dimensions (9 feet by 37 feet), and when storage space is provided in the garage area for items which typically occupy garage space (e.g., bicycles, garbage cans and other gear).
 - ii. Parking spaces are assigned to each unit in the development.
 - iii. Adequate visitor parking is provided.
 - iv. Tandem parking shall not be used for the storage of boats, trailers, recreational vehicles, or materials.
- 6. Parking Stall Length in Surface Parking or Non-Parallel Parking. Parking stalls which have low landscape or additional hardscape (such as a raised walkway) at the head of the stall, may reduce the paved portion of the stall length by two (2) feet as long as the vehicle can hang into the landscape or hardscape by two (2) feet without reducing or impacting pedestrian walkway widths or the proposed landscape. Vehicle overhang must be indicated on all construction drawings using this technique.
- 7. Location Criteria.
 - a. Head-in Compact and Micro stalls may not be located on a fire lane unless their length is equivalent to a Standard stall;
 - b. Single loaded parking stall lengths and the fire lane widths are equal to at least thirty-seven (37) feet with two (2) lanes that are a minimum of nine (9) feet wide;
 - c. Double loaded parking stall lengths and fire lane widths are equal to at least fifty-six (56) feet with two (2) lanes that are a minimum of nine (9) feet wide; or, as otherwise approved by the Director.
 - d. Parking spaces which are closest to the building's entrances shall not be Compact spaces.
 - e. Motorcycle spaces shall be located according to the same criteria and standards that are applicable to Micro parking spaces.
 - f. Visitor parking shall be provided in a location that is convenient to visitors and shall be accessible at all times. Visitor parking shall not be located within a secured private or common parking garage that requires a key, handset, or other electrical or mechanical device to gain access to such spaces.

4-13-04-054-14-04-05 PARKING SPACE SIZE

Standard parking spaces shall conform to the dimensions shown on the following table:



Stall Type ¹	Angle	Stall Size (x)	Stall Length (a)	Stall Width (b)	Automobile Drive Aisle Width ^{2,3}			
					Two-Way, 90° (c ¹)	One-Way (c ²)	Two-Way, Angled (c ³)	Parallel (c ⁴)
Standard	90°	18.5' x 9'	18.5'	9'	24'	-	-	-
	60°	18.5' x 9'	20.5'	7'	-	18'	22'	-
	45°	18.5' x 9'	19.5'	6.5'	-	18'	20'	-
Compact	90°	16' x 8'	16'	8'	22'	-	-	-
	60°	16' x 8'	18'	7'	-	18'	20'	-
	45°	16' x 8'	17'	5.5'	-	18'	20'	-
Micro	90°	12' x 7'	12'	7'	18'	-	-	-
	60°	12' x 7'	14'	6'	-	16'	18'	-
	45°	12' x 7'	13.5'	5'	-	16'	18'	-
Parallel	-	20' x 7'	-	20'	-	-	-	7'
Motorcycle	-	8' x 4'	-	-	Shall meet Automobile Drive Aisle Width			

¹ When wheelstops are provided, they shall be positioned eighteen (18) inches into the parking stall. Wheelstops shall not be used in conjunction with curbs.

² The automobile drive aisle width is based on the largest stall type and its required drive aisle width when a mix of stall types is utilized along a drive aisle.

³ Drive aisle widths may be modified for emergency access as required by the adopted Fire Code.

4-13-04-064-14-04-06 PARKING FLEXIBILITY OPTIONS AND ADJUSTMENTS

The intent of providing flexible standards and adjustments to parking requirements in order to provide methods, incentives and techniques that will enable development to decrease the reliance on the automobile, diminish the percentage of land dedicated to parking and reduce the amount of parking needed to support the development while

providing adequate parking for its uses and users in order to minimize spillover into adjacent neighborhoods.

~~4-13-04-06-014-14-04-06-01~~ **PARKING FLEXIBILITY**

The total or a portion of the required off-road parking spaces may be provided through alternative measures including:

1. **Off-Site Parking.** Required parking may be provided by off-street parking within six hundred (600) feet of the development for which the parking is required. Off-site parking may be shared between multiple uses if those uses meet the parking requirements associated with each use and the Shared Parking requirements in this Section.
2. **Shared Parking.** Required parking may be shared between uses if all of the following requirements are met:
 - a. **Shared parking** will only be permitted if principal operating hours do not overlap, or if the overlap is less than one-half hour. Principal operating hours are defined as the time span during which a business or facility has its highest level of activity from employees, clients, customers and/or other users.
 - b. **Spaces Required.** If the businesses have non-overlapping principal operating hours, the property owner(s) may utilize shared parking spaces to achieve the required number of parking spaces for the use.t.
 - c. **Location.** The location of the parking facilities must be:
 - i. Within a reasonable walking or sight distance or otherwise associated with the uses involved in the shared parking contract. The location may not be more than six hundred (600) feet from the property line of the business it is serving; and
 - ii. The parking facilities are a permitted use in the applicable zoning district.
 - d. **Pedestrian Connection.** A convenient pedestrian connection shall be provided between the shared uses and the parking facilities. This pedestrian connection shall be designed as barrier free and built with appropriate lighting and safety considerations.
 - e. **Shared Parking Contract.** A contract is enacted, signed by all the owners/operators of the shared uses and the County, which provides for County enforcement. The shared parking contract shall:
 - i. Provide that the land comprising the required shared parking facilities shall not be encroached upon, used, sold, leased, or conveyed for any purpose except in conjunction with the building or use which the required parking serves, so long as the shared parking facilities are needed. The contract terms shall be for as long as any of the shared uses continues in existence;

- ii. Indicate prime hours of operation for shared uses;
 - iii. Assign maintenance provisions for the parking facilities and landscaping;
 - iv. The parking contract approved by the Director shall be filed with the deed of the parcels involved, so that the agreement is binding upon successors; and
 - v. Changes to the contract, redrafting of the original enacted contract or termination of the contract shall be reviewed and approved by the Director.
3. Electric Vehicle Charging Parking. For every electric vehicle charging station provided, the required number of parking spaces may be reduced by an equivalent number, provided the total reduction does not exceed five percent (5%) of the total required parking spaces.
4. Other Parking Measures. The Director may consider and approve other parking measures that fulfill the intent and purpose of the parking code such as Vertical Stacking Spaces and Family Friendly parking (priority parking after ADA parking, for pregnancy, young children, etc.)

~~4-13-04-06-024-14-04-06-02~~ **PARKING ADJUSTMENTS**

1. Transportation Demand Management Study. The Development may receive additional reductions in required parking by providing a Transportation Demand Management Study (Study) that reviews multiple comparable projects in the region. The Study must be prepared by a traffic or parking professional. Additional parking reductions up to 25% of the total required off-road parking as recommended by the Study may be approved by the Director, based on the following criteria:
 - a. Demonstrable pedestrian, bicycle, or mass transit facilities, including train stations and Park & Ride facilities, or services provided to encourage and promote use by employees, residents or customers which replaces single occupant automobile use, including:
 - i. On-site Car and Bike Sharing
 - ii. Van Pool service
 - iii. Shuttle service
 - iv. Transit passes
 - v. Transit-supportive site design, including the provision of one of the following to improve transit access:
 - (a) Bus stops adjacent to the development;
 - (b) Loading space on-site for transit;
 - (c) Transit information centers;
 - (d) Enhanced pedestrian routes within one-half (1/2) mile of a Park & Ride or Rail Station, where all of the following requirements shall apply:

- (1) Generally continuous weather protection (50% of property frontage not including crossings of vehicular routes);
 - (2) Continuous, direct sidewalks or walks to/from the Park & Ride or Rail Station;
 - (3) Generally continuous street lighting; and, minimized and/or enhanced pedestrian crossings of vehicular routes.
- b. Density of more than 14 dwelling units per acre;
 - c. Presence or provision of basic daily uses within 1,300 feet (i.e., ¼ mile) such as grocery/corner store, drug store, and childcare; and/or weekly uses such as bank, convenience store, restaurant, or theater;
 - d. Other criteria accepted by the Director as supported by the Study and the intent of this Section.

4-13-04-074-14-04-07 HANDICAP PARKING SPACES

Each parking lot shall contain at the least, the minimum number of handicap spaces shown in the following table:

Total Parking Spaces in Lot	Minimum Number of Accessible Spaces Required
Less than 25	1
26-50	2
51-75	3
76-100	4
101-450	5
151-200	6
201-300	7
301-400	8
401-500	9
501-1000	2 percent of total spaces
Greater than 1000	20 spaces plus 1 space for every 100 spaces or fraction thereof over 1000

Parking spaces for the physically handicapped shall have a stall width of thirteen (13) feet unless the space is parallel to a pedestrian walkway. All other dimensions for the space shall be the same as those for standard parking spaces.

Handicap parking spaces shall be located as close as possible to the nearest accessible building entrance using the shortest accessible route of travel. Whenever possible, the accessible route should not cross lanes for vehicular travel.

Each handicap space shall be clearly designated as being reserved for the use of the physically handicapped with the appropriate signing and/or pavement marking.

~~4-13-04-084-14-04-08~~ **SETBACKS**

Parking lots shall be setback from road rights-of-way and from side and rear lot lines in accordance with the approved landscaping plan. ***Adopted by the BoCC on December 13, 2010**

~~4-13-04-094-14-04-09~~ **PEDESTRIAN FACILITIES**

Parking lots shall be designed to minimize conflicts between vehicles or bicycles and pedestrians. Pedestrian routes, which provide direct and convenient access through the site, should be identified, and incorporated into the layout of the parking lot. To the extent practical, pedestrian improvements shall be provided within the parking lot, which collect and channel pedestrians safely through the lot, minimizing the need to use driving aisles for walkways.

Pedestrian routes shall be highly visible, incorporating design elements such as grade separation, special paving, pavement marking, or other means to clearly delineate the routes for both pedestrians and vehicles. Where pedestrian routes cross driving aisles, consideration should be given to providing pedestrian refuge areas.

Pedestrian drop-off areas shall be provided where needed, particularly for land uses serving children and the elderly. Pedestrian drop-off areas shall not be sited in any rights-of-way for public roads.

~~4-13-04-104-14-04-10~~ **BICYCLE FACILITIES**

A minimum number of bicycle parking spaces shall be provided, equal in number to five percent (5%) of the total number of automobile parking spaces provided, but not less than one (1) space. However, this requirement for bicycle parking spaces may be reduced by the Director of Community and Economic Development for sites which are unlikely to be accessed by bicycles.

Bicycle parking spaces shall be located near building entrances, but not so close as to interfere with pedestrian or automobile traffic near the entrances.

Bicycle parking facilities shall be designed to allow the bicycle frame and both wheels to be securely locked to the parking structure, which shall be of permanent construction materials such as heavy gauge tubular steel permanently attached to the pavement.

~~4-13-04-114-14-04-11~~ **DRIVE-IN FACILITIES**

Drive-in facilities shall be designed to minimize interference with access and circulation on public roadways and within the parking lot. In order to accomplish this, drive-in facilities shall be located on separate routes off of the primary circulation routes for vehicles, bicycles and pedestrians, such as the sides or rear of the parking lot. Drive-in facilities shall be clearly signed and marked to provide efficient flow through the facility.

Drive-in facilities shall provide adequate stacking spaces for automobiles entering and exiting the facility.

~~4-13-04-124-14-04-12~~ **LOADING ZONES**

Loading zones and service areas shall be designed to minimize interference with access and circulation on public roadways and within the parking lot. When possible, loading zones and service areas shall be located on separate routes off of the primary circulation routes for vehicles, bicycles and pedestrians, such as at the sides or rear of the building. Accesses to parking lots, which will also be used by delivery and service vehicles, shall be designed to minimize conflicts with the movements of other vehicles, bicycles, and pedestrians. Loading zones shall meet the following requirements:

1. *Location:* No loading spaces shall be located within thirty (30) feet of road intersections nor in any required yard space.
2. *Surfacing:* All open off-road loading areas shall be surfaced with an all-weather material such as concrete or asphalt designed to carry the heaviest vehicle loads commonly expected. Consideration should be given to the weight of fire and sanitation equipment as well as delivery vehicles.
3. *Repair and Service:* No motor vehicle repair work or service of any kind shall be permitted in conjunction with loading facilities provided in any zone district.
4. *Utilization:* Space allocated to any off-road loading space, accessory drives, or aisles, shall not be used to satisfy the space requirements for any off-road parking or trash handling facilities.
5. *Ingress and Egress:* Each required off-road loading space shall be provided with a means of unobstructed ingress and egress to an alley or onto a public road wide enough to accommodate expected vehicles. Where such ingress and egress is made into a public road, it shall be through driveways or openings, which meet required standards. Permanent wheel stops or curbing shall be provided to prevent any vehicle using the loading area from encroachment either on the required front yards, side yards, or adjacent property.
6. *Off-Road Loading Requirements:* Loading spaces shall be required for uses which normally handle large quantities of goods, including but not limited to, industrial plants, wholesale establishments, warehouses, freight terminals, hospitals, and retail establishments. Off-road loading spaces may be either inside or outside the building and on the same or adjoining premises. The loading spaces shall be of sufficient size and number to allow normal loading and unloading operations appropriate to the property to be served. In no case shall the loading space hinder the movement of traffic or pedestrians. The loading spaces shall be indicated on site plans submitted for approval. The Director of Community and Economic Development may require one (1) or more additional loading areas if the magnitude of the use would anticipate the need for more loading or standing space. Loading berths shall be ten (10) feet by twenty-five (25) feet with fourteen (14) feet of vertical clearance. The size may be modified by the Director

of Community and Economic Development where site or use conditions warrant changes to this standard. Generally, one (1) loading space shall be provided for every twenty-five thousand (25,000) square feet of gross floor area.

7. *Landscaping Requirements:* Loading areas shall be screened from public roads and adjacent residential property in accordance with the screening requirements of Section 4-16-10.
8. *Vehicle stacking requirements:* Vehicle stacking is the minimum required length of an on-site drive aisle necessary to allow for the movement of vehicles within a parking lot to a drive-up window service or other drive-through services without impeding the flow of traffic on-site and off-site. Stacking distance shall be measured from the point of service within a designated drive aisle. The required stacking distance may be distributed between accesses serving the site, provided a minimum stacking distance of twenty (20) feet is provided at each access point. The minimum required stacking distances shall be as follows:

Type of Facility	Stacking Distance
Drive-up bank	120 feet per window
Drive-up restaurant	200 feet per window
Drive-up liquor store	60 feet per window
Drive-up cleaners	60 feet per window
Automatic car wash	200 feet per wash line
Self-service car wash	60 feet per wash line
Service station	50 feet per service position

4-144-15 OPERATIONAL STANDARDS

These operational standards are designed to limit or eliminate conditions, which may negatively impact the environment and use of surrounding properties. These standards shall apply in all zone districts and to all uses of lands in Adams County.

4-14-014-15-01 LIGHTING

1. *Position of Lighting Facility:* Lighting facilities shall be arranged and positioned so no direct light or reflection creates a nuisance or hazard on any adjacent property or right-of-way. Exterior lighting shall be compatible with that of adjacent properties.
2. *Consideration of Pilots:* No lighting facility shall make it difficult for pilots to distinguish airport lights from others, result in glare in the eyes of the pilots using an aviation facility, impair visibility in the vicinity of an aviation facility or, in any way create a hazard or endanger the landing, take-off, or maneuvering of aircrafts intending to use an aviation facility.
3. *Lighting Fixtures:* All lighting fixtures shall be located so as to shield direct rays from adjoining properties. Luminaries shall be of a low level, indirect, diffused type and shall not exceed a height of greater than twenty (20) feet above finished grade.
4. *Upward Lighting:* Upward lighting for architectural, landscape or decorative purposes, shall have at least ninety percent (90%) of the total distribution pattern within the profile of the illuminated structure. Light fixtures used to illuminate flags, statues, or any other object mounted on a pole, pedestal, or platform, shall use a narrow cone beam of light not to extend beyond the illuminated object.

4-14-024-15-02 VIBRATION

Every use shall be so operated so the ground vibration inherently and recurrently generated is not perceptible, without instruments, at any point on any boundary line of the property on which the use is located except those activities typically performed as part of an agricultural operation in an Agricultural Zone District, which shall be exempt.

4-14-034-15-03 NOISE

1. The maximum permissible sound pressure levels of any continuous source of sound are established for a time period within each zone district listed. Sound pressure levels shall be measured at the property line or boundary of a public right-of-way, at a height of at least four (4) feet above the immediate surrounding surface, on a sound level meter of standard design and operated on the “A” weighting network.

<i>Zone Districts</i>	<i>Day 7:00 a.m. – 10:00 p.m.</i>	<i>Night 10:00 p.m. – 7:00 a.m.</i>
Residential Estate (RE); Residential-1-A (R-1-A); Residential-1-C (R-1-C); Residential Two-Family (R-2); Residential Moderate Density (R-3); Residential High Density (R-4); Mobile Home Dwelling (MH); Commercial-0 (C-0); Neighborhood Park (NP) ; Natural Areas (NA) ; Conservation (CO); Public Lands, Parks, Open Space, and Facilities (PL)	55	50
Commercial-1 (C-1); Commercial-2 (C-2); Commercial-3 (C-3); Commercial-4 (C-4); Commercial-5 (C-5); Industrial-1 (I-1)	60	55
Agricultural-3 (A-3); Agricultural-2 (A-2); Agricultural-1 (A-1); Industrial-2 (I-2); Industrial-3 (I-3); Regional Park (RP)	80	75
Other Overlay Zones	Same as Underlying Zone District	Same as Underlying Zone District
Aviation (AV); Denver International Airport (DIA)	None	None

2. *Limits of Construction Activities:* No person shall engage in outdoor construction activities in any zone district between the hours of 10:00 p.m. and 6:00 a.m. Construction projects shall be limited to a maximum permissible noise level of 80 dBA in all zone districts. Construction activities directly connected with abatement of an emergency are excluded from this time restriction. Any construction activity which will be performed outdoors between the hours of 10:00 p.m. and 7:00 a.m. shall be required to obtain a special use permit.

4-14-044-15-04 DUST AND DEBRIS CONTROL

1. *Prohibition of Blowing Dust and Debris:* The blowing of dirt, sand, or debris from one property to an adjacent, or surrounding property, or right-of-way is not permitted. Agricultural operations in Agricultural Zone Districts are exempt from this prohibition.
2. *Prevention of Blowing Dust and Debris:* The prevention of blowing of dirt, sand, or debris may be accomplished by oiling, placement of base course, asphaltting, application of calcium chloride, watering and wetting down the area, installation of a snow fence or barrier, chiseling the ground, and/or other effective means. Agricultural operations in Agricultural Zone Districts while exempt from this requirement generally may be required to take actions where blowing dust is determined by the Tri-County Health Department or the Director of Public Works which constitutes a hazard to motorists or the public health.

4-14-054-15-05 ELECTROMAGNETIC AND ELECTRICAL INTERFERENCE

No equipment shall be operated in such a manner as to adversely affect the operation of any off-premises electrical, radio or television equipment. No use may be made of land or water within the County, which will create electrical interference with navigational signals for radio communications between an aviation facility and aircraft.

4-14-064-15-06 HUMIDITY, HEAT, GLARE, SMOKE, OR RADIATION

Every use shall be operated so it does not emit any offensive, harmful, hazardous, or annoying amount of heat, glare, humidity, smoke, or radiation at any point on any boundary line of the lot on which the use is located.

4-14-074-15-07 ODOR

Every use shall be operated so it does not create a malodorous condition except those odors, which may typically be associated with an agricultural operation in an Agricultural Zone District.

4-14-084-15-08 MOVING BUILDINGS OR STRUCTURES

4-14-08-014-15-08-01 PERMIT REQUIRED

No building or structure shall be moved into, within, or set down in the unincorporated area of Adams County or transported upon any public right-of-way within said area until a moving permit and a building permit have been obtained.

4-14-08-024-15-08-02 INSPECTION AND CONFORMANCE REQUIRED

Buildings or structures proposed to be moved shall meet all the regulations of Adams County and shall be compatible in size, structure, age, value, and general architectural design to the neighborhood in which they are proposed to be moved. A building proposed to be moved, is required to be inspected prior to being moved.

4-14-094-15-09 MOVING AND CULVERT INSTALLATION PERMIT FOR OIL AND GAS WELLS

4-14-09-014-15-09-01 PERMIT REQUIRED

A Moving and Culvert Installation Permit must be obtained each time a County road is used for the transportation of a drilling rig. The names of both the Operator and Mover shall appear on the application for the permit. The Director of Public Works must be notified of the day and time of the move prior to commencing the move. The Oil and Gas Well Inspector may temporarily postpone moves due to inclement seasonal weather conditions where road or bridge damage might occur. If a move is temporarily

postponed due to inclement seasonal weather conditions, the life of the permit shall be extended for the number of days during which the move was temporarily postponed.

~~4-14-09-024-15-09-02~~ **PERMIT WITHHELD**

A Moving and Culvert Installation Permit shall be withheld unless a copy of the drilling permit issued by the State of Colorado Oil and Gas Conservation Commission and evidence of insurance is submitted by both the Operator and Mover meeting the following requirements and are submitted to the Director of Public Works:

1. A policy of liability insurance obtained by each of the parties named on the application wherein the County shall be named as an insured party. The endorsement of Adams County as an insured party shall be obtained by each applicant. The policy shall specify damage to County roads, bridges, and other property of the County is an insured item, with a minimum liability coverage of \$100,000 to guarantee payment for damage to any County roads, bridges, and/or property of Adams County during any moving operations and under all Moving and Culvert Installation Permits issued hereunder.
2. In lieu thereof, the applicant may request the County to substitute a letter of indemnity or self-insurability in place of a liability policy. If in the determination of the Board of County Commissioners, a letter of indemnity or self-insurability provides sufficient coverage for damages, which might occur, the substitution shall be allowed.
3. No policy or liability insurance shall be permitted to lapse, be canceled, or be withdrawn unless ten (10) days written notice from the insurance company is given to Adams County prior to any lapse, cancellation, or withdrawal. In the event of any such lapse, cancellation, or withdrawal, the Moving and Culvert Installation Permit shall be deemed canceled and no further moves shall be allowed until reinstatement of this policy of liability or letter of indemnity. The policy or letter of indemnity shall be kept valid and in force as long as the drilling rig remains in the County and until such rig leaves the County.

4-15-16 SIGNS AND OUTDOOR COMMERCIAL ADVERTISING DEVICES

4-15-014-16-01 PURPOSE

The purpose and intent of these sign standards are to provide each property owner an opportunity for effective identification while limiting the number and area of all signs permitted and maintaining the visual appearance of scenic corridors and all other areas of Adams County by avoiding clutter.

4-15-024-16-02 APPLICABILITY

These sign standards apply to all signs and attractive devices of whatever nature and wherever located, within the unincorporated portions of Adams County except off-premise signs which are regulated by Section 4-15 of these Development Standards and Regulations. All signs or attractive devices not specifically permitted or excepted by this Section are prohibited.

Provided any sign or attractive device complies with all standards in this Section and allows on-premise commercial messages, the sign or attractive device shall also be permitted to allow non-commercial messages to the same extent.

In conjunction with these Development Standards and Regulations, the Colorado Outdoor Advertising Act, C.R.S. 43-1-401 et. seq, and the Colorado Rules and Regulations promulgated there under by the Colorado Department of Transportation shall be adhered to. Nothing in these Standards and Regulations shall be construed to allow advertising devices which are prohibited, or otherwise non-conforming with the Colorado Outdoor Advertising Act.

4-15-034-16-03 EXEMPTED SIGNS

The provisions of this Section do not apply to the following, which are therefore excepted from obtaining a sign permit.

1. *Art*: Works of art not used in connection with a commercial promotion or as an advertising device.
2. *Merchandise*: Merchandise or models of products or services, which are incorporated as an integral part of an indoor window display. Merchandise includes photographic window displays of real estate available for sale, lease, or rental from a licensed real estate broker.
3. *Signs on Vehicles*: Signs displayed on motor vehicles or trailers which are being operated or stored in the normal course of business, such as signs indicating the name of the owner or business which are located on delivery trucks, trailers, and the like; provided, the primary purpose of such vehicles is not for the display of signs, and provided such vehicles are parked or stored in areas appropriate to their use as vehicles.

4. *Cornerstones*: Cornerstones, tablets, and the like which identify the name of the building or the date of erection, when carved into stone, concrete, bronze, or other permanent material and are made an integral part of a building or structure.
5. *Menu Display Boxes*: One (1) menu display box of up to two (2) square feet is allowed for each restaurant, bar, and lounge for the purpose of displaying menus. A permit shall be obtained for menu display boxes larger than two (2) square feet, and the exceeding two (2) square feet shall be counted against the total allowable sign area.
6. *Small Signs*: Signs not legible beyond the boundaries of the lot or parcel upon which they are located, or from any public right-of-way.
7. *Interior Signs*: Signs displayed within the interior of a building, which are not legible from the exterior of the building.
8. *Address Numbers*: Address numbers, provided they do not exceed five (5) square feet in area.
9. *Single-family and Two-Family Residential Signs*: Non-illuminated wall-mounted signs for single-family and two-family uses which do not exceed three (3) square feet in area and non-illuminated freestanding signs no more than five (5) feet in height and three (3) square feet in area.
10. *Pennants*: Strings of flags, pennants, and streamers shall be permitted and shall not require a sign permit for properties in the C-4 and C-5 Zone Districts which have frontage on a road in the state highway system, excluding the interstate system.
11. *Official Notices and Warning Signs*: Official notices erected by the government, public utility companies, or construction companies to warn of danger or hazardous conditions, including signs indicating the presence of underground cables, gas lines, or similar devices. These signs shall not be legible from the property line unless required to be larger by Federal, State, or local laws. This includes signs in the right-of-way which comply with the current Manual on Uniform Traffic Control Devices (MUTCD) published by the Federal Highway Administration to control traffic, identify roads, warn of danger, or are otherwise required by Federal, State, or local laws.
12. *Temporary Signs*: All temporary signs shall meet the following requirements:
 - a. Temporary Signs:
 - i. The maximum sign size shall be thirty-two (32) square feet.
 - ii. One (1) temporary sign may be displayed for a period not to exceed fourteen (14) consecutive days, a maximum of two times per calendar year for each lot or parcel. For properties with more than one unit or tenant, each unit or tenant may display one (1) temporary sign for a period not to exceed fourteen (14) consecutive days, a maximum of two times per calendar year. For properties with more than one unit or tenant, no more than five (5) temporary signs shall be displayed on a property at any given time.

- iii. Signs shall be placed on private property, outside any right-of-way or easement and shall be placed to avoid any sight obstruction for motorists, cyclists, and pedestrians.
 - iv. Banners, balloons and/or flags may be used for a period of time not to exceed fourteen (14) consecutive days in any calendar year to promote a special event.
 - v. Signs associated with an approved Temporary Use Permit shall be allowed for the duration of the permit. Signs associated with a Special Use Permit shall be considered permanent signs and are required to obtain a sign permit and a building permit.
 - vi. Shall not be illuminated.
13. Changing copy on the face of a sign, display encasement, marquee, or maintenance where no structural changes are made, or changing the interchangeable letters on signs designed for use of interchangeable letters does not require a sign permit.
14. Notices posted by governments for public hearings do not require a sign permit.

4-15-044-16-04 PROHIBITED SIGN TYPES

Any sign or attractive device not specifically authorized by this Section 4-15 is prohibited unless required by law. The following are examples of signs, conditions, and other attractive devices which are prohibited:

1. Any sign or attractive device located within, on, or projecting over a property line which borders a public or private road, highway, alley, lane, parkway, avenue, road, sidewalk, easement, or other right-of-way, except as provided in this Section 4-14.
2. Any sign which would create a sight obstruction for traffic or create a hazard for motorists, cyclists, or pedestrians.
3. Any sign or attractive device attached to any public utility pole or structure, road light, tree, fence, fire hydrant, bridge, curb, sidewalk, park bench, or other location on public property, except as provided herein.
4. Any sign or attractive device placed, which by reason of its location, will obstruct the view of any authorized traffic sign, signal, or other traffic control device or which by reason of shape, color, or position interferes with or could be confused with any authorized traffic signal or device.
5. Any sign or attractive device which is placed so as to prevent or inhibit free ingress to or egress from any door, window, or any exit way required by the building and fire codes as adopted by Adams County.
6. Any sign or attractive lighting device, whether on the exterior of the building, or on the inside of a window which is visible beyond the boundaries of the lot or parcel, or from any public right-of-way, with intermittent, flashing, rotating, scintillating, blinking, or strobe light illumination.

7. Any sign or attractive lighting device with exposed incandescent, metal halide, fluorescent light bulbs, or other exposed light source.
8. Any sign or attractive device which emits audible sound, odor, smoke, steam, laser or hologram lights, or other visible matter, including any sign which employs any stereopticon, or motion picture projection.
9. Any sign which includes animated images or graphics, scrolling messages, or video moving images similar to television images.
10. Any sign or attractive device animated by any means, including fixed aerial displays, balloons, pennants, including strings of flags, streamers or devices affected by the movement of the air, and inflatable signs or inflated devices, except as provided for in Sections 4-05 and 4-14-03 of these Development Standards and Regulations.
11. Any sign or attractive device with movement of the sign body such as rotating, moving up and down or any other type of action involving a change in position of the sign body or segment thereof, whether by mechanical or any other means.
12. Any banner, temporary, or portable sign or attractive device including, but not limited to: sandwich, A-frame, tire rim or hand-held sign, animated sign or costumed character, stuffed animal, vehicle used as a sign or sign structure, string of lights arranged in the shape of a product, an arrow, or any commercial message with the exception of holiday decorations except as provided for in this Section 4-14.
13. Any sign or attractive device mounted, attached, or painted on a trailer, boat, or motor vehicle when parked, stored, or displayed conspicuously on the public right-of-way or private premises in a manner intended to attract attention of the public for advertising purposes.
14. Any sign or attractive device painted, attached, or mounted on fuel tanks, outdoor storage containers and/or solid waste receptacles or their enclosures.
15. Any roof sign or roof mounted attractive device.
16. Any sign or attractive device which includes search lights or beacons.
17. Auditory commercial messages or music.
18. Any sign or attractive device unlawfully erected or maintained.
19. Any sign considered graffiti pursuant to the definition in Chapter 11.

~~4-15-054-16-05~~ **GENERAL SIGN REQUIREMENTS**

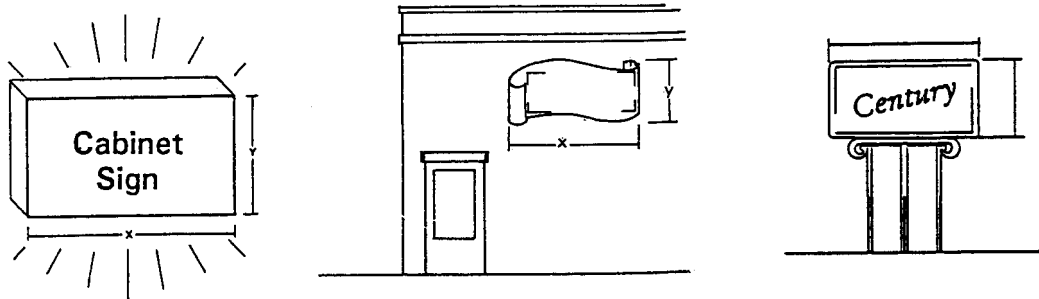
~~4-15-05-014-16-05-01~~ **SIGN AREA MEASUREMENT**

The area of a sign face (which is also the sign area of a wall sign or other sign with only one face) shall be computed by means of the smallest square, circle, rectangle, triangle, or combination thereof which will encompass the extreme limits of the writing, representation, emblem, or other display, together with any

material or color forming an integral part of the background of the display or used to differentiate the sign from the back drop or structure against which it is placed, but not including any supporting framework, bracing, or other decorative fence or wall when such fence or wall otherwise conforms to these regulations and is clearly incidental to the display itself. For canopy signs, if the canopy is backlit, the entire canopy area shall be used to determine sign area.

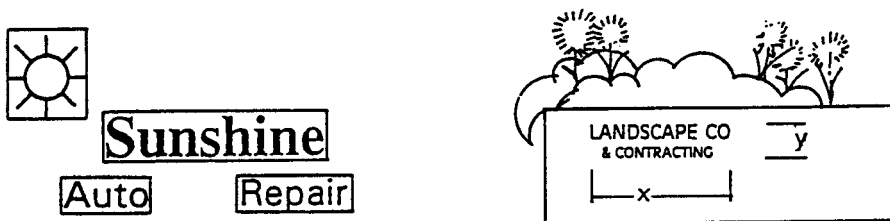
4-15-05-01-014-16-05-01-01 SIGN COPY WITH BACKGROUND

Sign copy mounted, affixed, or painted on a background panel or area distinctively painted, textured, or constructed as a background for the sign copy, is measured by the area contained within the sum of the smallest rectangle(s) which will enclose both the sign copy and the background.



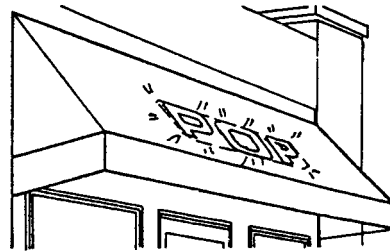
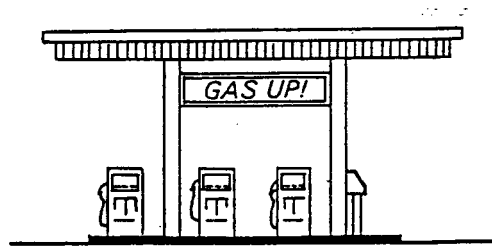
4-15-05-01-024-16-05-01-02 INDIVIDUAL LETTERS

Sign copy mounted as individual letters or graphics against a wall, fascia, mansard, or parapet of a building or surface of another structure, that has not been painted, textured, or otherwise altered to provide a distinctive background for a sign copy, is measured as a sum of the smallest rectangle(s) which will enclose each word and each graphic in the total sign.



~~4-15-05-01-034-16-05-01-03~~ **ILLUMINATED SIGNS**

Sign copy mounted, affixed, or painted on an illuminated surface or illuminated element of a building or structure, is measured as the entire illuminated surface, or illuminated element, which contains sign copy. Such elements may include, but are not limited to lit canopy fascia signs, spanner board signs, and/or interior lit awnings.

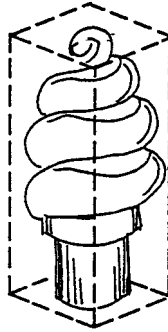


~~4-15-05-01-044-16-05-01-04~~ **MULTI-FACED SIGNS**

Multi-faced signs are measured as a total of all sign faces. However, when two (2) sign faces are placed back-to-back so that both faces cannot be viewed from any one (1) point at the same time, and when such sign faces are part of the same sign structure and are not more than twenty-four (24) inches apart, the sign area shall be computed by the measurement of one (1) of the faces. If the sign area of the faces is not equal, computation will be based on the larger of the two (2) sign faces.

~~4-15-05-01-054-16-05-01-05~~ **SCULPTURAL SIGNS**

Spherical, free-form, sculptural, or other non-planar sign areas are seventy-five percent (75%) of the sum of the areas using only the four (4) vertical sides of the smallest four-sided polyhedron which will encompass the sign structure. Signs with greater than four (4) faces are prohibited.

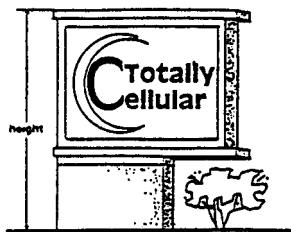


~~4-15-05-024-16-05-02~~ SIGN HEIGHT MEASUREMENT

The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of (1) existing grade prior to construction or (2) the newly established grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign. In cases in which the normal grade cannot reasonably be determined, sign height shall be computed based on the elevation of the base of the sign being equal to the elevation of the nearest point of the crown of the adjacent public road or the grade of the land at the principal entrance to the principal structure on the lot, whichever is higher.

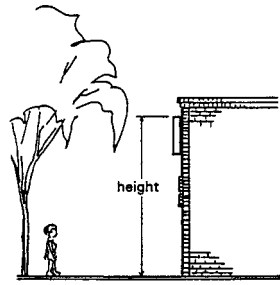
~~4-15-05-02-014-16-05-02-01~~ **FREESTANDING SIGNS**

Sign height is the distance measured from grade at the base of a sign to the topmost portion of a sign, excluding decorative embellishments. The height of any monument sign base or other structure erected to support or adorn the sign is measured as part of the sign height.



~~4-15-05-02-024-16-05-02-02~~ **BUILDING MOUNTED SIGNS**

The height of wall, fascia, mansard, parapet, or other building mounted signs is the vertical distance measured from the base of the wall on which the sign is located to the top of the sign or sign structure.



4-15-064-16-06 TYPES AND AREAS OF PERMANENT SIGNS

4-15-06-014-16-06-01 SIGN PERMIT AND BUILDING PERMIT REQUIREMENTS

A sign permit shall be required to display, erect, relocate, or alter any sign. All applications for sign permit to display, erect, relocate, or alter any sign shall be submitted to the Director of Community and Economic Development on an application form published by the Director of Community and Economic Development. The application shall be accompanied by an elevation drawing of the sign as well as a site plan depicting the location of the sign on the property and applicable fees.

A building permit shall be required to display, erect, relocate, or alter any sign in accordance with the building code as adopted by Adams County. All applications for building permits to display, erect, relocate, or alter any sign shall be submitted to the Director of Community and Economic Development Department on an application form published by the Community and Economic Development Department. The application shall be accompanied by all required submittals including, but not limited to, those materials required by the building code as adopted by Adams County.

4-15-06-01-014-16-06-01-01 TIME FOR REVIEW OF SIGN PERMITS AND BUILDING PERMITS

1. The Director of the Community and Economic Development Department shall inform the applicant of the completeness of their application within ten (10) business days after the date an application is received.
2. Once the application is complete the County will review for compliance with the County's Development Standards and Regulations and the building code. The County will inform the applicant within ten (10) business days after the completeness determination of a recommended approval, denial, or requirement of resubmittal of the application, unless the applicant agrees to an extension. The applicant will have thirty (30) days to

respond to the County’s request for resubmittals. Once resubmitted the County will have an additional ten (10) business days to review the application for compliance with the County’s Development Standards and Regulations and the building code.

~~4-15-06-024-16-06-02~~ **CRITERIA FOR ISSUANCE OF A SIGN PERMIT**

Any application for a sign permit to place or construct a sign may be issued only upon finding the sign meets the following criteria:

1. The size, height, design, location, duration, and characteristics of each sign shall comply with the standards in this Section 4-14.
2. Any light used to illuminate a sign shall be arranged to reflect light away from nearby residential properties and away from the vision of passing motorists. Internal illumination is encouraged.
3. The sign or attractive device provides for on-premise commercial advertising or other non-commercial messages. The sign or attractive device does not permit off-premise commercial advertising, see section 4-15.
4. All signs shall be located completely within an enclosed sign cabinet (except individual letters or graphics against a wall, fascia, or parapet of a building or surface of another structure as allowed by these regulations, that has been painted, textured, or otherwise altered to provide a distinctive background for a sign copy) or other approved method by the Director of Community and Economic Development.

~~4-15-06-034-16-06-03~~ **ELECTRONIC SIGN STANDARDS***

~~4-15-06-03-014-16-06-03-01~~ **DEFINITION OF ELECTRONIC SIGN***

An electronic sign is a sign which displays electronic static images, static graphics, or static pictures, with or without textual information. Such a sign may be changed or altered by electronic means on a fixed display screen composed of a series of lights including light emitting diodes (LED’s), fiber optics, light bulbs, or other illumination devices within the display area where the message is displayed.

All electronic on-premise signs shall only contain information and/or advertising for goods and services specifically available on site. Any advertising for goods and services not located on the site shall conform to the off-premise (billboard) regulations.

~~4-15-06-03-024-16-06-03-02~~ **ELECTRONIC SIGN RESTRICTIONS**

An electronic sign is permitted to be incorporated into a permanent freestanding or permanent wall sign subject to the following restrictions:

1. *Duration of Message:* Each message displayed shall remain motionless for a minimum of four (4) seconds, with ten (10) seconds optimal. All such signs shall have a default mode to prevent the display from malfunctioning in a flashing or intermittent fashion.
2. *Transition of Message:* Each message shall transition to the next message instantaneously.
3. *Prohibited Electronic Signs:* Any sign or attractive device which includes animated images or graphics, scrolling messages, video, moving images similar to television images, emits audible sound, employs stereopticon, or includes motion picture projection. Any sign or attractive device which displays its message or portion thereof for less than four (4) seconds before a change occurs shall be considered flashing or intermittent.
4. *Brightness / Luminance:* Electronic signs shall be equipped with and employ the use of light monitors and controls that allow sign brightness to automatically adjust to outside conditions. Electronic signs shall not exceed a maximum of 0.3 foot-candles over ambient lighting conditions when measured at the required distance. A foot-candle is a unit of measure of the intensity of light falling on a surface, equal to one lumen per square foot. The required distance shall be calculated using the following formula:

$$\begin{aligned} & \text{distance measuring maximum brightness in linear feet} \\ & = \sqrt{(\text{sign area in square feet} \times 100)} \end{aligned}$$

~~4-15-06-04~~16-06-04 FREESTANDING SIGN STANDARDS

~~4-15-06-04-014~~16-06-04-01 DEFINITION OF FREESTANDING SIGN

A freestanding sign is a sign which is erected or mounted on its own self-supporting permanent structure or base detached from any supporting elements of a building.

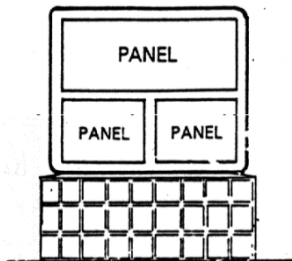
~~4-15-06-04-024~~16-06-04-02 FREESTANDING SIGN RESTRICTIONS

Freestanding signs are permitted subject to the following restrictions:

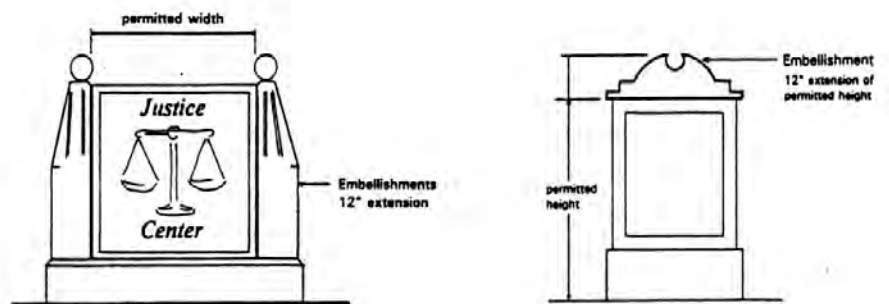
1. *Number of Freestanding Signs:* One (1) freestanding sign is permitted for lots or parcels with zero (0) feet to four hundred ninety-nine (499) feet of street frontage; one (1) additional freestanding sign is permitted for lots or parcels with five hundred (500) feet of street frontage or more. Additional freestanding signs may be permitted at the discretion of the Director of Community

and Economic Development at permitted accesses to enhance wayfinding.

2. *Sign Design:* The permanent sign base of a freestanding sign shall be reviewed at the time of a sign and/or building permit submittal.
3. *Sign Landscaping:* A landscaped area located around the base of the sign equal to two and one-half (2.5) square feet for each square foot of sign area, is required for all freestanding signs. The landscaped area shall contain living landscape material consisting of shrubs, and/or perennial ground cover plants placed throughout the required landscaped area having a spacing of not greater than three (3) feet on center. Where appropriate, deciduous, or evergreen trees shall be planted in a manner, which frames or accents the sign structure.
4. *Number of Sign Panels:* A freestanding sign may consist of more than one (1) sign panel provided all such sign panels are consolidated into one common integrated sign structure. In the event a sign is installed which does not utilize the maximum sign area permitted, any supplemental additions shall conform within, and be compatible with the existing sign structure.



5. *Embellishments:* Freestanding sign structures may extend above the allowable height and/or permitted horizontal dimension for the purposes of sign structure enhancement or embellishment, provided such extension does not exceed a maximum of twelve (12) inches on any side.



6. *Setback*: The leading edge of any freestanding sign is required to be set back a minimum of eight (8) feet from the front property or right-of-way line, and a minimum of fifteen (15) feet or the height of the sign from any side or rear lot line, whichever is greater.
7. *Sign Height*: The maximum height of any freestanding sign shall be twenty-four (24) feet for signs in the C-0, C-1, C-2, C-3, C-4, C-5, I-1, I-2, ~~and I-3~~, NP, and RP Zone Districts, and twelve (12) feet for signs in the R-E, R-1-A, R-1-C, R-2, R-3, R-4, A-1, A-2, A-3, M-H, NA, CO, and PL Zone Districts. For uses permitted by Conditional Use Permit, Special Use Permit, Temporary Use Permit or legal, non-conforming uses, the Director of Community and Economic Development shall determine which sign height allowance best suits the use. In making this determination, the Director of Community and Economic Development shall find one or more of the following: 1) The proposed sign height is compatible with the surrounding area; 2) The type of use and associated sign height is more consistent with a different Zone District; or 3) The Zone District where the use is a principally permitted use is more consistent for the basis of sign height.
8. *Sign Area*: The maximum area of any freestanding sign face shall be one-hundred-sixty (160) square feet for signs in the C-3, C-4, and C-5 Zone Districts, one hundred (100) square feet for signs in the A-1, A-2, A-3, C-0, C-1, C-2, I-1, I-2, ~~and I-3~~, NP, and RP Zone Districts, and forty (40) square feet for signs in the R-E, R-1-A, R-1-C, R-2, R-3, R-4, M-H, NA, CO, and PL Zone Districts. For uses permitted by Conditional Use Permit, Special Use Permit, Temporary Use Permit, or legal, non-conforming uses, the Director of Community and Economic Development shall determine which sign area allowance best suits the use. In making this determination, the Director of Community and Economic Development shall find one or more of the following: 1) The proposed sign area is compatible with the surrounding area; 2) The type of use and associated sign area is more consistent with a different Zone District; or 3) The Zone District where the use is a principally permitted use is more consistent for the basis of sign area.
9. *Clearance*: No freestanding sign shall project over any sidewalk, private drive, parking lot, or public road.
10. *Sight Distance Triangle*: Freestanding signs are prohibited in the sight distance triangle as calculated in Chapter 7 of these regulations.
11. *Subdivision Signs*: Permanent subdivision or neighborhood identification signs for neighborhoods which have adopted an

Adams County Neighborhood Plan shall be constructed of brick, or other approved material by the Director of Community and Economic Development and reviewed as part of a new subdivision and/or sign permit request. Subdivision or neighborhood identification sign(s) shall not exceed forty (40) square feet in area and shall not exceed twelve (12) feet in height. All subdivision or neighborhood identification signs shall be setback a minimum of eight (8) feet from the front property line and a distance equal to the height of the sign from the side and rear property lines. All subdivision or neighborhood identification signs on the same side of a road or highway shall be separated by a minimum of one thousand three hundred twenty (1,320) linear feet. All subdivision or neighborhood identification signs shall be maintained by a homeowners association, lot owners association, or other County approved management entity. Permanent subdivision or neighborhood identification signs shall also conform to the sign landscaping, clearance, and sight distance triangle provisions of this Section 4-14-06-04-02.

~~4-15-06-054-16-06-05~~ BUILDING-MOUNTED SIGNS

~~4-15-06-05-014-16-06-05-01~~ **DEFINITION OF BUILDING-MOUNTED SIGN**

A building-mounted sign is a sign, which is attached to any supporting elements of a building. Building mounted signs include canopies, marquees, projecting, suspended, wall, and window signs.

~~4-15-06-05-024-16-06-05-02~~ **BUILDING-MOUNTED SIGN RESTRICTIONS**

Building-mounted signs are permitted subject to the following restrictions:

1. *Total Number of Signs:* No more than one (1) building-mounted sign shall be permitted per frontage or commercial/industrial user in the A-1, A-2, A-3, R-E, R-1-A, R-1-C, R-2, R-3, R-4, M-H, C-0, C-1, C-2, C-3, C-4, C-5, I-1, I-2, I-3, **NP, RP, NA**, CO, and PL Zone Districts.
2. *Projecting and Suspended Signs:* Projecting and suspended signs which extend less than four (4) feet and are hung at least six (6) inches away from the building and clear the sidewalk by at least eight (8) feet in height are permitted. Such signs are permitted to be placed perpendicular to the building face or corner of the building. Projecting and suspended signs are limited to one (1) sign not to exceed sixteen (16) square feet per business and do not count against the total number of permitted building mounted signs. Projected and suspended signs are counted against the total building mounted sign area.

3. *Building-Mounted Sign Placement*: No building mounted signs are permitted at a location higher than the cornice line of any building. Sign copy on decorative awnings on second story windows shall not be permitted.
4. *Awning/Canopy Signs*: Awning/canopy signs may be used in lieu of projecting signs and may be used in coordination with flush-mounted wall signs. Awning and canopy signs that exceed twenty (20) square feet shall be counted as a building-mounted sign. All awning/canopy signs shall be limited in area as a building mounted sign.
5. *Building Wall Painting*: Graphics painted directly on the building when the wall surface already has been painted and is presently painted in a uniform manner, are permitted. Signs proposed on unpainted rock or brick are not permitted. Historic ghost graphics shall not be defaced or obscured. Building wall painted signs are counted against the total building mounted sign area.
6. *Sign Area*: The maximum total area of all building-mounted signs shall be fifteen percent (15%) of the building wall area on which the sign(s) is(are) placed for signs in the C-3, C-4, and C-5 Zone Districts, five percent (5%) of the building wall area on which the sign(s) is(are) placed for signs in the A-1, A-2, A-3, C-0, C-1, C-2, I-1, I-2, ~~and I-3~~, NP, and RP Zone Districts, and forty (40) square feet for signs in the R-E, R-1-A, R-1-C, R-2, R-3, R-4, M-H, NA, CO, and PL Zone Districts. For uses permitted by Conditional Use Permit, Special Use Permit, Temporary Use Permit or legal, non-conforming uses, the Director of Community and Economic Development shall determine which sign area allowance best suits the use. In making this determination, the Director of Community and Economic Development shall find one or more of the following: 1) The proposed sign area is compatible with the surrounding area; 2) The type of use and associated sign area are more consistent with a different Zone District; or 3) The Zone District where the use is a principally permitted use is more consistent for the basis of sign area.
7. *Window Signs*: Window signs shall not exceed fifteen percent (15%) of the total window area per building face. Window signs are counted against the total building mounted sign area. Window signs or attractive devices shall be placed so as not to prevent or inhibit free ingress to or egress from any window, door, or any exit way required by the building and fire codes as adopted by Adams County.
8. *Clearance*: Building-mounted signs shall be located so there is a minimum of nine (9) feet of vertical clearance over any sidewalk,

private drive, or parking lot and twelve (12) feet of vertical clearance over any public road.

4-16-17 OFF-PREMISE ADVERTISING DEVICES (BILLBOARD)

4-16-014-17-01 PURPOSE

The Purpose of this section is to advance the County’s legitimate and substantial interest in limiting the number and area of off-premise advertising devices permitted to maintain the visual appearance of scenic corridors, avoid clutter, and protect the health, safety, and welfare of the citizens of Adams County by mitigating traffic distractions.

4-16-024-17-02 APPLICABILITY

Off-premise advertising devices are permitted with an approved Conditional Use Permit in the C-5 and industrial zone districts. All off-premise advertising devices shall meet the standards contained in this Section 4-16.

A Conditional Use Permit or a Major Amendment to an existing Conditional Use Permit or Planned Unit Development shall be required to display, erect, relocate, or alter any off-premise advertising device excluding indirect lighting traditionally used and attached to a sign, but not internally located.

Provided any Off-Premise Advertising Device complies with all standards in this Section and allows off-premise commercial messages, the Off-Premise Advertising Device shall also be permitted to allow non-commercial messages to the same extent.

In conjunction with these Development Standards and Regulations, the Colorado Outdoor Advertising Act, C.R.S. 43-1-401 et. seq, and the Colorado Rules and Regulations promulgated thereunder by the Colorado Department of Transportation shall be adhered to. Nothing in these Standards and Regulations shall be construed to allow advertising devices which are prohibited, or otherwise non-conforming with the Colorado Outdoor Advertising Act.

4-16-034-17-03 MAXIMUM NUMBER OF SIGNS

Only one (1) two-faced off-premise advertising device shall be permitted per lot.

4-16-044-17-04 MAXIMUM SIZE

No off-premise advertising device shall exceed three hundred (300) square feet per face.

4-16-054-17-05 MAXIMUM HEIGHT AND MINIMUM CLEARANCE

No off-premise advertising device shall exceed forty (40) feet in height. Height shall be determined as the distance from the grade of the right-of-way on which the sign fronts to the top of the sign including all projections. If located within one thousand

(1,000) feet of an intersection of two (2) or more public rights-of-way, the lowest point of the sign face(s) shall be at least eight (8) feet above the ground.

~~4-16-064-17-06~~ **ELECTRONIC SIGN STANDARDS***

~~4-16-06-014-17-06-01~~ **DEFINITION OF ELECTRONIC SIGN***

An electronic sign is a sign which displays electronic static images, static graphics, or static pictures, with or without textual information. Such a sign may be changed or altered by electronic means on a fixed display screen composed of a series of lights including light emitting diodes (LED's), fiber optics, light bulbs, or other illumination devices within the display area where the message is displayed.

~~4-16-06-024-17-06-02~~ **ELECTRONIC SIGN RESTRICTIONS***

An electronic sign is permitted to be incorporated into an off-premise sign subject to the following restrictions:

1. *Duration of Message:* Each message displayed shall remain static for a minimum of four (4) seconds, with ten (10) seconds optimal. All such signs shall have a default mode to prevent the display from malfunctioning in a flashing or intermittent fashion.
2. *Transition of Message:* Each message shall transition to the next message instantaneously.
3. *Prohibited Electronic Signs:* Any sign or attractive device which includes animated images or graphics, scrolling messages, video, moving images similar to television images, emits audible sound, employs stereopticon, or includes motion picture projection. Any sign or attractive device which displays its message or portion thereof for less than four (4) seconds before a change occurs shall be considered flashing or intermittent.
4. *Brightness / Luminance:* Electronic signs shall be equipped with and employ the use of light monitors and controls that allow sign brightness to automatically adjust to outside conditions. Electronic signs shall not exceed a maximum of 0.3 foot-candles during nighttime hours from sunset to sunrise. A foot-candle is a unit of measure of the intensity of light falling on a surface, equal to one lumen per square foot. The required distance shall be calculated using the following formula:

$$\begin{aligned} & \textit{distance measuring maximum brightness in linear feet} \\ & = \sqrt{(\textit{sign area in square feet} \times 100)} \end{aligned}$$

4-16-074-17-07 **OTHER LIMITATIONS**

All off-premise signs shall meet the following requirements:

1. All off-premise signs on the same side of a road or highway shall be separated by a minimum of two thousand (2,000) linear feet.
2. The minimum right-of-way and property line setback requirements shall be equal to the height of the billboard as measured from the leading edge of the sign face. Variations in the setback requirement may be granted with the issuance of a Conditional Use Permit.
4. All off-premise signs may be illuminated.
5. Off-premise signs which contain, include, or are illuminated by a changeable message including electronic, digital, LED, fiber optics, light bulbs, or other illumination devices are allowed and shall remain motionless for periods not less than four (4) seconds, with ten (10) seconds optimal. A Conditional Use Permit, Major Amendment to an existing Conditional Use Permit or Planned Unit Development shall be required prior to installing any electronic means to any off-premise sign.
6. Where an off-premise sign has two (2) faces that are designed to be back-to-back, the faces shall not be more than three and one half (3.5) feet from one another. Where an off-premise sign has two (2) faces arranged in a V-shape, the faces shall be: a maximum of 45 degrees at the interior angle, or a maximum of 15 feet apart at its widest point, whichever is less.
7. Before any off-premise sign is erected, a building permit must be approved and issued by the Director of Community and Economic Development.

*Electronic Sign Regulations were adopted by the Board of County Commissioners on May 3, 2010

4-16-084-17-08 **OTHER USES**

An off-premise sign may be classified as a principal or accessory use on the property.

4-16-094-17-09 **REVIEW PROCESS**

The review process for an off-premise sign is as follows:

1. The applicant submits a Conditional Use Permit application to the Adams County Community and Economic Development Department.
 - a. The Director of Community and Economic Development will inform the applicant of the completeness of their Conditional Use Permit application within ten (10) business days after the date an application is received.
 - b. Once the application is deemed complete, the County will review for compliance with the County's Development Standards and Regulations. The County will inform the applicant within ten (10) business days after the completeness determination of a recommended approval, denial, or requirement of resubmittal of the application, unless the applicant agrees to an extension. The applicant will have thirty (30) days to respond to the County's request for resubmittals. Once resubmitted, the County will have

- an additional (10) business days to review the application for compliance with the County’s Development Standards and Regulations.
- c. Once reviewed, the County will schedule the application for the next available Planning Commission after all notice requirements are met in accordance with Section 2-01-06.
 2. If the Conditional Use Permit is approved by the Board of County Commissioners, the applicant submits a sign permit application and a Roadside Sign Permit Application from the Colorado Department of Transportation, if applicable, to the Adams County Community and Economic Development Department.
 3. The Adams County Community and Economic Development Department reviews the sign permit application for compliance with the Development Standards and Regulations and executes the local jurisdiction approval section of the Roadside Sign Permit Application.
 4. If approved by Adams County, the applicant submits the issued sign permit as well as the executed Roadside Sign Permit Application to the Colorado Department of Transportation.
 5. Once the Colorado Department of Transportation has issued a Roadside Advertising Permit, the applicant returns the sign permit and Roadside Advertising Permit to Adams County for review, approval, and issuance of a building permit.

4-16-104-17-10 ADVERTISING BILLBOARD (HORIZONTAL BILLBOARD)

An Advertising Banner is an ‘off-premise sign’, horizontal to the ground and of sufficient size to be seen by air passengers either landing or departing Denver International Airport. It must not be legible to the general public at ground level and is solely intended to be viewed by air passengers.

All Advertising Banners shall meet the standards contained in this Section 4-15.

Advertising Banner may be approved by issuance of an approved Conditional Use Permit (CUP) by the Board of County Commissioners. In addition to the general performance standards for Advertising Banners the Board of County Commissioners may impose additional condition, and/or conditions precedent in order to mitigate negative externalities associated with the location or operation of the advertising banner to ensure compatibility with the surrounding area.

4-16-114-17-11 LOCATION

Advertising Banners are permitted with an approved Conditional Use Permit in the A-3, agriculture zone district. Advertising Banners are permitted within a five (5) mile perimeter of Denver International Airport. In addition, advertising banners may be located within the area delineated by the Adams County Board of County

Commissioners. All Advertising Banners shall be separated by a minimum of two thousand (2,000) linear feet.

~~4-16-124-17-12~~ MAXIMUM SIZE OF AN ADVERTIZING BANNER AND MINIMUM SIZE OF PROPERTY

The area of an Advertising Banner shall be a maximum of ten (10) acres. An Advertising Banner shall not be located on A-3 zoned property which is less than two and a half (2.5) acres in size.

~~4-16-134-17-13~~ MAXIMUM HEIGHT OF AN ADVERTIZING BANNER

The maximum height of an Advertising Banner shall be a maximum of six (6) feet.

~~4-16-144-17-14~~ OTHER LIMITATIONS

All Advertising Banners shall meet the following requirements:

1. The minimum setback requirements for Advertising Banners shall be consistent with the minimum setback requirements of the A-3 Zone District.
2. An Advertising Banner shall not be legible from adjacent public roadways, freeways, or adjacent properties. Where the property on which an Advertising Banner is located fronts a public roadway and the Advertising Banner is attached to the ground, the Advertising Banner shall be screened from the public roadway by a wood or brick screen fence, a minimum of six (6) feet high, along the portion of the Advertising Banner that is adjacent to the public roadway. No Advertising Banner may be located within five hundred (500) feet of a residentially zoned or used property (measured from the property line to the leading edge of an Advertising Banner) unless a waiver is obtained from the affected property owner(s) and the waiver is recorded with the Adams County Clerk and Recorder.
3. Advertising Banners may be illuminated provided that such illumination (1) shall not present a hazard to pilots of any type of aircraft, (2) is not directed upward, and (3) has been approved by the County. The FAA and DIA will be important referral agencies and their comments will be considered by the Board of County Commissioners in their decision regarding the issuance of a Conditional Use Permit.
4. Before any Advertising Banner is erected, a building permit and a sign permit must be approved and issued by the County.
5. Advertising Banners shall be made of a non-reflective, flame- retardant material (i.e., mesh) as approved by the County. The FAA and DIA will be important referral agencies and their comments will be considered by the Board of County Commissioners in their decision regarding the issuance of a Conditional Use Permit.

6. Advertising Banners shall be securely fastened to the ground and/or an appropriate support structure shall be constructed to County specifications.
7. Advertising Banners shall be constructed of material which does not allow collection of rainwater or other significant amounts of precipitation which may cause a nuisance to aircraft pilots.

~~4-16-154-17-15~~ **OTHER USES**

Once an Advertising Banner is established on a lot, all other use or accessory use of the lot shall cease, and no use or accessory use shall be established until such Advertising Banner is removed from the property.

4-174-18 LANDSCAPING

4-17-014-18-01 PURPOSE

The purpose of this Section is to provide landscaping and performance standards which:

1. Enhance and promote a unique image for Adams County.
2. Protect the public health, safety, and welfare by:
 - a. Increasing parking lot traffic safety by guiding the circulation of cars and people and lowering traffic speeds;
 - b. Minimizing noise, air, water, and visual pollution;
 - c. Screening and buffering incompatible land uses;
 - d. Reducing the amount of reflected glare and heat absorbed in and around developments;
 - e. Breaking up large expanses of parking lots;
 - f. Preserving property values and neighborhood characteristics by lessening the impacts of potentially incompatible uses; and
 - g. Providing screening from wind.
3. Conserve water resources by:
 - a. Promoting the use of xeriscaping and drought-tolerant native plantings; and
 - b. Promoting the utilization of stormwater detention as an irrigation source.
4. Ensure landscaping is an integral part of the site design and development process.

4-17-024-18-02 APPLICABILITY

Development which satisfies one (1) of the following criteria shall be exempt from this section:

1. Agricultural uses.
2. Submitted or approved plans, building permits and/or development existing prior to the effective date of this Section shall comply with the regulations which were in effect at the time of approval.

The provisions of this article shall apply to development, which meets one (1) of the following and is not exempt:

1. All new development which has not applied for a building permit before the effective date of this Section; or
2. Existing development which requires a change in use permit as determined within the Change in Use Section of Chapter 4.

When there is a change in use, as determined within the Change in Use Section of Chapter 4*, all of the applicable landscape requirements that can reasonably be complied with shall be complied with. Compliance is not reasonably possible if compliance cannot be achieved without adding additional land to the lot where the nonconforming situation is maintained or moving a substantial structure on a permanent foundation. Mere financial hardship caused by the cost of meeting the landscaping requirement does not constitute grounds for finding compliance is not reasonably possible.

The Screening and Fencing Standards of Chapter 4, as amended, determine additional standards and regulations for screening and fencing performance standards.

4-17-034-18-03 EXISTING VEGETATION

Existing valuable trees, shrubs and grasses shall be preserved within natural drainage areas and areas not needed for development. Healthy, mature trees and younger plants, which would normally succeed older plants, shall be preserved. Trees, which are decayed, diseased, or reaching the end of their natural life span should not be preserved. If valuable trees are destroyed by the development, new trees shall be installed to replace the destroyed trees. Existing vegetation, which is retained as part of the development, may be counted as part of the landscaping requirement, unless prohibited by Section 4-17, Weeds and Dangerous Trees, of these standards and regulations.

4-17-044-18-04 LANDSCAPE MATERIALS & LOCATION

All landscape materials shall conform to these standards and regulations. All landscape materials shall be healthy and compatible with the local climate and the site soil characteristics, drainage, and water supply.

4-17-04-014-18-04-01 LANDSCAPE MATERIALS

All landscape materials shall conform to these standards and regulations. All landscape materials shall be healthy and compatible with the local climate and the site soil characteristics, drainage, and water supply.

No artificial trees, plants, or turf shall be used as a landscape material. If an applicant is interested in using artificial turf in their development, they shall meet the minimum standards for required plant materials and submit a request for an alternative turf design with drainage specifications to the Director of Community and Economic Development. Areas for cultivation of crops or pasture shall not be considered landscaped. No noxious weeds, as defined by the Colorado Department of Agriculture, will be permitted in any area designated for landscaping.

~~4-17-04-024-18-04-02~~ **LANDSCAPE LOCATION**

Landscaped areas shall not be enclosed by a fence, which limits its visibility. If a sight obscuring fence is required, it shall be set back from the landscaped area. This will have the effect of having the landscaped area adjacent to the right-of-way and the fence will be located behind the landscaped area.

All landscaping shall be located so it does not interfere with utilities, easements, road lighting or fire hydrants.

~~4-17-054-18-05~~ **XERISCAPING**

Xeriscaping is encouraged in all areas of the county. When xeriscaping is proposed, the xeriscape landscape plans shall be developed to assure a successful, low water and low maintenance landscape. The following fundamental principles should be followed in proposing a xeriscape landscape plan:

1. *Planning and Design:* In addition to aesthetics and function of plants, the soils, drainage patterns, exposure to heat and wind, and the manner in which the site is irrigated, must be considered.
2. *Limited Turf Areas:* Where feasible, use less water demanding materials, such as ground covers, low water usage plants, or mulches instead of turf, and locate turf only in areas where it provides functional benefits.
3. *Turf Species:* Areas close to the building or where uniform turf is desired are best planted with fine-bladed, sod-forming turf varieties such as Buffalo grass or Bluegrass. Outlying areas, where soil cover is needed, but foot traffic is limited, can be planted with various coarse grasses such as Tall Fescue, Smooth Brome, and Wheatgrasses. Species of grass, which grow with the average rainfall received by Adams County per year, include Tall Fescue, Smooth Brome Fairway Crested Wheatgrass, Ephraim Crested Wheatgrass, Buffalo grass, Blue Gramma, and others. Some varieties of Bluegrass, which are relatively drought tolerant, include Majestic, America, and Merion. The above listed drought tolerant grasses need water to become established. They also need occasional irrigation during a prolonged dry spell. The key to drought tolerance is deep root development. This is brought about by deep, thorough soil preparation and deep, infrequent watering.
4. *Soil Improvements:* Soil improvement allows for better absorption of water and improved water-holding capacity of the soil. Soils with organic matter also provide nutrients to plants. Improve the soil prior to planting and installation of any irrigation system by digging in a minimum of three (3) cubic yards of organic matter per one thousand (1,000) square feet to

- be planted. Organic matter could include aged manure, sphagnum peat moss, humus, compost, or aged sawdust.
5. *Efficient Irrigation:* When used, well-planned sprinkler systems can save water. For efficient water use, irrigate turf areas separately from other plantings. Landscape plantings should be grouped according to similar water needs. Turf areas are best watered with sprinklers. Trees, shrubs, and groundcovers can be watered efficiently with low volume drip or spray systems.
 6. *Mulches:* Mulched planting beds are an ideal replacement for turf areas. Mulches cover and cool the soil, minimize evaporation, reduce weed growth, and slow erosion. Mulches also provide landscape interest. Mulches should be placed over geo-textile fabric (filter fabric) where ground cover or shrubs are to be used in order to allow water and air to pass through the fabric and discourage weed growth.
 7. *Low Water Use Plants:* Low water use plants can serve nearly every landscape function. Section 4-16-14 includes recommended guides on xeriscape plants for the Front Range area.

4-17-064-18-06 BUFFERYARDS

4-17-06-014-18-06-01 BUFFERYARDS

The exterior boundaries of the lot which do not abut a public road right-of-way shall meet the bufferyard requirements shown below, depending upon the adjacent land use. All lesser intensity uses shall be buffered from higher intensity uses with a plant material bufferyard. If the adjacent land use is a vacant building or ground, then the zoning shall be used in place of the land use. Plant material used for bufferyards between uses differing in intensity is in addition to the total landscaping requirement.

The following bufferyards and plantings shall be required between the identified land uses at the time of occupancy:

Land Use	Existing Residential Uses	Existing Commercial Uses	Existing Industrial Uses	Existing Institutional Uses	Existing Agricultural Uses
New Residential Uses	A	C	D	A	A
New Commercial Uses	C	A	B	B	C
New Industrial Uses	D	B	none	D	D
New Institutional Uses	A	B	D	A	A

Note: If a use does not conform to one (1) of the above categories, the Director of Community and Economic Development shall determine which category best matches the use.

Bufferyard Classification Requirements:

1. **Bufferyard A:** Five (5) foot minimum bufferyard width with one (1) tree per eighty (80) linear feet of lot line.
2. **Bufferyard B:** Ten (10) foot minimum bufferyard width with two (2) trees per eighty (80) linear feet of lot line.
3. **Bufferyard C:** Fifteen (15) foot minimum bufferyard width with two (2) trees per eighty (80) linear feet of lot line and six (6) foot high sight obscuring fence or wall located on the interior line of the bufferyard. *
4. **Bufferyard D:** Fifteen (15) foot minimum bufferyard width with three (3) trees per sixty (60) linear feet and six (6) foot sight obscuring fence or wall located on the interior line of the bufferyard. *

**A continuous hedge may be substituted for the required fence or wall in Bufferyards C and D, as long as it has a minimum height at installation of three (3) feet and will reach six (6) feet or more at maturity.*

~~4-17-06-024-18-06-02~~ **SPECIAL BUFFERYARDS**

Any new development abutting any portion of the designated Adams County Trail System, a public park, or limited access highway, shall be buffered from the trail, or park, using a Type C Bufferyard, unless increased or decreased by the Director of Community and Economic Development.

~~4-17-074-18-07~~ **REQUIRED LOT LANDSCAPING**

In addition to the required bufferyards and bufferyard landscaping, the following site landscaping shall also be required:

1. **Minimum Landscape Area:** All developments shall be required to landscape a minimum of ten (10) percent of the lot area. At least fifty (50) percent of the required landscape area shall be placed so it abuts adjoining public rights-of-way, excluding alleys and drives.
2. **Other Requirements:** The placement and design of the landscaping shall be at the discretion of the developer but shall be approved by the Director of Community and Economic Development. In addition to the plantings required under this Section, both Section 4-16-08, Off-Road Parking Lot Landscaping, and Section 4-16-06, Bufferyards, shall apply. The bufferyard landscaping requirements and the required landscaping adjacent to the front of a lot are required even if the 10% lot coverage is exceeded. The landscape area depth is measured from the property line (generally, the right-of-way line) inward. In eastern Adams County, no shrubs shall be required.

3. All applicants not able to meet the landscaping requirements may submit an Appeal from Administrative Decision. ***Adopted by the BoCC on December 13, 2010**
4. The applicant/owner of land where landscaping is placed with or without County approval is responsible for relocation, alteration, and/or removal if required by the County at the owner's expense. Any landscaping within the right-of-way will not be used in the assessment of the land as part of right-of-way acquisition.

~~4-17-07-014-18-07-01~~ STREET FRONTAGE LANDSCAPING

The area along any property line abutting a public road right-of-way shall be landscaped using one (1) or any combination of the following landscape options:

1. *Option 1:* Install a twenty-five (25) foot wide area along the road right-of-way. Within the landscape area, one (1) tree and two (2) shrubs shall be planted per forty (40) linear feet of frontage. Drive aisles shall be counted as zero (0) feet in depth.
2. *Option 2:* Install a twenty (20) foot landscape area along the road right-of-way. Within the landscape area, one (1) tree and two (2) shrubs shall be planted per forty (40) linear feet of frontage. Drive aisles shall be counted as zero (0) feet in depth.
3. *Option 3:* Install a ten (10) foot landscape area along the road right-of-way. Within the landscape area, two (2) trees and five (5) shrubs shall be planted per forty (40) linear feet of frontage. Drive aisles shall be counted as zero (0) feet in depth.
4. *Option 4:* Install a five (5) foot landscape area along the road right-of-way. Within the landscape area, one (1) tree and two (2) shrubs shall be placed per forty (40) linear feet of frontage. A thirty (30) inch high decorative wall or the building shall be located between the parking area and the road frontage. Drive aisles shall be counted as zero (0) feet in depth.
5. *Option 5:* Install a landscape berm with a two (2) foot minimum average height. The berm shall have a slope of no greater than one (1) foot of rise to every four (4) feet of run. Within the landscape area, one (1) tree and five (5) shrubs shall be planted per sixty (60) linear feet of frontage.

~~4-17-07-024-18-07-02~~ OFF-ROAD PARKING LOT LANDSCAPING

The following landscaping requirements can be used to satisfy the 10% total lot landscaping requirement and shall be consistent with the following:

1. *Trees:* There shall be one (1) tree provided for every ten (10) parking stalls.
2. *Internal Landscape Area:* Depending on the number of spaces, the following square feet of landscaped area must be placed within the vehicle use areas. The required landscaped area shall be "stepped" up based on the number of stalls, which will be provided. For example, a parking lot with fifty-two (52) stalls shall provide twenty-five (25) square feet per stall.

Number of Parking Stalls	Required Landscaped Area
0-9	None required
10-25	15 sq. ft. per stall
26-50	18 sq. ft. per stall
51-99	25 sq. ft. per stall
100 or more	35 sq. ft. per stall

3. *Distance to Landscaping:* No parking stall shall be more than one-hundred-twenty (120) feet from a required internal landscaped area.
4. *Terminal Islands:* The developer is encouraged to utilize landscaped terminal islands at the end of parking rows and/or divider strips between parking rows to help disperse the required landscaping throughout the entire parking lot.
5. *Curbs:* Landscaped areas within parking lots or along the perimeter of the property must be protected from vehicular traffic through the use of continuous concrete curbs, extruded asphalt or other approved permanent barriers.
6. *Clear Vision Area:* Clear vision areas within the off-road parking area must be established at road intersections by maintaining a maximum height for shrubs and ground cover of thirty (30) inches. Within a clear vision area, tree branches must be trimmed up eight (8) feet from the ground.
7. *Minimum Landscape Islands:* The minimum width or length of any landscaped area shall be five (5) feet; however the recommended minimum size is eight (8) feet. All of the required landscaped areas must contain a minimum of seventy-five (75) percent living landscaping material, with a maximum of twenty-five (25) percent nonliving landscaping material. In eastern Adams County, the percentages of living landscaping material may be reduced to fifty (50) percent. Sidewalks abutting public rights-of-way are not counted toward the nonliving landscape material percentage.
8. *Splitting Parking Lots:* Parking lots containing between 200-750 parking stalls are required to be divided into two (2) or more lots, separated by a landscaped strip which may be counted toward the required off-road parking landscaping area. Parking lots with more than 750 stalls are required to divide the lot into at least two parking lots with a landscaped

- strip separating them. The minimum width of these landscaping strips shall be ten (10) feet.
9. *Sidewalks Counted:* A landscaped divider strip within a parking lot which separates either parking rows or parking lots shall be allowed to count a sidewalk located within this divider strip toward a part of the required off-road parking lot landscaping. The intent of this sidewalk is to help facilitate safe pedestrian movement. This sidewalk must meet the following criteria if it is to be counted toward the required landscaping:
 - a. The sidewalk has a five (5) foot wide walking path and shall add two (2) feet for vehicle overhang if the sidewalk abuts a parking stall.
 - b. The sidewalk runs the entire length of the divider strip.
 - c. The sidewalk is bordered on at least one (1) side by landscaping, of which the sidewalk cannot account for more than fifty percent (50%) of the area of the divider strip.
 10. *Other Vehicle Areas:* Areas used for vehicle service, parking, and business transactions such as areas adjacent to gasoline pumps (even if under a canopy) and areas for drive up service, shall be considered parking areas and shall comply with the parking lot landscaping requirements. Drive areas shall be calculated at a rate of one (1) parking space per two hundred (200) square feet of vehicle service area.
 11. *Vehicle Sales Lots:* Vehicle sales lots shall provide trees at the rate of one (1) tree per one hundred (100) lineal feet, and shrubs at the rate of one (1) shrub per ten (10) lineal feet of display area fronting a public right-of-way. Plants may be grouped together, provided at least two-hundred-fifty (250) square feet of contiguous growing area, not encroached upon by shrubs or impervious surfaces, surrounds each planted tree.

4-17-084-18-08 GENERAL PERFORMANCE STANDARDS FOR ALL USES

4-17-08-014-18-08-01 COVER IN LANDSCAPED AREAS

All required landscaped areas and bufferyards must contain a minimum of seventy-five percent (75%) organic landscaping material, with a maximum of twenty-five percent (25%) non-living landscaping materials. All required landscaped areas and bufferyards shall be irrigated, maintained, and kept free of weeds, debris, and litter. In eastern Adams County, the percentages of living landscaping material shall be reduced to fifty percent (50%) and an automatic irrigation system is not required. Eastern Adams County is defined as that portion of Adams County outside the definition of Urban Adams County as defined in Chapter 11. In eastern Adams County, single-family residential land uses are not required to install landscaping and no landscaping is required for commercial and industrial land uses, which are serviced exclusively by wells, and which

are restricted by the Colorado Division of Water Resources to inside use only. In addition, xeriscaping is encouraged in all areas of the County.

4-17-08-01-014-18-08-01-01 MINIMUM SIZE REQUIREMENTS FOR TREES AND SHRUBS

Landscaping materials shall comply with the following minimum size standards at the time of planting, with caliper measurements taken six (6) inches above grade.

<i>Plant Type</i>	<i>Maturity Height</i>	<i>Size at Planting</i>
Ornamental	Less than 20'	1" to 1-1/2" cal.
Large Deciduous	Over 20'	2" to 2-1/2" cal.
Evergreens (Sm.)	Less than 20'	5' tall
Evergreens (Lg.)	Over 20'	6' tall
Low Shrubs	1' to 3'	5 gal. container
Upright Shrubs	3' to 10'	5 gal. container

4-17-08-01-01-014-18-08-01-01-01 GRADING STANDARD

The following grading standard shall apply to all new landscaping and buffering areas:

<i>Landscaping</i>	<i>Maximum Slope</i>	<i>Minimum Slope</i>
Lawn and grassed areas	4:1	100:1
Berms and Mounds		
Grassed	4:1	20:1
Non-Maintenance	2:1	N/A

4-17-08-024-18-08-02 MAINTENANCE STANDARDS

All landscaping and required buffering shall be continually maintained including irrigation if applicable, weeding, pruning, and replacing in a substantially similar manner as originally approved. The following survival standards shall apply to all landscaping and required buffering:

1. *Living Ground Covers:* Living ground covers must be fifty percent (50%) established after the first growing season, and ninety percent (90%) established thereafter.
2. *Non-Living Ground Covers:* Non-living ground covers, such as rock or mulch must be one hundred percent (100%) intact after one (1) year and eighty percent (80%) intact thereafter.
3. *Trees and Shrubs:* Trees and shrubs must have a one hundred percent (100%) survival rate after one (1) year and a ninety percent (90%) survival rate thereafter.

4-17-094-18-09 LANDSCAPING PERFORMANCE STANDARDS FOR SPECIFIC USES

4-17-09-014-18-09-01 RESIDENTIAL USES

4-17-09-01-014-18-09-01-01 SINGLE FAMILY DWELLING LANDSCAPING

1. *Front and Side Setbacks:* The entire front and side setbacks shall be landscaped, except for driveways.
2. *Back Yard Setback:* A minimum thirty percent (30%) of the back yard shall be landscaped.
3. *Required Ground Cover:* A minimum of thirty percent (30%) of the required front and side landscape area must be covered by living ground material, such as low growing ground cover, shrubs, or grass, within one (1) year following occupancy and thereafter. If the required landscaping cannot be completed prior to occupancy, then a bond in the amount of one-hundred-twenty five percent (125%) of the cost of the landscaping, as established by a local landscaping firm, must be filed with the Director of Community and Economic Development to guarantee completion of the landscaping within one (1) planting season after occupancy. If the landscaping has not been completed within one (1) planting season, the County may proceed against the bond to complete the landscaping. Single-family residential uses in eastern Adams County are not required to install landscaping or automatic irrigation systems.
4. *Required Trees and Shrubs:* A minimum of one (1) large tree and five (5) shrubs, or two (2) ornamental trees and five (5) shrubs, shall be required for each lot. Evergreens shall be considered ornamental.
5. *Minimum Size Requirements:* Minimum size requirements for trees and shrubs shall be:

<i>Plant Type</i>	<i>Maturity Height</i>	<i>Minimum Plant Size at Planting</i>
Ornamentals	Less than 20'	1" to 1-1/2"
Large Deciduous	Over 20'	2" to 2-1/2"
Evergreens (Sm.)	Less than 20'	5' tall
Evergreens (Lg.)	Over 20'	6' tall
Low Shrubs	1' to 3'	5 gallons
Upright Shrubs	3' to 10'	5 gallons

~~4-17-09-01-024-18-09-01-02~~ **SINGLE FAMILY ATTACHED LANDSCAPING**

1. *Front and Side Setbacks:* The entire front and side setbacks shall be landscaped, except for driveways.
2. *Back Yard Setback:* A minimum of thirty percent (30%) of the back yard shall be landscaped.
3. *Required Ground Cover:* A minimum of thirty percent (30%) of the required front and side landscape area must be covered by living ground material, such as low growing ground cover, shrubs, or grass, within one (1) year following occupancy and thereafter. If the required landscaping cannot be completed prior to occupancy, then a bond in the amount of one-hundred-twenty five percent (125%) of the cost of the landscaping, as established by a local landscaping firm, must be filed with the Director of Community and Economic Development to guarantee completion of the landscaping within one (1) planting season after occupancy. If the landscaping has not been completed within one (1) planting season, the County may proceed against the bond to complete the landscaping.
4. *Required Trees and Shrubs:* A minimum of one (1) large tree and five (5) shrubs, or two (2) ornamental trees and five (5) shrubs, shall be required for each lot. Evergreens shall be considered ornamental.
5. *Minimum Size Requirements:* Minimum size requirements for trees and shrubs shall be:

Plant Type	Maturity Height	Minimum Plant Size at Planting
Ornamentals	Less than 20'	1" to 1-1/2"
Large Deciduous	Over 20'	2" to 2-1/2"
Evergreens (Sm.)	Less than 20'	5' tall
Evergreens (Lg.)	Over 20'	6' tall
Low Shrubs	1' to 3'	5 gallons
Upright Shrubs	3' to 10'	5 gallons

~~4-17-09-01-034-18-09-01-03~~ **DWELLING, TOWNHOUSE LANDSCAPING**

1. *Minimum Landscaped Area:* Not less than 30% of the site area shall be landscaped.
2. *Required Ground Cover:* A minimum of one-third (1/3) of the required landscape area must be covered by living ground material within one (1) year following occupancy and thereafter. If the required landscaping cannot be completed prior to occupancy, then a bond in the amount of one hundred twenty-five percent (125%) of the cost of the landscaping, as established by a local landscaping firm, must be filed with the Director of Community and

Economic Development to guarantee completion of the landscaping within one (1) planting season after occupancy. If the landscaping has not been completed within one (1) planting season, the County may proceed against the bond to complete the landscaping.

3. *Required Trees and Shrubs:* A minimum of one (1) large tree and two (2) shrubs, or two (2) ornamental trees and two (2) shrubs, shall be required for each increment of fifteen hundred (1,500) square feet in western Adams County and three thousand (3,000) square feet in eastern Adams County.
4. *Parking Lot Landscaping:* All parking lots which consist of thirty (30) spaces or more must be designed to include landscaped islands between rows. This landscaping shall be credited toward the total landscaped area required.
5. *Required Tree Mix:* The selection of trees shall be a mix of large deciduous (30% - 70%) and ornamental (30% - 70%) trees. Evergreens shall be considered ornamental.
6. *Minimum Size Requirements:* Minimum size requirements for trees and shrubs shall be:

<i>Plant Type</i>	<i>Maturity Height</i>	<i>Minimum Plant Size at Planting</i>
Ornamentals	Less than 20'	1" to 1-1/2"
Large Deciduous	Over 20'	2" to 2-1/2"
Evergreens (Sm.)	Less than 20'	5' tall
Evergreens (Lg.)	Over 20'	6' tall
Low Shrubs	1' to 3'	5 gallons
Upright Shrubs	3' to 10'	5 gallons

7. *Irrigation System Required:* A fully automatic irrigation system is required.

4-17-09-01-044-18-09-01-04 DWELLING, MULTI-FAMILY LANDSCAPING

1. *Minimum Landscaped Area:* Not less than thirty percent (30%) of the site area shall be landscaped.
2. *Required Ground Material:* A minimum of one-third (1/3) of the required landscape area must be covered by living ground material within one (1) year following occupancy and thereafter. If the required landscaping cannot be completed prior to occupancy, then a bond in the amount of one hundred twenty-five percent (125%) of the cost of the landscaping, as established by a local landscaping firm, must be filed with the Director of Community and Economic Development to guarantee completion of the landscaping within one (1) planting season after occupancy. If the landscaping has not been completed within one (1) planting

season, the County may proceed against the bond to complete the landscaping.

3. *Required Trees and Shrubs:* A minimum of one (1) large tree and two (2) shrubs, or two (2) ornamental trees and two (2) shrubs, shall be required for each increment of fifteen hundred (1,500) square feet in western Adams County and three thousand (3,000) square feet in eastern Adams County.
4. *Parking Lot Landscaping:* All parking lots which consist of thirty (30) spaces or more must be designed to include landscaped islands between rows. This landscaping shall be credited toward the total landscaped area required.
5. *Required Tree Mix:* The selection of trees shall be a mix of large deciduous (10% - 50%) and ornamental (10% - 50%). Evergreens shall be considered ornamental.
6. Minimum size requirements for trees and shrubs shall be:

<i>Plant Type</i>	<i>Maturity Height</i>	<i>Minimum Plant Size at Planting</i>
Ornamentals	Less than 20'	1" to 1-1/2"
Large Deciduous	Over 20'	2" to 2-1/2"
Evergreens (Sm.)	Less than 20'	5' tall
Evergreens (Lg.)	Over 20'	6' tall
Low Shrubs	1' to 3'	5 gallons
Upright Shrubs	3' to 10'	5 gallons

7. *Irrigation System Required:* A fully automatic irrigation system is required.

~~4-17-09-01-054-18-09-01-05~~ **DWELLING, MANUFACTURED HOME PARK**

A twenty (20) foot strip around the boundary must be landscaped to provide a visual screen. All open spaces and other unimproved areas must be suitably landscaped. All landscaping must be maintained and furnished with an automatic sprinkler system.

~~4-17-09-01-064-18-09-01-06~~ **DWELLING, MOBILE HOME PARK**

A landscaping plan shall be submitted for review and approval. The setbacks of the development and any other area not covered by mobile homes, driveways, ingress and egress, or other structures, shall be landscaped.

~~4-17-09-02~~ ~~024-18-09-02~~ **COMMERCIAL USES**

~~4-17-09-02-014-18-09-02-01~~ **AUTOMOBILE SERVICE STATIONS**

1. *Screening:* Service stations shall be separated from abutting residential properties by a six (6) foot high masonry wall and a Bufferyard as required in Section 4-17-06.
2. *Landscaping:* In addition to all other required landscaping, boundary landscaping is required for a minimum depth of ten (10) feet along all property lines abutting roads, except for the area required for road openings. Permanent irrigation facilities shall be provided for all landscaped areas.

~~4-17-09-02-024-18-09-02-02~~ **BED & BREAKFAST ESTABLISHMENTS**

1. *Screened Parking:* Off-road parking for the guest rooms shall be screened with landscaping meeting the requirements of a Type C Bufferyard.

~~4-17-09-02-034-18-09-02-03~~ **CAMPGROUNDS, COMMERCIAL**

In addition to all other required landscaping, interior landscaping of the campground shall require at least one (1) tree and two (2) shrubs per campsite. Each tree shall be at least two (2) inch caliper in size when planted. Shrubs shall be a minimum of five (5) gallon size when planted.

~~4-17-09-02-044-18-09-02-04~~ **DRIVE-IN ESTABLISHMENTS, INCLUDING DRIVE-THRU RESTAURANTS**

1. *Landscaping:* Planting requirements for the drive-up window and access lanes shall be the same as those required for parking area landscaping in accordance with the Parking Performance Standards in Section 4-13 of these standards and regulations.

~~4-17-09-02-054-18-09-02-05~~ **GUN AND ARCHERY RANGES**

Two (2) Type D Bufferyards shall encircle the perimeter of the gun range to provide a natural noise barrier. A ten (10) foot berm shall be incorporated into the bufferyard around the site.

~~4-17-104-18-10~~ **LANDSCAPING PLAN REQUIRED**

A landscaping plan shall be required as a condition of building permit approval. The Director of Community and Economic Development shall determine if the plan meets the requirements of these standards and regulations. At a minimum, a landscaping plan shall contain the following items:

1. Scale - written and graphic;
2. North arrow;

3. Label the zoning of subject property and adjacent properties;
4. Label the current land use of subject property and all adjacent properties;
5. Existing plant material, if applicable;
6. Plants to be removed or relocated, if applicable;
7. Existing and proposed structures, overhangs, and paving, if applicable;
8. Planting details specifying mulching materials;
9. Details of berms, walls, or any other structural buffering device if required by these standards and regulations;
10. Title block with name of project, name of person preparing plan and date;
11. A written statement describing type of irrigation system proposed - detail the proposed irrigation system or method of irrigation;
12. Plant schedule showing the following:
 - a. Number and location of plants of each species; and,
 - b. Plant name (common name, botanical name, and variety name); and,
 - c. Size and condition of plants - size be expressed in terms of size of container, height of plant, or caliper of tree; condition to be expressed in terms of size of container, ball, and burlap, and/or bare root plant division (list shall be divided according to trees, shrubs and ground covers, and turf types); and,
13. Cost estimate including materials and cost of installation when installation of landscaping is deferred.

4-17-114-18-11 LANDSCAPING INSTALLATION AND CERTIFICATE OF OCCUPANCY

All required landscaping and buffering shall be installed prior to issuance of a Certificate of Occupancy. If weather conditions necessitate a delay in installation of landscaping, a Certificate of Occupancy may be issued only if collateral is filed with the County in an amount designated by the Director of Community and Economic Development, along with a schedule of completion, and a development agreement. The amount of the collateral will reflect one-hundred-twenty five percent (125%) of the estimated cost of purchasing and installing the landscaping. In eastern Adams County, single-family residential land uses are not required to install landscaping and no landscaping is required for commercial and industrial land uses, which are serviced exclusively by wells, and which are restricted by the Colorado Division of Water Resources to inside use only.

4-17-124-18-12 LANDSCAPING PHASING

A development agreement will be accepted in partial lieu of landscape if the applicant chooses to install landscape in phases. In the case of phased landscaping, a Certificate of Occupancy may be issued only if collateral is filed with the County in an amount designated by the Director of Community and Economic Development, along

with a schedule of completion, and a development agreement. The amount of the collateral will reflect one-hundred-twenty five percent (125%) of the estimated cost of purchasing and installing the landscaping. All landscape phasing shall be approved at the discretion of the Director of Community and Economic Development.

4-17-134-18-13 DEVELOPMENT ABUTTING ADAMS COUNTY TRAIL SYSTEM

Any new development abutting any portion of the designated Adams County Trail System, a public park, or limited access highway, shall be buffered from the trail, or park, using a Special Bufferyard (Type C), unless increased or decreased by the Director of Community and Economic Development.

4-17-144-18-14 REQUIRED LOT LANDSCAPING

In addition to the required bufferyards and bufferyard landscaping, the following site landscaping shall also be required:

4-17-154-18-15 ADMINISTRATIVE RELIEF

Administrative relief is provided to add flexibility in the application of the landscaping regulations in this Section 4-17 when a standard is inapplicable or inappropriate to a specific use or design proposal. However, the granting of administrative relief should not always mean a requirement is reduced without mitigation – be it landscaping combined with urban design elements (i.e. architectural elements within a parking lot that screen parking to provide shade pavement, sidewalk/tree lawn area, gathering space or plaza, or natural areas), concentrated/denser plant material within a reduced buffer yard width, or demonstrations of concepts that are equal to or superior in fulfilling the purpose of the landscaping requirements).

A written request for administrative relief shall be submitted to the Director of Community and Economic Development either before or in conjunction with the building permit review process. The written request shall:

Include a justification in terms of the findings necessary to grant administrative relief; and the written request shall close with a section for the Director of Community and Economic Development's use, which will include a block for the decision of approval/denial, the Director of Community and Economic Development's signature, and decision date.

The written request with decision shall be attached to the plan or retained in the applicable file, as appropriate. An example of this written request shall be available from the Director of Community and Economic Development.

The Director of Community and Economic Development must make all the following findings in order to grant administrative relief:

The strict application of the regulations in question is unreasonable given the development proposal or the measures proposed by the applicant, or the property has extraordinary or exceptional physical conditions or unique circumstances which do not generally exist in nearby properties in the same general area and such conditions will not allow a reasonable use of the property in its current zone in absence of relief;

The intent of the landscaping section and the specific regulation in question is preserved, and;

The granting of the administrative relief will not result in an adverse impact upon surrounding properties.

The Director of Community and Economic Development shall render a decision on the request within ten (10) working days of receipt of the request and all required information.

An appeal of the decision of the Director of Community and Economic Development may be made to the Board of Adjustment within ten (10) days after the decision. At this time, the appeal will be placed on the agenda for the next Board of Adjustment meeting. The Landscape Appeal shall be processed in the same manner as a Variance request.

The Board of Adjustment shall grant the appeal, modify the administrative decision, or deny the appeal based on consideration of the staff report, the evidence from the public hearing, and compliance with the criteria for approval.

~~4-17-15-014-18-15-01~~ ADMINISTRATIVE RELIEF POLICIES

The County recognizes the specific landscape requirements in this Section cannot and do not anticipate all possible landscape situations. In addition, the County recognizes there may be landscape proposals that conform to the purpose, intent, and objectives of the landscape standards, but were not anticipated in the specific regulations. Therefore, the County may grant administrative relief in the event of these situations and proposals.

The County recognizes a proposed development of a relatively small commercial or industrial lot, which was created prior to the current landscape requirements, or the expansion or remodeling of an existing commercial site may present unusual difficulties in complying with the current requirements. Therefore, the

County may grant administrative relief in the event of these situations and proposals.

The County shall attempt to balance the reasonable use of such a lot with the provisions of required landscaping. This balance will be affected by the site's characteristics, as well as the proposed development plan.

The County recognizes in order to allow reasonable development; there should be an upper limit to the amount of the site, which is required to be landscaped. As a general guideline for relatively small commercial or industrial lots (such as one (1) acre or less), the requirements should not exceed twenty-five (25) percent of the site.

The reasonable development of a site may require the granting of administrative relief to some of the requirements. Although all the categories of landscape requirements are considered important, the County generally assigns the following priorities for compliance with the landscape requirements:

Adjacent residential uses should be buffered;

An attractive appearance of the project should be provided along adjacent roads by landscaped setbacks and trees, and;

The parking areas and building elevations which form major public views of the project should be visually softened and enhanced by trees and other plantings. Compliance with the requirements, such as the third priority above, should not be "forced" into a site design. For both visual effect and ease of maintenance, relatively few, but larger landscaped areas, which are integrated with the other elements of the site design, are generally encouraged. In addition, relatively numerous and smaller landscaped areas, which are not integrated with the other elements of the site design, are generally discouraged.

4-17-164-18-16 RECOMMENDED PLANT MATERIALS

The following is a reference list of agencies and local jurisdictions that have plant material recommendation lists that are most compatible with the Adams County area:

- Denver Water Wise Landscape Handbook (Denver Water)
- Colorado Native Plant Society Low-Water Native Plants for Colorado Gardens: Front Range & Foothills (West Adams County)
- Colorado Native Plant Society Low-Water Native Plants for Colorado Gardens: Prairie and Plains (Central and East Adams County)
- Colorado State University Extension Office Publications

- A Plant Select guide to plants for smart, stunning, successful western gardens (partnership with CSU and Denver Botanic Gardens)

4-18-19 WEEDS AND DANGEROUS TREES

4-18-014-19-01 WEEDS AND OFFENDING VEGETATION

1. *Definition of Weed:* Any underbrush, bush, shrub, or plant material greater than nine inches in height which: 1. ordinarily grows without cultivation; not in planting beds or otherwise in a controlled manner; or not for the purpose of food production; and 2. is allowed to grow in such a manner or extent that it causes or is likely to cause a public hazard or nuisance, or is unacceptably offensive in light of community standards of cleanliness or generally accepted neighborhood aesthetics.
2. *Duty to Control Weeds:* It is the duty of every owner or occupant to abate weeds and offending vegetation on all premises.
3. *Maximum Height of Weeds:* Weeds and offending vegetation greater than twelve (12) inches in height, on all premises, shall be cut to and maintained at a height of six (6) inches or less according to the following:
 - a. In Residential (except RE), Commercial, and Industrial Zone Districts, within the entire lot or parcel.
 - b. In the A-1 and RE Zone Districts, within the established front building setback and within the required side and rear setback for principal dwellings. If no structure exists on the property, then the minimum required principal dwelling setbacks. In the A-2 and A-3 Zone Districts, within the required or established principal dwelling setbacks. In all Agricultural and the RE Zone Districts a minimum of a twenty (20) foot perimeter around the existing principal dwelling and all accessory structures.
 - c. In CO, PL, AV, and DIA Zone Districts, no requirements.
 - d. Notwithstanding the forgoing, any weeds classified as noxious by the State of Colorado or Adams County must be completely abated in accordance with the requirements of the State of Colorado or Adams County, as applicable.

4-18-024-19-02 DANGEROUS TREES

1. *Duty to Control Dangerous Trees:* Any owner or occupant of a lot shall cause to be cut or removed any dangerous trees located on the lot which may be considered troublesome, a hindrance to the general public, or which in any way endangers the security and usefulness of any public road, highway, aviation facility, alley, utility, sidewalk, or bicycle trail.
2. Tree Branch Clear Height
 - a. *Roads, Alleys, and Highways:* All trees located on a lot shall be trimmed to a clear height of twelve (12) feet above the surface of public roads,

- alleys, or highways when the branch extends into the established right-of-way or existing roadway.
- b. *Public Sidewalks and Bicycle Trails:* All trees shall be trimmed to a clear height of eight (8) feet above public sidewalks or bicycle trails when the branch extends into or over the sidewalk or trail. All tree limbs shall be trimmed so as not to interfere with sight distance triangles in accordance with these standards and regulations.
 3. *Duty to Control Interfering Roots:* Dangerous trees upon a lot whose roots are causing interference with public sidewalks or utilities shall be controlled or removed.

4-194-20 MARIJUANA BUSINESSES

4-19-014-20-01 PURPOSE

The purpose of the following general performance standards is to address elements of planning, design, operation, and maintenance to be applied to all marijuana businesses in Adams County. Any use-specific performance standards contained in these standards and regulations shall also be applied. Where a use-specific performance standard conflicts with a general performance standard, the use-specific standard shall apply.

4-19-024-20-02 LICENSING

Prior to the operation of any marijuana business, a license must be obtained from the state of Colorado, and a local license must be obtained from Adams County, as applicable. Uses established pursuant to this section shall at all times be in complete compliance with the terms and conditions of its marijuana businesses license.

4-19-034-20-03 PERFORMANCE STANDARDS

4-19-03-014-20-03-01 PERFORMANCE STANDARDS FOR ALL MARIJUANA BUSINESSES

1. No marijuana business shall be allowed as a home occupation use.
2. No marijuana business shall be located in a residentially zoned or used building, or in a movable or mobile structure.
3. Where a retail marijuana store and a retail marijuana cultivation facility are located on the same site in a commercial zone district, the cultivation facility shall be no more than twice the size of the store.
4. All marijuana businesses shall develop properties in harmony with the surrounding area and shall enhance design elements of buildings and properties accordingly.
5. Inspections of marijuana businesses may occur at any time with or without notice.
6. Best industrial practices to mitigate odor, noise, lights, vapors, fumes, and dust, such as scrubbers and filters, shall be utilized and functioning at all times.
7. These standards and regulations recognize the protections afforded by Article XVIII, Section 14 of the Colorado Constitution, and desires to affirm the ability of patients and primary caregivers to otherwise be afforded the protections of Article XVIII, Section 14 of the Colorado Constitution and §25-1.5-106, C.R.S. (2009).
8. These standards and regulations shall in no way limit application and enforcement of any statutes of the state of Colorado.

9. All distances shall be measured from property line to property line.

~~4-19-03-024-20-03-02~~ PERFORMANCE STANDARDS FOR MEDICAL MARIJUANA STORE

1. Permitted Zone Districts: Medical Marijuana Stores are only permitted in the C-3, C-4, C-5, I-1, I-2, and I-3 zone districts.
2. Location:
 - a. No Medical Marijuana Store shall be located within 1,000 feet of any existing public or private elementary, middle, junior high or high school, state-licensed daycare homes and daycare centers in existence as of the date of application (based on information provided to the County by the State of Colorado), playground, and public housing facility.
 - b. No Medical Marijuana Store shall be located within 100 feet of any existing place of worship, youth center, public swimming pool, video arcade, alcohol or drug rehabilitation facility, group home for the developmentally disabled, halfway house or correctional facility.
 - c. No Medical Marijuana Store shall be located within 50 feet of any residentially zoned or used property.
 - d. No Medical Marijuana Store shall be located within 750 feet of any other Medical Marijuana Center or Retail Marijuana Store.

~~4-19-03-034-20-03-03~~ PERFORMANCE STANDARDS FOR RETAIL MARIJUANA STORE

1. Permitted Zone Districts: Retail Marijuana Stores are only permitted in the C-3, C-4, C-5, I-1, I-2, and I-3 zone districts.
2. Location:
 - a. No Retail Marijuana Store shall be located within 1,000 feet of any existing public or private elementary, middle, junior high or high school, state-licensed daycare homes and daycare centers in existence as of the date of application (based on information provided to the County by the State of Colorado), playground, and public housing facility.
 - b. No Retail Marijuana Store shall be located within 100 feet of any existing place of worship, youth center, public swimming pool, video arcade, alcohol or drug rehabilitation facility, group home for the developmentally disabled, halfway house or correctional facility.
 - c. No Retail Marijuana Store shall be located within 50 feet of any residentially zoned or used property.
 - d. No Retail Marijuana Store shall be located within 750 feet of any other Retail Marijuana Store or Medical Marijuana Center.

**~~4-19-03-044-20-03-04~~ PERFORMANCE STANDARDS FOR MEDICAL MARIJUANA PRODUCT
MANUFACTURING FACILITY**

1. Permitted Zone District: Medical Marijuana Product Manufacturing

- Facility is permitted in the I-1, I-2, and I-3 zone districts.
2. Location:
 - a. No Medical Marijuana Product Manufacturing Facility shall be located within 1,000 feet of any existing public or private elementary, middle, junior high or high school, state-licensed daycare homes and daycare centers in existence as of the date of application (based on information provided to the County by the State of Colorado), playground, park, and public housing facility.
 - b. No Medical Marijuana Product Manufacturing Facility shall be located within 100 feet of any existing place of worship, youth center, public swimming pool, video arcade, alcohol or drug rehabilitation facility, group home for the developmentally disabled, halfway house or correctional facility.
 - c. No Medical Marijuana Product Manufacturing Facility shall be located within 50 feet of any residentially zoned or used property.

~~4-19-03-054-20-03-05~~ **RETAIL MARIJUANA PRODUCT MANUFACTURING FACILITY**

1. Permitted Zone District: Retail Marijuana Product Manufacturing Facilities are permitted in the I-1, I-2, and I-3 zone districts.
2. Location:
 - a. No Retail Marijuana Product Manufacturing Facility shall be located within 1,000 feet of any existing public or private elementary, middle, junior high or high school, state-licensed daycare homes and daycare centers in existence as of the date of application (based information provided to the County by the State of Colorado), playground, park, and public housing facility.
 - b. No Retail Marijuana Product Manufacturing Facility shall be located within 100 feet of any existing place of worship, youth center, public swimming pool, video arcade, alcohol or drug rehabilitation facility, group home for the developmentally disabled, halfway house or correctional facility.
 - c. No Retail Marijuana Product Manufacturing Facility shall be located within 50 feet of any residentially zoned or used property.

~~4-19-03-064-20-03-06~~ **PERFORMANCE STANDARDS FOR MEDICAL MARIJUANA CULTIVATION FACILITY**

1. Permitted Zone District: Medical Marijuana Cultivation Facilities are permitted in the C-3, C-4, and C-5 zone districts for dual operations, the I-1, I-2, and I-3 zone districts for stand-alone operations, and the A-3 zone district on parcels of at least 35 acres in size for indoor stand-alone operations west of Imboden Road from the northern border of Adams County south to the intersection of Imboden Road and E. 56th Avenue; then south of E. 56th

Avenue between Imboden Road and Pass-Me-By Road; then west of Pass-Me-By Road from E. 56th Avenue to the southern border of Adams County.

2. Location:
 - a. No Medical Marijuana Cultivation Facility shall be located within 1,000 feet of any existing public or private elementary, middle, junior high or high school, state-licensed daycare homes and daycare centers in existence as of the date of application (based on information provided to the County by the State of Colorado), playground, park, and public housing facility.
 - b. No Medical Marijuana Cultivation Facility shall be located within 100 feet of any existing place of worship, youth center, public swimming pool, video arcade, alcohol or drug rehabilitation facility, group home for the developmentally disabled, halfway house or correctional facility.
 - c. No Medical Marijuana Cultivation Facility shall be located within 50 feet of any residentially zoned or used property.

~~4-19-03-074-20-03-07~~ **PERFORMANCE STANDARDS FOR RETAIL MARIJUANA CULTIVATION FACILITY**

1. Permitted Zone District: Retail Marijuana Cultivation Facilities are permitted in the C-3, C-4, and C-5 zone districts for dual operations, the I-1, I-2, and I-3 zone districts for stand-alone operations, and the A-3 zone district on parcels of at least 35 acres in size for indoor stand-alone operations west of Imboden Road from the northern border of Adams County south to the intersection of Imboden Road and E. 56th Avenue; then south of E. 56th Avenue between Imboden Road and Pass-Me-By Road; then west of Pass-Me-By Road from E. 56th Avenue to the southern border of Adams County.
2. Location:
 - a. No Retail Marijuana Cultivation Facility shall be located within 1,000 feet of any existing public or private elementary, middle, junior high or high school, state-licensed daycare homes and daycare centers in existence as of the date of application (based on information provided to the County by the State of Colorado), playground, park, and public housing facility.
 - b. No Retail Marijuana Cultivation Facility shall be located within 100 feet of any existing place of worship, youth center, public swimming pool, video arcade, alcohol or drug rehabilitation facility, group home for the developmentally disabled, halfway house or correctional facility.
 - c. No Retail Marijuana Cultivation Facility shall be located within 50 feet of any residentially zoned or used property.

~~4-19-03-084-20-03-08~~ **PERFORMANCE STANDARDS FOR MARIJUANA TESTING FACILITY**

1. Permitted Zone District: Retail Marijuana Testing Facilities are permitted in

the I-1, I-2, and I-3 zone districts.

2. Location:
 - a. No Retail Marijuana Testing Facility shall be located within 1,000 feet of any existing public or private elementary, middle, junior high, or high school, state-licensed daycare homes and daycare centers in existence as of the date of application (based on information provided to the County by the State of Colorado), playground, park, and public housing facility.
 - b. No Retail Marijuana Testing Facility shall be located within 100 feet of any existing place of worship, youth center, public swimming pool, video arcade, alcohol or drug rehabilitation facility, group home for the developmentally disabled, halfway house or correctional facility.
 - c. No Retail Marijuana Testing Facility shall be located within 50 feet of any residentially zoned or used property.

4-19-03-094-20-03-09 PERFORMANCE STANDARDS FOR MARIJUANA HOSPITALITY BUSINESS

1. Permitted Zone District: Marijuana Hospitality Businesses are permitted in the C-3, C-4, C-5, I-1, I-2, and I-3 zone districts.
2. Location:
 - a. No Marijuana Hospitality Business shall be located within 1,000 feet of any existing public or private elementary, middle junior high or high school, state licensed daycare home and daycare centers in existence as of the date of application (based on information provided to the County by the State of Colorado), playground, or public housing facility.
 - b. No Marijuana Hospitality Business shall be located within 100 feet of any existing house of worship, youth center, public swimming pool, video arcade, alcohol or drug rehabilitation facility, group home for the developmentally disabled, halfway house, or correctional facility.
 - c. No Marijuana Hospitality Business shall be located within 50 feet of any residentially zoned or used property.
 - d. No Marijuana Hospitality Business allowing for outdoor consumption shall be located within 500 feet of any residentially zoned or used property.
 - e. No Marijuana Hospitality Business shall be located within five miles of any other Marijuana Hospitality Business or Retail Marijuana Hospitality and Sales Business.
3. Mobile Premises: A Marijuana Hospitality Business with a Mobile Premises shall designate and maintain a fixed place of business in unincorporated Adams County this is separate from the Mobile Premises.
4. A Marijuana Hospitality Business may be allowed as an accessory use to any established Commercial Uses, as defined in Chapter 11, in any zone

district where a Marijuana Hospitality Business is still required, even if operating as an accessory use. The accessory use must comply with all requirements of Section 4-03, Accessory Uses Performance Standards, as well as this Section.

5. If any outdoor consumption area is permitted as part of the Marijuana Hospitality Business, it shall be no greater in size than fifty percent (50%) of the indoor consumption area. The outdoor consumption area shall be concealed by an eight (8) foot solid screen fence or other effective screening material, as approved by the Director of Community and Economic Development.

~~4-19-03-104-20-03-10~~ PERFORMANCE STANDARDS FOR RETAIL MARIJUANA HOSPITALITY AND SALES BUSINESSES

1. Permitted Zone Districts: Marijuana Hospitality Businesses are permitted in the C-3, C-4, C-5, I-1, I-2, and I-3 zone districts.
2. Location:
 - a. No Marijuana Hospitality Business shall be located within 1,000 feet of any existing public or private elementary, middle junior high or high school, state licensed daycare home and daycare centers in existence as of the date of application (based on information provided to the County by the State of Colorado), playground, or public housing facility.
 - b. No Marijuana Hospitality Business shall be located within 100 feet of any existing house of worship, youth center, public swimming pool, video arcade, alcohol or drug rehabilitation facility, group home for the developmentally disabled, halfway house, or correctional facility.
 - c. No Marijuana Hospitality Business shall be located within 50 feet of any residentially zoned or used property.
 - d. No Marijuana Hospitality Business allowing for outdoor consumption shall be located within 500 feet of any residentially zoned or used property.
 - e. No Marijuana Hospitality Business shall be located within five miles of any other Marijuana Hospitality Business or Retail Marijuana Hospitality and Sales Business.
 - f. The consumption area within a Retail Marijuana Hospitality and Sales Business shall not exceed fifty percent (50%) of the total floor area of the retail establishment, but in no case more than one thousand five hundred (1,500) square feet.
 - g. If any outdoor consumption area is permitted as part of the Retail Marijuana Hospitality and Sales Business, it shall be no greater in size than fifty percent (50%) of the indoor consumption area. The outdoor consumption area shall be concealed by an eight (8) foot solid screen

fence or other effective screening material, as approved by the Director of Community and Economic Development.

4-204-21 SEXUALLY ORIENTED BUSINESSES

4-20-014-21-01 SEXUALLY ORIENTED BUSINESSES BY ZONE DISTRICT

A person commits a misdemeanor if he operates or causes to be operated a Sexually Oriented Business outside of the C-4, C-5, I-1, I-2, or I-3 Zone Districts.

4-20-024-21-02 MISDEMEANOR OFFENSES

A person commits a misdemeanor if he operates or causes to be operated a sexually oriented business within fifteen hundred (1,500) feet of:

1. Any church;
2. Any school meeting all requirements of the compulsory education laws of the state;
3. The boundary of any residential district;
4. A dwelling unit (single or multiple);
5. A public park adjacent to any residential district; or
6. Another sexually oriented business.

A person commits a misdemeanor if he causes or permits the operation, establishment, or maintenance of more than one sexually oriented business within the same building, structure, or portion thereof.

4-20-034-21-03 MEASUREMENTS AND DISTANCES

For purposes of this Section, distance between any two (2) sexually oriented businesses or between a sexually oriented business and any church, school, public park, dwelling unit (single or multiple) or residential district shall be measured in a straight line, without regard to intervening structures or objects, from the nearest property line of the property on which the sexually oriented business is conducted, to the nearest property line of the premises of another sexually oriented business, a church, school, or dwelling unit (single or multiple), or the nearest boundary of an affected public park, or residential district.

4-20-044-21-04 NONCONFORMING USE

1. Any sexually oriented business lawfully operating on February 1994 that is in violation of this Section will be deemed a nonconforming use as provided for in Chapter 5 (Nonconforming Conditions) of these Regulations.

2. A sexually oriented business lawfully operating is not rendered in violation of this Section by the subsequent location of a church, school, dwelling unit (single or multiple), public park, or residential district, within fifteen hundred (1,500) feet of the sexually oriented business.

4-20-054-21-05 EXCLUSIONS

The provisions of this Section regulating nude model studios do not apply to:

1. A college, junior college, or university supported entirely or partly by taxation.
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; or
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 three (3) days in advance of the class; and where no more than one (1) nude model is on the premises at any one (1) time.

4-214-22 SITE DESIGN CONSIDERATIONS

4-21-014-22-01 LOT DESIGN STANDARDS

4-21-01-014-22-01-01 LOT DIMENSIONS

1. *Lot Dimension to Conform to Zoning:* Lot dimensions shall conform to the requirements of the zone district in which the property is located.
2. *Lot Depth Ratio:* No lot shall have an average depth greater than three (3) times the average width unless the lot width exceeds four-hundred-forty (440) feet.

4-21-01-024-22-01-02 LOT CONFIGURATION

1. *Double Fronting Lots:* Lots with double frontage shall be avoided except where necessary to provide separation of residential development from arterials, to provide ingress and egress in commercial and industrial lots, or to overcome specific disadvantages of topography and orientation. Double frontage lots shall be permitted in rural areas where the lot size is five (5) acres or greater. Access for double fronting lots shall be taken from interior roads not perimeter collectors or arterials.
2. *Flag Lots:* Flag lots shall be allowed in all zone districts but shall only be used where all other lot alternatives are impractical. If a reasonable development alternative exists, flag lots shall not be utilized even though their use might allow more lots to be created than other alternatives. In addition, no flag lot shall be approved where the flag lot is being used as a means of avoiding the construction of public roads or the extension of utilities. The minimum width of the pole of any flag lot shall be thirty (30) feet where the lot fronts a local road, arterial, or collector or meet the required minimum lot width of the pertinent zone district. The maximum depth of the pole shall be six hundred (600) feet. In all cases where a flag lot fronts a highway, arterial, or collector, only one (1) access shall be approved for every two-hundred-fifty (250) feet of road frontage. Lots shall be required to share access where inadequate frontage exists for multiple accesses to be provided.
3. *Wedge-Shaped Lots:* In the case of irregular or wedge-shaped lots, no lot shall be less than thirty (30) feet in width at the front property line where a lot fronts on a local road, a highway, arterial, or collector or meet the required minimum lot width of the pertinent zone district. The width at the front property line can be reduced to thirty (30) feet where a shared driveway is provided. In all cases, where a wedge-shaped lot fronts a highway, arterial, or collector, only one access shall be approved for

every two-hundred-fifty (250) feet of road frontage. Lots shall be required to share access where inadequate frontage exists for multiple accesses to be provided.

4. *Split Lots*: No single lot shall be divided by a road, alley, or other lot without creation of two (2) or more separate lots.
5. *Side Lot Lines*: Side lot lines shall be substantially at right angles or radial to road right-of-way lines or road centerlines.

4-21-024-22-02 ACCESS

4-21-02-014-22-02-01 ACCESS SUBJECT TO APPROVAL

All accesses are subject to approval of the Director of Public Works or the Colorado Department of Transportation for state highways. In cases where an access point would impede or interfere with the planned traffic flow of a road, or create a traffic hazard, an access permit may be denied.

4-21-02-024-22-02-02 ACCESS DESIGN AND CONSTRUCTION

All access shall meet the requirements of these standards and regulations.

4-21-034-22-03 DRAINAGE

4-21-03-014-22-03-01 DRAINAGE DEVELOPMENT DESIGN

All developments shall be designed and constructed in compliance with the drainage criteria listed in Chapter 9 of these regulations.

4-21-03-024-22-03-02 DRAINAGE DESIGN AND CONSTRUCTION PLANS SUBJECT TO APPROVAL

All drainage plans are subject to approval of the Director of Public Works or Director of Community and Economic Development and are required for any building or other permit. All drainage facilities shall meet the requirements of these standards and regulations.

4-21-044-22-04 UTILITIES

4-21-04-014-22-04-01 UTILITIES SUBJECT TO APPROVAL

All utility locations and installations are subject to approval by the applicable public agency and/or private utility company. Utilities shall meet the minimum requirements of the utility company and any public agency including but not limited to these standards and regulations.

~~4-21-04-024-22-04-02~~ **UNDERGROUND UTILITIES**

All site utilities shall be underground.

~~4-21-04-034-22-04-03~~ **CONNECTION TO EXISTING SYSTEMS**

Utilities shall tie into existing sanitary and storm sewer and water main stub outs, if possible, to avoid disturbance to existing pavement.

~~4-21-04-044-22-04-04~~ **CUTTING, BACKFILLING, AND PAVING**

Where cuts in existing roads are made for utility work, all cutting, backfilling, and paving shall be done in accordance with the applicable public agency's specifications and procedures. Where a cut is made to a County road, a permit shall be obtained from the Director of Public Works. All cuts to County roads shall be completed in accordance with these standards and regulations.

~~4-21-054-22-05~~ **SITE GRADING**

~~4-21-05-014-22-05-01~~ **NON-ENGINEERED APPEARANCE**

The aesthetic goal of grading is to imitate natural landforms. Long, monotonous, unchanging slopes with severe breaks in slope have an unnatural, man-made appearance and shall be avoided.

~~4-21-05-024-22-05-02~~ **GRADE CHANGE DESIGN**

Grade changes shall be designed imaginatively, accenting, or de-emphasizing the change in grade as appropriate. Circulation elements, such as trails and sidewalks, can effectively respond to grade conditions by meandering in long gentle curves.

~~4-21-05-034-22-05-03~~ **AREA OF SITE GRADING**

The area to be graded shall be kept as small as is practical in order to avoid large undeveloped graded areas. After grading, all areas not to be built within the same construction season shall be revegetated and other erosion control measures taken as appropriate. All revegetation and erosion control measures shall meet the requirements of these standards and regulations and be approved by the Director of Community and Economic Development.

~~4-21-05-044-22-05-04~~ **OVERLOT GRADING**

Overlot grading will be done to preserve existing topographic features where possible and to provide positive drainage.

~~4-21-05-054-22-05-05~~ **SLOPE STANDARDS**

Unless otherwise specified by these standards and regulations, all site grading shall be designed to meet the following standards:

1. Planting Areas
 - a. Minimum Slope: 2%
 - b. Maximum Slope: 30%
2. Parking Lot Pavement
 - a. Minimum Slope: 2%
 - b. Maximum Slope: 4%
3. Pedestrian Plaza Areas
 - a. Minimum Slope: 1%
 - b. Maximum Slope: 2%
4. Private driveways, public roads, and sidewalks shall comply with the slope requirements outlined in Chapter 7 of these regulations.

~~4-21-064-22-06~~ **PEDESTRIAN AND BICYCLE AMENITIES**

~~4-21-06-014-22-06-01~~ **PEDESTRIAN AND BICYCLE ACCESS TO SITE**

Pedestrian and bicycle access onto the site shall be maximized in all proposed projects. This may be accommodated through the provision of on-site walkways, trails, paths or sidewalks and bike lanes or trails, which originate at the property boundary.

~~4-21-06-024-22-06-02~~ **INTERNAL PEDESTRIAN AND BICYCLE CIRCULATION**

Internal pedestrian and bicycle circulation shall be facilitated through appropriately sealed walkways, paths, trails or sidewalks and bike lanes or trails. Special emphasis shall be placed on providing pedestrian and bicycle access to proposed recreational and/or open space areas.

~~4-21-06-034-22-06-03~~ **BICYCLE PARKING**

Bicycle parking shall be provided for all commercial development. Bicycle parking areas should be located near structure entries but should not encroach into pedestrian walkways.

~~4-21-06-044-22-06-04~~ **SIDEWALKS**

1. *Minimum Width:* The minimum width of all sidewalks shall be 5½ feet measured from the flowline.
2. *Sidewalk Design and Construction:* Sidewalks shall be designed and constructed in accordance with these standards and regulations.
3. *Open Space Connections:* Sidewalks should occur along roadways and extend into major open space areas.

4. *Sidewalk Maintenance*: The property owner of land abutting a constructed public right-of-way is responsible for construction and maintenance of curb, gutter, and sidewalk along the right-of-way abutting the property including snow removal for pedestrian access.

~~4-21-06-054-22-06-05~~ **BICYCLE PATH OR TRAILS**

1. *Minimum Width*: Bicycle path or trails shall serve both pedestrians and bicycles and shall be at least eight (8) feet wide.
2. *Bicycle Path Design and Construction*: Bicycle paths and trails shall be designed and constructed in accordance with these standards and regulations.
3. *Open Space Connections*: Bicycle paths and trails should occur along roadways and extend into major open space areas.
4. *Bicycle Paths and Trails Maintenance*: The property owner of land abutting a constructed public right-of-way is responsible for construction and maintenance of bicycle trails along the right-of-way abutting the property including snow removal for access.

4-224-23 OFF-ROAD UTILITY, DUMPSTER, RECYCLING, AND TRASH HANDLING FACILITIES

All off-road utility, dumpster, recycling, and trash handling facilities serving commercial and industrial uses shall meet the following requirements:

1. *Location:* All utilities (including heating and air conditioning units), dumpsters, and trash handling facilities shall be located on the same lot as the use served unless shared facilities are approved by the Community and Economic Development Department. All utility, dumpster, and trash handling facilities including the occupant's recycling facilities shall be completely screened from public view, and from the view of any development on any adjoining property. A wall, solid wood fence, evergreen hedge, earth berm, or any combination thereof shall be provided to obscure these facilities. However, when the service side of the particular facility faces any property line, a wall or solid wood fence with gates or doors must be provided. If shrubs are used as the screening material, they shall be a minimum of five (5) feet in height, spaced no farther than four (4) feet apart. If a wall, solid wood fence, or berm is used as the screening material, its minimum height shall be six (6) inches above the proposed facility.
2. *Recycling Facilities:* Public recycling drop off sites shall be encouraged and are permitted as an accessory use in all nonresidential zone districts. The drop off site shall be kept free of litter, residue, and debris by the party responsible for the maintenance and management of the drop off facility. One (1) freestanding or wall sign is allowed up to twenty-five (25) square feet in area upon issuance of a building permit. The drop off site containers must be durable, waterproof, covered and well maintained. The name and phone number of the party responsible for maintenance shall be posted on the container. Containers on the site shall have uniform colors. The Community and Economic Development Department may impose additional conditions if necessary to protect adjacent properties.
3. *Access:* All required dumpster, recycling, and trash handling facilities shall be designed with appropriate means of access to a road or alley in a manner which will least interfere with traffic movement, and which will most facilitate the service of the facilities.
4. *Utilization:* Space allocated to any off-road dumpster and trash handling facilities shall not be used to satisfy the space requirements for off-road parking and/or loading facilities, nor shall any parking or loading spaces be used to satisfy the space requirements for any dumpster or trash handling facility.

4-234-24 ANIMAL KEEPING

4-23-014-24-01 HOUSEHOLD PETS AND OTHER ANIMALS

Household pets shall be subject to the following limitations:

1. *Allowed:* Household pets shall be allowed as an accessory use in all Agricultural and Residential Zone Districts according to Table 4-23-01-1.
2. *Penned:* Except in agricultural zone districts, all household pets shall be penned or otherwise confined to their owner’s property except when on a leash and in the control of the owner. Unconfined animals are a violation of the “Pet Animal Licensing and Control Regulations”, as adopted December, 2016, as amended.
3. *On Agricultural Lands:* The keeping of household pets shall not be regulated in agricultural zone districts of more than thirty-five (35) acres. However, the keeping of more than ten (10) dogs and/or cats, shall conform to the standards listed in Section 4-23-04 for Private Kennels and/or Catteries.
4. *Pigeons:* Pigeons are allowed in Agricultural, Residential Estate, Single-Family Residential, Duplex/Mobile Home, and Multi-Family Zone Districts, in conformance with Table 4-23-01-1 and the standards contained in Section 4-23-03.

4-23-024-24-02 GUARD DOGS

Guard Dogs, patrolling for the protection of property, shall be allowed in all Commercial and Industrial Zone Districts, subject to the following:

1. *Number of Guard Dogs Permitted:* See the Animal Density Table in Section 4-20 to calculate the number of permitted household pets.
2. *Confinement of Guard Dog(s):* The area being patrolled by a guard dog(s) shall be fenced with a minimum seventy-two (72) inch high chain link or solid screen fence.
3. *Notice of Guard Dog(s):* A sign warning of the presence of said dog(s) stating what hours the dog(s) is on patrol shall be posed in plain view of the public around the perimeter of the fenced area. The sign must also state the name of the owner and the handler of the dog(s), with a phone number where the handler can be reached.
4. *Garbage Disposal:* All animal and food waste shall be handled and disposed of in a sanitary manner as approved by Tri-County Health Department.
6. *Pest Control:* Environmental and/or chemical and scientific controls shall be provided for pest control.
7. *Care of Animals:* All dogs shall be cared for in a humane and sanitary manner as approved by Adams County Humane Society and Adams County Animal Management.

4-23-034-24-03 PIGEON KEEPING

In addition to the limitations imposed by Animal Density Table 4-23-01-1, pigeon keeping shall be required to meet the following standards:

1. *Permitted Number of Pigeons:* See Table 4-23-01-1.
2. *Loft Floor Space:* There shall be at least one (1) square foot of loft floor space for each mature pigeon.
3. *Loft Design:* The pigeon loft shall be of such sufficient size and design, and constructed of such material, it can be easily maintained in a clean and sanitary condition.
4. *Loft Compliance:* The loft shall be in compliance at all times with all applicable Tri-County Health regulations.
5. *Setback from Residential Structure:* The loft shall be set back a minimum of twenty-five (25) feet from any residential structure.
6. *Lot Line Setbacks:* The loft shall be set back from all lot lines in accordance with the accessory setbacks for the zone district in which it is located.
7. *Pigeon Feed:* All pigeon feed shall be stored in such containers as to protect against intrusion by rodents and other vermin.
8. *Pigeon Feeding:* All pigeons shall be fed within the confines of the loft.
9. *Pigeon Release for Flying:* Pigeons will not be released for flying for four (4) hours after feeding.
10. *Pigeon Confinement:* All pigeons shall be confined to the loft, except for limited periods necessary for exercise, training, and competition. At no time shall pigeons be allowed to perch or linger on the buildings or property of individuals other than the owner of the pigeons.

4-23-044-24-04 PRIVATE KENNELS AND CATTERIES

In all Agricultural, Residential Estate, Single Family Residential, and Duplex/Mobile Home Zone Districts, private kennels and catteries may be maintained according to the following conditions:

1. A Special Use Permit must be obtained unless the use is not regulated (NR) in the Animal Density Table in Table 4-23-01-1.
2. *Permitted Number of Dogs and/or Cats:* See the Animal Density Table in Table 4-23-01-1 to calculate the number of permitted household pets.
3. *Building Permit Required:* A building permit shall be obtained for all kennels, pens, shelters, or other similar structures.
4. *Prohibited Animals:* Boarding dogs and/or cats other than those animals owned by the resident and/or owner and immediate family shall be prohibited.
5. Minimum Space Requirements

- a. *Dogs*: Each dog shall be provided a minimum space equal to the following equation:
 - (1) Width of Kennel = Length of dog from nose to base of tail + 2 feet.
 - (2) Length of Kennel = Width of Kennel + 2 feet.
 - (3) Height of Kennel = Head height of dog standing on all four legs + 1 foot.
- b. *Cats*: Each adult cat shall be provided a minimum of six (6) cubic feet of area. Adult female cats with kittens below three (3) months of age shall be provided with a minimum of eight (8) cubic feet of area.
6. *Garbage Disposal*: All animal and food garbage shall be handled and disposed of in a sanitary manner as approved by Tri-County Health Department.
7. *Pest Control*: Environmental and/or chemical and scientific controls shall be provided for pest control.
8. *Drainage*: Adequate drainage facilities or improvements shall be constructed to protect any adjacent rivers, streams, or other bodies of water from pollution.
9. *Mixing of Dogs and Cats*: Dogs and cats shall not be housed in the same primary enclosure.
10. *Care of Animals*: All dogs and/or cats shall be cared for in a humane and sanitary manner as approved by Adams County Humane Society and Adams County Animal Management.
11. *Other Standards*: All animal keeping shall conform to Section 4-20 of these standards and regulations.

4-23-054-24-05 **COMMERCIAL KENNEL AND CATTERIES**

The operation of Commercial kennels and/or catteries is allowed in Agricultural, Commercial and Industrial Zone Districts. Commercial kennels and/or catteries shall not be conducted without first having obtained a conditional use permit and approval of a management plan from the Board of County Commissioners.

1. *Offspring Not Limited*: The total number of dogs and/or cats allowed under the Conditional Use Permit shall not apply to offspring under five (5) months of age, belonging to one of the adult animals.
2. *Management Plan Required*: A management plan detailing how the facility will be operated shall be submitted prior to issuance of a Conditional Use Permit.
3. *Minimum Standards*: In addition to the requirements of Section 4-23-04, commercial kennels shall meet the following minimum standards:
 - a. A washroom consisting of a basin or sink and a lavatory shall be provided to maintain the cleanliness among animal caretakers.
 - b. All breeding and boarding kennel operators shall be licensed by the appropriate governmental authority.

- c. A person responsible for the commercial kennel or cattery, whether the owner of the facility or an employee, shall reside permanently on the subject property. If a responsible party is not available on site, the kennel shall be posted with the name and phone number of a responsible party.
 - d. Any dwelling unit newly constructed to house the owner or employee shall meet the applicable zone district requirements.
4. *Exemptions:* Those operations exempt from obtaining a conditional use permit shall be as follows:
- a. A public or private zoological park; or
 - b. A public animal pound; or
 - c. A veterinary hospital operated by a licensed veterinarian; or
 - d. A research institution using animals for scientific research; or
 - e. An animal shelter operated by an organized humane society; or
 - f. A pet shop; or
 - g. A circus.

Although exempt from obtaining a conditional use permit, these operations shall meet all the requirements for a private kennel as outlined in Section 4-23-04.

4-23-064-24-06 **NON-COMMERCIAL ANIMAL FEEDING OPERATION (AFO) AND CONCENTRATED ANIMAL FEEDING OPERATION (CAFO), LIVESTOCK**

The keeping of poultry and/or livestock, except chickens, is only allowed in the Agricultural and Residential Estate Zone Districts. Livestock may be kept on property in the Residential Estate Zone District only if the owner of said livestock resides on the property and is a registered member of a 4-H or FFA or other agricultural education program. This does not apply to horses kept for recreational purposes.

The keeping of non-commercial livestock and poultry, except chickens, is allowed in accordance with Table 4-23-01-1, Tabulation of Animal Unit Densities. The maximum number of allowable livestock per lot does not apply to young animals below weaning age, or six (6) months of age, whichever is less.

On those properties where livestock and poultry, except chickens, are allowed, the following standards shall be observed:

1. *Manure:* All manure shall be removed periodically or incorporated into the soil on a regular basis so the manure does not draw flies, or other insects, or cause obnoxious odors.
2. *Drainage:* Adequate overflow drainage on drinking facilities shall be provided to prevent the saturation of soil on adjacent property. Adequate drainage facilities or improvements shall be constructed to protect any adjacent rivers, streams, or other bodies of water from pollution.

3. *Feed*: Spillage and left-overs from livestock feedings must be removed or so disposed of as to prevent fly, bird, or rodent propagation, or creation of odors.
4. *Pens*: Any new shed, shelter, pen, or enclosure for livestock shall not be closer than one hundred (100) feet to any off-property residence or place of business and shall be set back twenty-five (25) feet from the side lot line and fifty (50) feet from the front lot line.
5. *Insects and Rodents*: All sheds or other shelter for livestock shall be kept reasonably free of rodents and insects and shall be kept in good repair.
6. *Fenced*: In subdivided areas, all livestock shall be kept within a fenced area.
7. *Colorado Rules*: Adherence to the Colorado Confined Animal Feeding Regulations, promulgated by the Colorado Department of Public Health and Environment, Water Quality Control Commission.

In agricultural zone districts of greater than thirty-five (35) acres, the number of livestock is not regulated, unless the operation meets the definition of a Livestock Confinement Operation. However, the keeping of such livestock must comply with the performance standards listed above except the keeping of livestock shall be exempt from the manure and feed requirements on parcels greater than thirty-five (35) acres in size.

4-23-074-24-07 **NON-COMMERCIAL ANIMAL FEEDING OPERATION (AFO) AND CONCENTRATED ANIMAL FEEDING OPERATION (CAFO), CHICKENS**

4-23-07-014-24-07-01 **PURPOSE**

The purpose of these regulations is to permit limited small animal husbandry uses within residential environments to promote access to fresh food and the associated health benefits as well as encourage sustainability through reduced vehicle trips for food and energy consumption associated with food production. The regulations below are intended to permit the keeping of chickens for household purposes, and not for a profit, while preventing negative impacts associated with this use.

4-23-07-024-24-07-02 **APPLICABILITY**

The keeping of chickens is only allowed as an accessory use with any legal detached, single family residential use, excluding where the single-family residence is a mobile home or as otherwise regulated by State law. Accessory dwelling units are also allowed to keep chickens so long as the cumulative number of chickens on the property does not exceed the allowance. The keeping of chickens is allowed in accordance with Table 4-22-01-1. The maximum number of allowable chickens per lot does not apply to chicks not yet at egg-bearing age, or six (6) months of age, whichever is less.

~~4-23-07-034-24-07-03~~ PERFORMANCE STANDARDS

1. *Allowed number of chickens:* No more than six (6) domestic chicken hens are permitted per each detached, single family residential use. Three (3) chickens shall equal one (1) household pet.
2. *Shelter Requirements:*
 - a. Type: Chickens must be provided with a covered, predator-resistant shelter structure that is properly ventilated and heated, with nesting boxes, designed to be easily accessed, cleaned, and maintained.
 - b. Size: The shelter structure shall provide at least three (3) square feet per chicken. The shelter structure shall not exceed one-hundred twenty (120) square feet.
3. *Perimeter Fencing:*
 - a. In addition to the shelter requirements described above, chickens shall be confined to areas that are fully enclosed with adequate perimeter fencing to prevent the chickens from escaping when not in their shelters, to prevent predators' entry, and from coming into contact with wild ducks, geese or their excrement. Each chicken shall be provided at least 10 square feet of area within the perimeter fencing.
 - b. Fences required by this subsection shall comply with the provisions of Section 4-07-01-02-02 (Residential Use Fencing, Walls, and Screening) and shall be resistant to predators.
 - c. Adequate fencing material for purpose of this subsection shall include wood, wire, and stone. Fencing with openings that would allow chickens to pass through, such as a split rail or wrought iron fence with wide openings, will not be deemed adequate for purposes of this subsection.
4. *Location of Shelter Structures and Perimeter Fences:* Chicken structures and perimeter fencing shall be located in the rear or backyard of the lot as determined by street frontage, and not the orientation of the residence. Chickens shall be kept within such facilities and are not permitted within any other portions of the lot.
5. *Setbacks:* Neither the shelter structure nor perimeter fencing shall be located less than five (5) feet from any abutting property line.
6. *Access:*
 - a. During daylight hours, the chickens must have access to the shelter structure, located adjacent to the shelter, which is adequately fenced with perimeter fencing as required by this Section to protect them from predators.
 - b. From dusk till dawn, the chickens must be further protected from predators by being closed inside the shelter structure.

~~4-23-07-044-24-07-04~~ **PROVISION OF FOOD, WATER, AND SANITATION**

1. *Water:* Fresh water must be available at all times in adequate receptacles.
2. *Food:* Sufficient nutritive food must be provided daily and must be stored in a resealable, airtight, metal, rodent proof container to discourage attracting mice, rats, and other vermin.
3. *Cleanliness:* The shelter and surrounding area must be kept clean from accumulation of excrement and debris so as to not create a nuisance and be compliant with the County’s stormwater regulations.
4. *Compliance with Current Stormwater Regulations:* The use of excrement as applied fertilizer shall only be allowed in conformance with the County’s stormwater regulations.

~~4-23-07-054-24-07-05~~ **NUISANCE PREVENTION**

1. *Nuisance-Free Facilities As Prerequisite:* A permit to keep chickens within the County shall not be granted or renewed unless the owner or keeper provides facilities which will reasonably assure the Director of Community and Economic Development that the premises will be maintained in a sanitary condition, free from insects and rodents, offensive odors, excessive noise or any other conditions which constitute a public nuisance.
2. *Dust, Odors, and Waste Prohibited:* All coops and runs shall be regularly cleaned and maintained to control dust, odor, and waste and to prevent the facilities from constituting a nuisance, safety hazard, or health problem to surrounding properties. Odors associated with the coop shall be contained within the owner's property boundary.
3. *Slaughtering Prohibited:* The chickens may not be slaughtered by the owner or keeper thereof, except pursuant to the lawful order of State or County health officials or for the purpose of euthanasia when surrendered to a licensed veterinarian.
4. *Disposal:* Dead animal carcasses shall be properly and safely disposed of within 24 hours as recommended by the applicable health department.
5. *Roosters prohibited:* Roosters are not permitted, except where allowed in Agricultural zone districts as described in these regulations.

~~4-23-07-064-24-07-06~~ **PERMITTING (ANNUAL REGISTRATION OF USE)**

~~4-23-07-06-014-24-07-06-01~~ **REQUIREMENTS**

1. Any person keeping chickens pursuant to this Section must obtain a permit from the County.
2. The Permit Application shall include:

- a. A plan or drawing showing the proposed locations of all chicken facilities to be located upon the property for which the permit is requested.
 - b. Details demonstrating the applicant's compliance with the requirements of this Section.
3. No property with outstanding code violations will be issued a permit.
 4. Prior to the issuance of a permit, the County may inspect the parcel for which the permit is requested. per
 5. A permit issued pursuant to this Section shall allow the keeping of chickens on the specific property identified in the permit. The permit shall be personal to the permittee and is non-transferrable.
 6. A permit issued pursuant to this section shall be in effect for twelve (12) months after which the permittee may reapply or will expire.

~~4-23-07-06-024-24-07-06-02~~ **DENIAL OR REVOCATION OF PERMIT**

1. The County may deny or revoke a permit to keep, maintain or possess chickens within the County if determined that any provision of this Section is being violated or if the County finds that maintenance of chicken(s) interferes with the reasonable and comfortable use and enjoyment of property.
2. Removal of Shelter: [Upon] expiration, revocation or denial of a permit, all chicken facilities shall be removed from the property within 14 days of such expiration, revocation, or denial.

~~4-23-084-24-08~~ **KEEPING OF BEES**

~~4-23-08-014-24-08-01~~ **PURPOSE**

The purpose of these regulations is to permit limited small animal husbandry uses within residential environments to promote access to fresh food and the associated health benefits as well as encourage sustainability through reduced vehicle trips for food and energy consumption associated with food production. The regulations below are intended to permit beekeeping for household purposes, and not for a profit, while preventing negative impacts associated with this use.

~~4-23-08-024-24-08-02~~ **APPLICABILITY**

The keeping of bees is only allowed as an accessory use with any detached, single family residential use, excluding mobile homes. Other accessory uses, such as accessory dwelling units, are also allowed to keep bees so long as the cumulative number of colonies on the property does not exceed the total allowance for the single-family residential use.

~~4-23-08-03-034-24-08-03~~ **DEVELOPMENT REGULATIONS**

~~4-23-08-03-014-24-08-03-01~~ **ALLOWED NUMBER OF BEE COLONIES**

1. No more than two (2) bee colonies are permitted per detached, single family residential use in residential, commercial, and industrial zone districts as determined by Table 4-22-01-1. Animal Densities and Uses.
2. Two (2) bee colonies shall equal one (1) household pet.

~~4-23-08-03-024-24-08-03-02~~ **PERFORMANCE STANDARDS**

1. *Type:* Bee colonies must be provided with a predator-resistant structure, or hive, that is properly ventilated and elevated from the ground and designed to be easily accessed, cleaned, and maintained.
2. *Size:* The hive shall not exceed eight (8) square feet.
3. *Number:* One (1) colony per hive. A maximum of two (2) hives are allowed, as applicable.
4. *Location:* Bee keeping structures shall be located in the rear or backyard of the lot. They shall not be located between the rear of the dwelling and the front yard lot line.
5. *Orientation:* The entrance/exit of the structure shall be oriented away from the closest adjacent property line(s).
6. *Access:*
 - a. All bee colonies shall be kept in inspectable hives with removable combs.
7. *Setbacks:* The structure shall be setback at least fifteen (15) feet from any abutting property line.
8. *Flyway Barriers:*
 - a. A flyway barrier constructed at least six (6) feet in height around the structure consisting of a fence or vegetation. This barrier must be designed so that the bees are forced to fly at an elevation of at least six (6) feet above the ground level over the property line.
 - b. Fences shall comply with the provisions of Section 4-07-01-02-02 (Residential Use Fencing, Walls, and Screening) of this Code.

~~4-23-08-03-034-24-08-03-03~~ **PROVISION OF FOOD, WATER, AND SANITATION**

1. *Water:* Freshwater must always be available in adequate receptacles in order to prevent swarming near water sources where they may cause human, bird or domestic pet interactions.
2. *Cleanliness:* The shelter and surrounding area must be kept clean from colony-produced materials, such as honey, honeycomb and brood comb, and debris so as to not create a nuisance.

~~4-23-08-03-044-24-08-03-04~~ **NUISANCE PREVENTION**

1. *Nuisance-Free Facilities as Prerequisite:* A permit to keep bees within the County shall not be granted unless the owner or keeper provides facilities which will reasonably assure the Director that the premises will be maintained in a sanitary condition, free from colony-produced materials, such as honeycomb and brood comb, or any other conditions which constitute a public nuisance.
2. *Removal of Materials from the Colony:* Any materials removed from the colony shall be immediately moved away from the colony and enclosed in a bee and predator-proof location that is inaccessible to bees or their predators.
3. *Prohibited Attributes:*
 - a. Aggressive or Africanized bees are not permitted. Africanized, hybrid bee species, *Apis mellifera scutellata*, or bees displaying abnormally aggressive behavior are not permitted.
 - b. Aggressive queens are not permitted. Aggressive queens shall be removed, and the colony shall be re-queened with a non-aggressive species.
 - c. Bees not residing in a structure are not permitted. Bee colonies living outside of a designated colony structure as determined by these regulations are not permitted.

~~4-23-08-044-24-08-04~~ **PERMITTING (ANNUAL REGISTRATION OF USE)**

~~4-23-08-04-014-24-08-04-01~~ **REQUIREMENTS**

Any person keeping bees pursuant to this Section must first have been issued a permit by the County.

1. Permitting is subject to the following requirements:
 - a. The application shall include a plan or drawing showing the proposed locations of all bee facilities to be located upon the property for which the permit is requested.
 - b. Such plan or drawing shall include details demonstrating the applicant's compliance with the requirements of this Section.
 - c. No outstanding code violations exist on the subject property.
2. Prior to the issuance of a permit, the County may inspect the parcel for which the permit is requested.
3. A permit issued pursuant to this Section shall allow the keeping of bees on the specific property identified in the permit. The permit shall be personal to the permittee and is non-transferrable.
4. A permit issued pursuant to this section shall be in effect for twelve (12) months after which the permit will expire unless the permittee reapplies.

~~4-23-08-04-024-24-08-04-02~~ **DENIAL OR REVOCATION OF PERMIT**

1. The County may deny or revoke a permit to keep, maintain or possess bees within the County if it is determined that any provision of this Section is being violated or if the County finds that maintenance of bees interferes with the reasonable and comfortable use and enjoyment of property.
2. *Removal of Colony:* Upon expiration, revocation or denial of a permit, all bees and bee keeping-related facilities shall be removed from the property within 14 days of such expiration, revocation, or denial.

~~4-23-094-24-09~~ **TABULATION OF ANIMAL UNIT DENSITIES**

The types and densities of animals allowed in each zone district are detailed in Table 4-23-01-1. Any combination of allowed animals may be kept, but at no time shall the maximum number of any specific type of animal be exceeded, nor shall the total maximum number of household pets or the total maximum number of livestock be exceeded. Where allowed, the number of livestock is in addition to the number of household pets permitted, and the number of household pets is in addition to the number of livestock permitted.

For animals not listed or not clearly fitting within one (1) or more the categories listed, the Director of Community and Economic Development shall determine in what zone district(s) the animal is allowed and in what lot size categories the keeping of such an animal is appropriate. Should the property owner disagree with the determination of the Director of Community and Economic Development, the matter shall be referred to the Planning Commission for a recommendation to resolve the issue.

The following are acronyms used in Table 4-23-01-1 and their meaning:

- NR = Not Regulated
- NA = Not Allowed
- AC = Acre
- CUP = Conditional Use Permit

Table 4-23-01-1. Animal Densities and Uses

A-1, A-2, and A-3 ZONE DISTRICTS	Up to .50 AC	>.5 - 1 AC	>1 - 2 AC	>2 - 5 AC	>5 - 10 AC	>10 -35 AC	>35 AC
Maximum Number of Household Pets Allowed	10	10	20	20	20	20	NR ¹
Maximum Number of Livestock Units Allowed	NA	4/AC	4/AC	4/AC	4/AC	NR	NR ¹

Type of Animal	Livestock Unit Equivalents	Number of Animals Equivalent to One Livestock Unit	Maximum Number of Animals Per Acre			
			Lot size 0.5 - <5.0 AC	Lot size 5 - <10 AC	Lot size 10 - <35 AC	Lot size 35 AC or greater
Alpacas	1	1	4	4	NR	NR ¹
Beefalo	1	1	4	4	NR	NR ¹
Bees (Colonies)	0.2	5	20	20	NR	NR
Buffalo	1	1	4	4	NR	NR ¹
Cats	1	1	4 ²	5 ²	8 ²	NR ¹
Cattle	1	1	4	4	NR	NR ¹
Chickens (Hens/Roosters)	.02	50	200	200	NR	NR ¹
Chinchillas	.02	50	2	200	NR	NR ¹
Deer	1	1	4	4	NR	NR ¹
Dogs	1	1	4 ²	6 ²	8 ²	NR ¹
Ducks/Geese	.02	50	200	200	NR	NR ¹
Elk	1	1	4	4	NR	NR ¹
Emus	.066	15	60	60	NR	NR ¹
Ferrets	.02	50	200	200	NR	NR ¹
Game Fowl	--	--	NR	NR	NR	NR ¹
Goats	.125	8	32	32	NR	NR ¹
Guinea Pigs	.02	50	200	200	NR	NR ¹
Horses	1	1	4	4	NR	NR ¹
Llamas	1	1	4	4	NR	NR ¹
Mules	1	1	4	4	NR	NR ¹
Ostriches	.066	15	60	60	NR	NR ¹
Peafowl	--	--	See Note 3	NR	NR	NR ¹
Pigeons	--	--	See Note 3	NR	NR	NR ¹
Rabbits	0.08	12.5	See Note 3	50	NR	NR ¹
Sheep	0.25	4	16	16	NR	NR ¹
Swine	0.25	4	16	16	NR	NR ¹
Turkeys	.02	50	200	200	NR	NR ¹
Type of Use						
Private Kennel/Cattery ⁴	--	--	2 ²	2 ²	2 ²	NR
Commercial Kennel	--	--	See Note 5	See Note 5	See Note 5	See Note 5
LCO	--	--	NA	NA	NA	CUP

NOTES:

- ¹ The numbers of animals on property over 35 acres in size shall not be regulated, unless the definition of a Livestock and/or Poultry Confinement Operation is met.
- ² This animal is considered a "household pet" in this category and the number of animals specified shall be counted toward the maximum number of household pets allowed.
- ³ Allowed by Special Use Permit.
- ⁴ Maximum allowed by Special Use Permit. The number specified is the maximum additional dogs and/or cats permissible over the number allowed as a Use by Right.
- ⁵ Allowed by Conditional Use Permit.

July 27, 2021

Animal Densities and Uses, Cont.

RE, RESIDENTIAL ESTATE ZONE DISTRICT	<1.0 AC	1-2 AC	>2 – 5 AC	>5-10 AC	>10-35 AC	>35 AC
Maximum Number of Household Pets Allowed	10	20	20	20	30	30
Maximum Number of Livestock Units Allowed	NA	2/AC	2/AC	2/AC	2/AC	2/AC

Type of Animal	Livestock Unit Equivalents	Number of Animals Equivalent to One Livestock Unit	Lot size <1.0 AC	Lot size 1 - 2 AC	Lot size >2 - 5.0 AC	Lot size >5 - 10 AC	Lot size >10-35 AC	Lot size >35 AC
Alpacas	1	1	NA	2/AC ¹	2/AC ¹	2/AC ¹	2/AC ¹	2/AC ¹
Beefalo	1	1	NA	2/AC	2/AC ¹	2/AC ¹	2/AC ¹	2/AC ¹
Bees (Colonies) ⁷	0.2	5	NA	5 ³	5 ³	5	10	25
Buffalo	1	1	NA	2/AC	2/AC ¹	2/AC ¹	2/AC ¹	2/AC ¹
Cats	1	1	3 ²	4 ²	4 ²	5 ²	5 ²	5 ²
Cattle	1	1	NA	2/AC ¹	2/AC ¹	2/AC ¹	2/AC ¹	2/AC ¹
Chickens (Hens/Roosters)	.02	50	NA	2/AC ¹	2/AC ¹	4/AC ¹	10/AC ¹	10/AC ¹
Chickens (Hens) ⁶	.02	50	NA	2/AC ¹	2/AC ¹	4/AC ¹	10/AC ¹	10/AC ¹
Chinchillas	.02	50	2 ²	2 ²	2 ²	4 ²	4 ²	4 ²
Deer	1	1	NA	2/AC	2/AC ¹	2/AC ¹	2/AC ¹	2/AC ¹
Dogs	1	1	2 ²	3 ²	3 ²	4 ²	4 ²	5 ²
Ducks/Geese	.02	50	NA	2/AC ¹	2/AC ¹	4/AC ¹	10/AC ¹	10/AC ¹
Elk	1	1	NA	2/AC ¹	2/AC ¹	2/AC ¹	2/AC ¹	2/AC ¹
Emus	.066	15	NA	5/AC ¹	10/AC ¹	10/AC ¹	10/AC ¹	10/AC ¹
Ferrets	.02	50	2 ²	2 ²	2 ²	5 ²	5 ²	5 ²
Game Fowl	--	--	10 ³	15 ³	25 ³	30	35	40
Goats	.125	8	NA	4/AC ¹	4/AC ¹	4/AC ¹	4/AC ¹	4/AC ¹
Guinea Pigs	.02	50	10 ²	20 ²	20 ²	20 ²	30 ²	30 ²
Horses	1	1	NA	2/AC	2/AC	2/AC	2/AC	2/AC
Llamas	1	1	NA	2/AC ¹	2/AC ¹	2/AC ¹	2/AC ¹	2/AC ¹
Mules	1	1	NA	2/AC ¹	2/AC ¹	2/AC ¹	2/AC ¹	2/AC ¹
Ostriches	.066	15	NA	2/AC ¹	5/AC ¹	5/AC ¹	5/AC ¹	5/AC ¹
Peafowl	--	--	10 ³	15 ³	25 ³	30	35	40
Pigeons	--	--	See Note 3	See Note 3	See Note 3	See Note 3	See Note 3	See Note 3
Rabbits	0.08	12.5	10 ²	20 ²	20 ²	20 ²	30 ²	30 ²
Sheep	0.25	4	NA	4/AC ¹	4/AC ¹	4/AC ¹	4/AC ¹	4/AC ¹
Swine	0.25	4	NA	4/AC ¹	4/AC ¹	4/AC ¹	4/AC ¹	4/AC ¹
Turkeys	.02	50	NA	2/AC ¹	2/AC ¹	4/AC ¹	10/AC ¹	10/AC ¹
Type of Use								
Private Kennel/Cattery ⁴	--	--	4	22	22	22	22	22
Commercial Kennel	--	--	NA	See Note 5	See Note 5	See Note 5	See Note 5	See Note 5
LCO	--	--	NA	NA	NA	NA	NA	NA

NOTES:

- ¹ These livestock are permitted only if the owner or resident is a registered member of a 4-H or FFA or another agricultural educational program.
- ² This animal is considered a "household pet" in this category and the number of animals specified shall be counted toward the maximum number of household pets allowed.
- ³ Allowed by Special Use Permit.
- ⁴ Maximum allowed by Special Use Permit. The number specified is the maximum additional dogs and/or cats permissible over the number allowed as a Use by Right.
- ⁵ Allowed by Conditional Use Permit.
- ⁶ Detached, Single Family Uses may keep up to six (6) chickens for household purposes in accordance with Section 4-23-07.
- ⁷ Detached, Single Family Uses may keep up to two (two) bee colonies for household purposes in accordance with Section 4-23-08.

Animal Densities and Uses, Cont.

R-1-A, R-1-C, SINGLE FAMILY RESIDENTIAL ZONE DISTRICTS	<1.0 AC	>1 – 2 AC	>2 – 5 AC	>5 – 10 AC	>10 -35 AC	>35 AC
Maximum Number of Household Pets Allowed	10	20	20	20	30	30

<i>Type of Animal</i>	Lot size <1.0 AC	Lot size 1 - 2 AC	Lot size >2 -5 AC	Lot size >5 - 10 AC	Lot size >10 – 35 AC	Lot size >35 AC
Alpacas	NA	NA	NA	NA	NA	NA
Beefalo	NA	NA	NA	NA	NA	NA
Bees (Colonies) ⁵	NA	5 ²	5 ²	5	10	25
Burros	NA	NA	NA	NA	NA	NA
Buffalo	NA	NA	NA	NA	NA	NA
Cats	3 ¹	4 ¹	4 ¹	4 ¹	5 ¹	5 ¹
Cattle	NA	NA	NA	NA	NA	NA
Chickens (Hens) ⁴	NA	NA	NA	NA	NA	NA
Chickens (Roosters)	NA	NA	NA	NA	NA	NA
Chinchillas	2 ¹	3 ¹	3 ¹	3 ¹	4 ¹	4 ¹
Deer	NA	NA	NA	NA	NA	NA
Dogs	2 ¹	3 ¹	3 ¹	3 ¹	4 ¹	4 ¹
Ducks/Geese	NA	NA	NA	NA	NA	NA
Elk	NA	NA	NA	NA	NA	NA
Emus	NA	NA	NA	NA	NA	NA
Ferrets	2 ¹	3 ¹	3 ¹	4 ¹	4 ¹	4 ¹
Game Fowl	NA	NA	NA	NA	NA	NA
Goats	NA	NA	NA	NA	NA	NA
Guinea Pigs	2 ¹	3 ¹	3 ¹	4 ¹	4 ¹	4 ¹
Horses	NA	NA	NA	NA	NA	NA
Llamas	NA	NA	NA	NA	NA	NA
Mules	NA	NA	NA	NA	NA	NA
Ostriches	NA	NA	NA	NA	NA	NA
Peafowl	NA	NA	NA	NA	NA	NA
Pigeons	See Note 2	See Note 2	See Note 2	See Note 2	See Note 2	See Note 2
Rabbits	2 ¹	3 ¹	3 ¹	4 ¹	4 ¹	4 ¹
Sheep	NA	NA	NA	NA	NA	NA
Swine	NA	NA	NA	NA	NA	NA
Turkeys	NA	NA	NA	NA	NA	NA
<i>Type of Use</i>						
Private Kennel/Cattery ²	4	22	22	22	22	22
Commercial Kennel	NA	NA	NA	NA	NA	NA
LCO	NA	NA	NA	NA	NA	NA

NOTES:

- ¹ This animal is considered a “household pet” in this category and the number of animals specified shall be counted toward the maximum number of household pets allowed.
- ² Allowed by Special Use Permit.
- ³ Maximum allowed by Special Use Permit. The number specified is the maximum additional dogs and/or cats permissible over the number allowed as a Use by Right.
- ⁴ Detached, Single Family Uses may keep up to six (6) chickens for household purposes in accordance with Section 4-23-07.
- ⁵ Detached, Single Family Uses may keep up to two (two) bee colonies for household purposes in accordance with Section 4-23-08.

July 27, 2021

Animal Densities and Uses, Cont.

R2, DUPLEX ZONE DISTRICT AND MH, MOBILE HOME ZONE DISTRICTS	<1.0 AC	>1 - 2 AC	>2 - 5 AC	>5 - 10 AC	>10 – 35 AC	>35 AC
Maximum Number of Household Pets Allowed	8	15	15	15	25	25

Type of Animal						
Alpacas	NA	NA	NA	NA	NA	NA
Beefalo	NA	NA	NA	NA	NA	NA
Bees (Colonies) ⁶	NA	NA	NA	NA	NA	NA
Burros	NA	NA	NA	NA	NA	NA
Buffalo	NA	NA	NA	NA	NA	NA
Cats	2 ¹	3 ¹	3 ¹	3 ¹	4 ¹	4 ¹
Cattle	NA	NA	NA	NA	NA	NA
Chickens (Hens) ⁵	NA	NA	NA	NA	NA	NA
Chickens (Roosters)	NA	NA	NA	NA	NA	NA
Chinchillas	2 ¹	3 ¹	3 ¹	3 ¹	4 ¹	4 ¹
Deer	NA	NA	NA	NA	NA	NA
Dogs	2 ¹	3 ¹	3 ¹	3 ¹	4 ¹	4 ¹
Ducks/Geese	NA	NA	NA	NA	NA	NA
Elk	NA	NA	NA	NA	NA	NA
Emus	NA	NA	NA	NA	NA	NA
Ferrets	2 ¹	3 ¹	3 ¹	3 ¹	4 ¹	4 ¹
Game Fowl	NA	NA	NA	NA	NA	NA
Goats	NA	NA	NA	NA	NA	NA
Guinea Pigs	2 ¹	3 ¹	3 ¹	3 ¹	4 ¹	4 ¹
Horses	NA	NA	NA	NA	NA	NA
Llamas	NA	NA	NA	NA	NA	NA
Mules	NA	NA	NA	NA	NA	NA
Ostriches	NA	NA	NA	NA	NA	NA
Peafowl	NA	NA	NA	NA	NA	NA
Pigeons	See Note 2	See Note 2	See Note 2	See Note 2	See Note 2	See Note 2
Rabbits	2 ¹	3 ¹	3 ¹	3 ¹	4 ¹	4 ¹
Sheep	NA	NA	NA	NA	NA	NA
Swine	NA	NA	NA	NA	NA	NA
Turkeys	NA	NA	NA	NA	NA	NA
Type of Use						
Private Kennel/Cattery ²	4	22	22	22	22	22
Commercial Kennel	NA	NA	NA	NA	NA	NA
LCO	NA	NA	NA	NA	NA	NA

NOTES:

- ¹ This animal is considered a "household pet" in this category and the number of animals specified shall be counted toward the maximum number of household pets allowed.
- ² Allowed by Special Use Permit.
- ³ Maximum allowed by Special Use Permit. The number specified is the maximum additional dogs and/or cats permissible over the number allowed as a Use by Right.
- ⁴ Within the MH Zone District, the numbers listed above apply to individual mobile home lots or spaces.
- ⁵ Detached, Single Family Uses may keep up to six (6) chickens for household purposes in accordance with Section 4-23-07.
- ⁶ Detached, Single Family Uses may keep up to two (two) bee colonies for household purposes in accordance with Section 4-23-08.

Animal Densities and Uses, Cont.

R-3, R-4, MULTI-FAMILY ZONE DISTRICTS	
Maximum Number of Household Pets Allowed	5
<i>Type of Animal</i>	
Alpacas	NA
Beefalo	NA
Bees (Colonies) ⁵	NA
Buffalo	NA
Burros	NA
Cats	1 ²
Cattle	NA
Chickens (Hens) ⁴	NA
Chickens (Roosters)	NA
Chinchillas	2 ²
Deer	NA
Dogs	1 ²
Ducks/Geese	NA
Elk	NA
Emus	NA
Ferrets	2 ²
Game Birds	NA
Goats	NA
Guinea Pigs	2 ²
Horses	NA
Llamas	NA
Mules	NA
Ostriches	NA
Peafowl	NA
Pigeons	See Note 3
Rabbits	2 ²
Sheep	NA
Swine	NA
Turkeys	NA
<i>Type of Use</i>	
Private Kennel/Cattery ⁴	NA
Commercial Kennel	NA
LCO	NA
<p>NOTES:</p> <p>¹ All Restrictions noted in this table are on a “per unit” basis and apply to each individual unit in a multi-family development.</p> <p>² This animal is considered a “household pet” in this category and the number of animals specified shall be counted toward the maximum number of household pets allowed.</p> <p>³ Allowed by Special Use Permit.</p> <p>⁴ <i>Detached, Single Family Uses may keep up to six (6) chickens for household purposes in accordance with Section 4-22-07.</i></p> <p>⁵ <i>Detached, Single Family Uses may keep up to two (two) bee colonies for household purposes in accordance with Section 4-22-08.</i></p>	

July 27, 2021

Animal Densities and Uses, Cont.

C-0, C-1, C-2, C-3, C-4, C-5, I-1, I-2, AND I-3 ZONE DISTRICTS	<1.0 AC	>1 -2 AC	>2 -5 AC	>5 – 10 AC	>10 – 35 AC	>35 AC
<i>Type of Animal</i>						
Alpacas	NA	NA	NA	NA	NA	NA
Beefalo	NA	NA	NA	NA	NA	NA
Bees (Colonies) ⁵	NA	5	5	10	25	25
Burros	NA	NA	NA	NA	NA	NA
Buffalo	NA	NA	NA	NA	NA	NA
Cats	NA	NA	NA	NA	NA	NA
Cattle	NA	NA	NA	NA	NA	NA
Chickens (Hens) ⁴	NA	NA	NA	NA	NA	NA
Chickens (Roosters)	NA	NA	NA	NA	NA	NA
Chinchillas	NA	NA	NA	NA	NA	NA
Deer	NA	NA	NA	NA	NA	NA
Dogs	NA	NA	NA	NA	NA	NA
Dogs, Guard	2 ²	2 ²	2 ²	2 ²	2 ²	2 ²
Ducks/Geese	NA	NA	NA	NA	NA	NA
Elk	NA	NA	NA	NA	NA	NA
Emus	NA	NA	NA	NA	NA	NA
Ferrets	NA	NA	NA	NA	NA	NA
Game Fowl	NA	NA	NA	NA	NA	NA
Goats	NA	NA	NA	NA	NA	NA
Guinea Pigs	NA	NA	NA	NA	NA	NA
Horses	NA	NA	NA	NA	NA	NA
Llamas	NA	NA	NA	NA	NA	NA
Mules	NA	NA	NA	NA	NA	NA
Ostriches	NA	NA	NA	NA	NA	NA
Peafowl	NA	NA	NA	NA	NA	NA
Pigeons	See Note 3	See Note 3	See Note 3	See Note 3	See Note 3	See Note 3
Rabbits	NA	NA	NA	NA	NA	NA
Sheep	NA	NA	NA	NA	NA	NA
Swine	NA	NA	NA	NA	NA	NA
Turkeys	NA	NA	NA	NA	NA	NA
<i>Type of Use</i>						
Private Kennel/Cattery ³	NA	NA	NA	NA	NA	NA
Commercial Kennel	NA	NA	NA	NA	NA	NA
LCO	NA	NA	NA	NA	NA	NA
NOTES:						
¹ Non-conforming single-family residences located in these zone districts will be required to conform to the requirements of for the R-1-A and R-1-C Zone Districts.						
² An additional three (3) guard dogs, over the two (2) allowed as a Use-by-Right, may be allowed by Special Use Permit.						
³ Allowed by Special Use Permit.						
⁴ Detached, Single Family Uses may keep up to six (6) chickens for household purposes in accordance with Section 4-23-07.						
⁵ Detached, Single Family Uses may keep up to two (two) bee colonies for household purposes in accordance with Section 4-23-08.						

4-244-25 MANAGEMENT PLANS

4-24-014-25-01 PURPOSE

Management plans are intended to provide for the long-term maintenance and care of open space and other large tracts of land created through the subdivision or Planned Unit Development process.

4-24-024-25-02 APPLICABILITY

Any subdivision or Planned Unit Development including a conservation area, common open space, agricultural land, or tracts that are not building sites, shall include a management plan as part of the Development Agreement and/or Subdivision Improvements Agreement for that project.

4-24-034-25-03 PROCESS

The first application for any sketch plan, preliminary plat or preliminary development plan including conservation area, common open space, agricultural land, or tracts that are not building sites, shall include a proposed preliminary management plan. The preliminary plan may be composed of text, graphics and/or photographs and shall include, as a minimum, the following elements:

1. The name of the project;
2. The name, address and phone number of the person preparing the management plan;
3. The name, address, and phone number of the person(s) responsible for maintaining the property included in the management plan;
4. The precise, proposed use(s) of the property to be included in the management plan;
5. The goals of the management plan;
6. The legal description of the property included in the management plan;
7. The availability of irrigation water, and if available, the amount of water, the name of the ditch company and the method of delivering the water to the site;
8. A brief narrative describing the methods to be used to control runoff, wind and water erosion, noxious weeds, and pests;
9. A description of the current condition of the property, including photographs or other graphic representations of any areas having been identified as needing reclamation, restoration, or other special attention;
10. A description by common name and scientific name of any species of plants or animals to be introduced to the site and an explanation of the reasons for such introduction;

11. A description by common name and scientific name of any species of plants or animals to be eliminated from the site, the reasons for such elimination and the timetable for elimination;
12. A plan for financing current improvements;
13. A plan for long term maintenance and monitoring of the property; and
14. A contingency plan for maintenance of the property if irrigation water is removed from the site.

4-24-044-25-04 REVIEW CRITERIA

The Board of County Commissioners shall consider the following criteria when reviewing a proposed management plan:

1. The proposed management plan includes all the elements described in Section 4-24-03;
2. The management plan provides for best available practices to maintain the property for the uses(s) specified in the management plan;
3. Noxious weeds shall be properly controlled on the property;
4. Wetlands and wildlife habitat included in the property shall be properly protected;
5. An individual or organization is designated to provide an adequate funding mechanism to ensure maintenance and annual monitoring of the property for the life of the project;
6. An adequate mechanism is included in the management plan to keep the County informed of any changes in ownership or responsibility for the management of the property and to report the results of the annual monitoring to the Director of Community and Economic Development; and
7. The contingency plan is adequate to provide for the long-term maintenance of the site if irrigation water is removed from the site or the use of the site changes significantly.

4-24-054-25-05 FINAL APPROVAL

Final approval of any applicable subdivision or Planned Unit Development by the Board of County Commissioners shall include consideration of the final management plan for the site. The management plan shall be included in the Development Agreement or Subdivision Improvements Agreement for the project.

4-24-064-25-06 AMENDMENTS

Minor adjustments to management plans may be authorized by the Director of Community and Economic Development upon a finding the original intent and purpose of the management plan is preserved. If the Director of Community and Economic Development determines the adjustments are not minor or they will change the intent and purpose of the original management plan, the plan shall be

reviewed by the Board of County Commissioners at a public hearing with notice as required for a final plat.

4-254-26 NONCONFORMING CONDITIONS

4-25-014-26-01 CONTINUATION OF USE

A nonconforming use may be continued and a nonconforming building may continue to be occupied, except as both of the foregoing are otherwise provided for in Section 4-25.

4-25-024-26-02 REPAIR, MAINTENANCE AND RECONSTRUCTION OF NONCONFORMING STRUCTURES OR USES

4-25-02-014-26-02-01 MINOR REPAIRS PERMITTED

Minor repairs to and routine maintenance of property where nonconforming conditions exist are permitted and encouraged. Such work may require a building permit.

4-25-02-024-26-02-02 MAJOR REPAIRS REQUIRES ZONING APPROVAL

Major repairs (i.e., work or renovation estimated to cost more than fifty percent (50%) of the market value of the structure to be renovated) may be done only in accordance with a zoning review approval and building permit. Major repair work requires approval by the Director of Community and Economic Development. Major repair work must meet the requirements of Section 4-25-03.

4-25-02-034-26-02-03 DETERMINATION OF THE VALUE OF REPAIRS

In determining the value of repairs for purposes of application of Sections 4-25-02-01 and 4-25-02-02, the following definitions and procedures shall apply:

1. The costs of renovation or repair or replacement shall mean the fair market value of the materials and labor necessary to accomplish the renovation, repair, or replacement.
2. The cost of renovation or repair or replacement shall mean the total cost of all intended work. No person may seek to avoid the intent of this Section by doing work incrementally.
3. The market value shall mean either the market value for property for tax purposes, updated as necessary by the increase in the consumer price index since the date of the last valuation, or the valuation determined by an independent qualified appraiser, mutually selected by the Director of Community and Economic Development and the property owner. A qualified appraiser shall be a Member of the Appraisal Institute (M.A.I.) or an Accredited Rural Appraiser (A.R.A.). If a disagreement concerning the valuation occurs, an appraisal shall be requested by the Director of

Community and Economic Development. The property owner shall pay the cost of an appraisal.

~~4-25-02-044-26-02-04~~ **ZONING REVIEW APPROVAL PROCEDURE AND CRITERIA**

The Director of Community and Economic Development shall approve issuance of a zoning review approval if the Director of Community and Economic Development finds, in completing the renovation, repair or replacement work:

1. No violation of Section 4-25-03 will occur; and
2. The property owner will comply to the extent reasonably possible with all provisions of these standards and regulations applicable to the existing use with the following limitations:
 - a. The property owner shall not lose the right to continue a nonconforming use.
 - b. Compliance with a requirement of these standards and regulations is not reasonably possible if compliance cannot be achieved without adding additional land to the lot where the nonconforming situation is maintained or moving a substantial structure placed on a permanent foundation.

~~4-25-034-26-03~~ **EXTENSION OR ENLARGEMENT OF NONCONFORMING CONDITIONS**

~~4-25-03-014-26-03-01~~ **NO INCREASE IN NONCONFORMITY**

Except as specifically provided in this Section 4-25-03, no person may engage in any activity causing an increase in the extent of nonconformity of a nonconforming situation. In particular, physical alteration of structures or the placement of new structures on open land is unlawful if such activity results in:

1. An increase in the total amount of space devoted to a nonconforming use; or
2. Greater dimensional nonconformity with respect to restrictions such as setback requirements, height limitations, density requirements; or
3. Increase in exposure to natural or man-made hazards restricting development. Requirements or restrictions of each applicable overlay zone district must be met prior to allowing any expansion or enlargement of a nonconforming situation.

~~4-25-03-024-26-03-02~~ **NONCONFORMING USE MAY BE EXPANDED INTO OTHER PORTIONS OF THE SAME BUILDING**

A nonconforming use may be extended throughout any portion of a completed building which, when the use was made nonconforming, was manifestly designed, or arranged to accommodate such use. However, a nonconforming use

may not be extended to additional buildings or to land outside the original building.

~~4-25-03-034-26-03-03~~ **NONCONFORMING USE MAY NOT BE EXPANDED TO COVER MORE LAND**

A nonconforming use of open land may not be extended to cover more land than was occupied by said use when it became nonconforming.

~~4-25-03-044-26-03-04~~ **NONCONFORMING USE MAY BE INCREASED IN INTENSITY**

The volume, intensity, or frequency of use of property where a nonconforming situation exists may be increased and the equipment or processes used at a location where a nonconforming situation exists may be changed if these or similar changes amount only to changes in the degree of activity rather than changes in kind and the increase in activity does not result in a violation of any other provision contained in Section 4-25. In addition, such increases in activity may not violate other requirements of these standards and regulations.

~~4-25-03-054-26-03-05~~ **SINGLE-FAMILY HOMES MAY BE EXPANDED**

Any structure used for single family residential purposes and maintained as a nonconforming use may be enlarged or replaced with a similar structure of a larger size, so long as the enlargement or replacement does not create new nonconformities, that is, nonconformities not in existence at the time of such enlargement or replacement, or increase the extent of existing nonconformities with respect to such matters as setback and parking requirements. The intent is to allow, for example, a room addition for a home, which may have a nonconforming setback. Extension of the nonconforming wall would be allowed as long as the degree of setback encroachment was not increased or a new setback encroachment did not occur. Also, this would allow replacement of a home, which is a primary use (and nonconforming) in an industrial zone district. The replacement or expansion of a single-family residence is subject to the limitations established by Section 4-25-05.

~~4-25-03-064-26-03-06~~ **ADMINISTRATIVE REMEDIES FOR EXTENSION OR ENLARGEMENT OF NONCONFORMING CONDITIONS**

~~4-25-03-06-014-26-03-06-01~~ ***REQUEST PERMIT OR REZONING***

Those persons owning properties, which have nonconforming uses, may apply for a Special Use Permit, Conditional Use Permit or Rezoning, as appropriate, in an effort to come into compliance with the requirements of these standards and regulations.

~~4-25-03-06-024-26-03-06-02~~ **REQUEST VARIANCE**

Those persons owning properties with structures or uses with dimensional nonconformities, but a conforming use of land or buildings, may apply to the Board of Adjustment for a variance if they wish to expand or enlarge the structure or use of land.

~~4-25-03-06-034-26-03-06-03~~ **APPEAL DETERMINATION TO BOARD OF ADJUSTMENT**

Those owners or developers of land who disagree with the interpretation of an administrative official regarding a determination that a nonconforming situation exists may appeal the administrative decision to the Board of Adjustment.

~~4-25-03-06-044-26-03-06-04~~ **APPEAL TO DISTRICT COURT**

Final decisions of the Board of County Commissioners or Board of Adjustment may be appealed to the District Court in accordance with the provisions of State Statutes.

~~4-25-03-074-26-03-07~~ **NONCONFORMING MOBILE HOME PARK**

~~4-25-03-07-014-26-03-07-01~~ **CONTINUATION OF USE OF EXISTING MOBILE HOMES IN A NONCONFORMING MOBILE HOME PARK**

Continued use of those owner-occupied mobile homes existing within a nonconforming mobile home park shall be allowed regardless of whether or not past approval of a building permit or occupancy permit was granted by the County, and regardless of whether or not the mobile home meets the general requirements of the mobile home dwelling zone district, provided the following minimum standards are met:

1. The mobile home remains in its existing location within a nonconforming mobile home park.
2. The mobile home is not subject to a condition which constitutes an immediate public health and/or safety problem for the residents of the mobile home park as determined by the Director of Community and Economic Development. Examples of an immediate public health and safety problems include but are not limited to the following: improper installation of gas lines, unstable blocking or tie downs which could cause the unit to collapse, additions to mobile homes considered dangerous structures under provisions of the County Building Code, mobile homes located in a public right of way, mobile homes located over a slope that is considered unstable or excessively steep, inadequate water pressure for fire protection at a particular mobile home or inadequate access within the nonconforming mobile home park which would hinder the ability to reach a particular mobile

home for firefighting purposes, contaminated well water, and blocked or failed on-site wastewater treatment systems.

~~4-25-03-07-02~~~~4-26-03-07-02~~ **RECREATIONAL VEHICLES NOT TO BE USED AS DWELLING UNITS**

Residences, which do not meet the definition of mobile home, but are instead considered recreational vehicles or travel trailers, are not considered to be nonconforming under this provision and are not allowed to be used as dwelling units in nonconforming mobile home parks.

~~4-25-03-07-03~~~~4-26-03-07-03~~ **PLACEMENT OR REPLACEMENT OF A MOBILE HOME IN A NONCONFORMING MOBILE HOME PARK**

Placement of a mobile home on a vacant space or replacement of an existing mobile home within a nonconforming mobile home park is allowed under the following conditions:

1. The mobile home park has placed on file with the County the following:
 - a. A complete site plan which establishes the location of mobile home spaces and utility hookups and the total number of mobile home spaces allowed historically.
 - b. A fire protection plan approved by the applicable fire district addressing the following items: adequate water pressure for fire protection, adequate minimum distance for fire hydrants, and adequate access for fire protection purposes.
 - c. Demonstration of adequacy of water and sewer service through approval of the Water and Sanitation District serving the park (or approval of well and on-site wastewater treatment systems by the Division of Water Resources and Tri-County Health Department).
 - d. No mobile homes within the mobile home park have been determined to be subject to a condition, which constitutes an immediate public health, and/or safety problem for the residents as described in Section 4-25-03-07-01.
 - e. Provision of screening or buffering of adjacent less intense uses if determined necessary by the Director of Community and Economic Development.
2. The new mobile home meets the following placement requirements:
 - a. Mobile Home Setbacks

- (1) *Side Setback*: The minimum required distance between homes, not including any attached structures, is ten (10) feet. The distance between units is measured from the longest dimension side of one unit to the longest dimension side of the other unit.
 - (2) *Rear Setback*: The minimum required distance between homes, not including any attached structures, is six (6) feet. The distance between units is measured from the most narrow dimension side of one unit to the most narrow dimension side of another unit.
 - (3) *Rear to Side Setback*: If the homes are placed such that a most narrow dimension side of one unit is placed in proximity to a longest dimension side of another unit, the setback between these units on those sides, not including any attached structures, is six (6) feet.
 - (4) *Front Setback*: The minimum required distance between a home including any attached structures and the road is three (3) feet.
- b. Attached or Detached Accessory Structures
- (1) *Minimum Required Distance Between a Mobile Home and a Detached Accessory Structure*: Three (3) feet from a noncombustible structure and six (6) feet from a combustible structure.
 - (2) *Minimum Required Distance Between a Mobile Home and an Attached Accessory Structure Not Used for Living Quarters on an Adjacent Mobile Home*: Three (3) feet from a noncombustible attached structure and six (6) feet from a combustible attached structure.
 - (3) *Minimum Required Distance Between a Mobile Home and an Attached Accessory Structure Used for Living Quarters on an Adjacent Mobile Home*: Ten (10) feet.
- c. *Off Road Parking*: Two (2) off road parking spaces of nine (9) feet by nineteen (19) feet dimensions are provided for each mobile home, unless the road fronting the mobile home is thirty-five (35) feet or more in width, in which case one (1) on road parking space and one (1) off road parking space of nine (9) feet by nineteen (19) feet dimensions per mobile home is required.
- d. *Setbacks from Property Lines*: The minimum required setbacks for those mobile homes placed on spaces adjacent to a property boundary line is five (5) feet. A greater setback may be required in those circumstances where a utility

easement exists along the property boundary line. If a utility easement exists along the property boundary line, the setback shall be as established by the utility companies. In no case, can the setback be reduced to less than five (5) feet.

- e. *Minimum Floor Area*: two-hundred-fifty-six (256) square feet.
3. Installation and construction of attached and detached accessory structures are subject to the provisions of the County Building Code.
4. Set up and tie down provisions of the County Building Code and standards for placement of manufactured homes of the mobile home dwelling zone district shall be met.

~~4-25-044-26-04~~ **CHANGE IN USE**

~~4-25-04-014-26-04-01~~ **CHANGE IN USE TO CONFORM TO SECTION 4-25-03**

A change in use of property where a nonconforming situation exists may not be made except in accordance with Section 4-25-03.

~~4-25-04-024-26-04-02~~ **CHANGE IN USE TO CONFORMING USE PERMITTED**

If the intended change in use is a principal use permissible in the zone district where the property is located, and if all of the other requirements of these standards and regulations can be complied with, permission to make the change must be obtained in the same manner as permission to make the initial use of a vacant lot. Once conformity with the provisions of these standards and regulations is achieved, the property may not revert to its nonconforming status.

~~4-25-04-034-26-04-03~~ **CHANGE IN USE TO CONFORM TO SECTION 4-25-03**

If the intended change in use is to a principal use permissible in the zone district where the property is located, but all of the requirements of these standards and regulations cannot reasonably be complied with, then the change is permissible if the entity authorized to issue a permit for that particular use issues the required permit which would authorize the change. Conditions may be placed on any permit issued in order to mitigate any impact, which would result from not meeting these standards and regulations. This permit may be issued if the permit issuing authority finds, in addition to any other findings which may be required by these standards and regulations, that:

1. The intended change will not result in a violation of Section 4-25-03; and
2. All of the applicable requirements of these standards and regulations can reasonably be complied with will be complied with. Compliance is not reasonably possible if compliance cannot be achieved without adding additional land to the lot where the nonconforming situation is

maintained or moving a substantial structure placed on a permanent foundation. In no case may an applicant be given permission to construct a building or add to an existing building if additional nonconformities would be created.

~~4-25-04-044-26-04-04~~ **CHANGE IN USE TO CONFORM TO SECTION 4-25-03**

If the intended change in use is to another principal use, which is nonconforming in the zone district in which the property is located, then the change is permissible if the permit issuing authority formally approves the change. Conditions may be placed on any permit issued in order to mitigate any impact, which would result from not meeting these standards and regulations. The permit issuing authority may issue the permit if it finds, in addition to other findings which may be required by these standards and regulations, that:

1. The use requested is one which is permissible in some zone districts with either a zoning review approval and building permit, special use, or conditional use permit;
2. The intended change will not result in a violation of Section 4-25-03;
3. All of the applicable requirements of these standards and regulations, which can reasonably be complied with will be complied with. Compliance is not reasonably possible if compliance cannot be achieved without adding additional land to the lot where the nonconforming situation is maintained or moving a substantial structure placed on a permanent foundation. In no case may an applicant be given permission to construct a building or add to an existing building if additional nonconformities would be created; and
4. The proposed development will have less of an adverse impact on those most affected by it and will be more compatible with the surrounding neighborhood than the use in operation.

~~4-25-054-26-05~~ **ABANDONMENT OF USE AND DISCONTINUANCE OF NONCONFORMING SITUATION**

If active and continuous operations are not carried on in a nonconforming use during a continuous period of six (6) months, the building, other structure, or tract of land where such nonconforming use previously existed shall thereafter be occupied and used only by a conforming use. Intent to resume active operations shall not affect the foregoing. The burden of proof an operation has been continuous rests with the owner or operator of the use. The evidence an operation has been continuous must be clear, indicate that at the specific time in question the use was in operation, and must be conclusive.

~~4-25-064-26-06~~ **NONCONFORMING LOT**

~~4-25-06-014-26-06-01~~ **NONCONFORMING LOTS USING WELL AND SEPTIC**

No lot existing at the time of passage of these standards and regulations or any amendment thereto, shall be required to be reduced or enlarged to conform to the requirements on lot sizes, except those requirements pertaining to the use of individual wells and septic systems.

~~4-25-06-024-26-06-02~~ **NONCONFORMING LOTS CREATED PRIOR TO JULY 1, 1972**

On tracts of land in the A-3 and A-2 zone districts created prior to July 1, 1972, which do not meet the minimum lot size requirement, construction of a single-family dwelling shall be allowed subject to the minimum requirements of the A-1 zone district.

~~4-25-074-26-07~~ **NON-CONFORMING USES, STRUCTURES, AND NATURAL OBJECTS LOCATED WITHIN THE AVIATION INFLUENCE AREA**

This Section shall not be construed to require the removal, or alteration of any lawful constructed building, structure, or use in existence at the time this regulation is adopted. Nor shall this section be construed to require any change in the construction, alteration, or intended use of any structure in cases where a building permit for the construction or alteration of a structure was issued prior to the adoption of this Section.

~~4-25-07-014-26-07-01~~ **NON-CONFORMING USES LOCATED IN NOISE OVERLAY**

~~4-25-07-01-014-26-07-01-01~~ ***EXISTING SINGLE-FAMILY HOMES MAY CONTINUE***

Previously approved and lawfully constructed single family homes may continue, but are subject to the provisions regarding enlargement or reconstruction of the single family homes as cited below.

~~4-25-07-01-024-26-07-01-02~~ ***EXISTING UNDEVELOPED LAND ENCOURAGED TO CHANGE USES***

Previously zoned and platted residential areas which are vacant are encouraged to change land uses in order to ensure future compatibility with this overlay zone district.

~~4-25-07-01-034-26-07-01-03~~ ***NEW SINGLE-FAMILY HOMES MAY BE CONSTRUCTED***

New single-family dwellings may be constructed on parcels or lots created prior to the effective date of these standards and regulations, or as allowed by State Statute, or when located on previously zoned and platted residential areas, provided appropriate interior noise level reduction measures are employed during construction.

Plans, which illustrate the noise reduction measures that will be employed, must be certified by a registered professional engineer. Issuance of a certificate of occupancy shall remain dependent upon the faithful execution of the certified noise reduction construction plan as submitted upon building permit application.

~~4-25-07-01-044-26-07-01-04~~ **ENLARGEMENT AND REPLACEMENT OF SINGLE-FAMILY HOMES**

Proposals to enlarge, or reconstruct non-conforming single-family residences must employ interior noise level reduction measures for the structure or portion of the structure subject to the building permit.

Plans, which illustrate the noise reduction measures that will be employed, must be certified by a registered professional engineer. Issuance of a certificate of occupancy shall remain dependent upon the faithful execution of the certified noise reduction construction plan as submitted upon building permit application.

~~4-25-07-01-054-26-07-01-05~~ **ENLARGEMENT AND REPLACEMENT OF NON-RESIDENTIAL STRUCTURES**

Proposals to reconstruct non-conforming office, commercial, or other non-residential structures must employ interior noise level reduction measures for the structure, or portion of the structure occupied by members of the public.

Plans, which illustrate the noise reduction measures that will be employed, must be certified by a registered professional engineer. Issuance of a certificate of occupancy shall remain dependent upon the faithful execution of the certified noise reduction construction plan as submitted upon building permit application.

~~4-25-07-024-26-07-02~~ **NON-CONFORMING USES LOCATED OUTSIDE THE NOISE OVERLAY ZONE DISTRICT AND IN THE AVIATION INFLUENCE AREA**

~~4-25-07-02-014-26-07-02-01~~ **AIRCRAFT ACTIVITY COVENANT WITH DISCLOSURE REQUIRED**

Aircraft Activity Covenant with Disclosure, which acknowledges and permits the creation of noise by aviation operations shall be signed and recorded prior to issuance of a building permit for a residence within the noise overlay zone district.

~~4-25-07-02-024-26-07-02-02~~ **LIGHTS AND MARKER INSTALLATION**

The owner of any existing nonconforming structure is required to permit the installation, operation, and maintenance of markers and lights as deemed necessary by the aviation authority or operator, to

indicate to the operators of aircraft in the vicinity of the aviation facilities the presence of aviation hazards.

CHAPTER 11—DEFINITIONS

Table of Contents

Chapter 11 —Definitions.....	1
11-01 RULES OF CONSTRUCTION	1
11-02 WORDS, TERMS, AND PHRASES	2
11-02-01 100-year Flood	2
11-02-02 100-year Floodplain	2
11-02-03 500-year Flood	2
11-02-04 500-year Floodplain	2
11-02-05 Abandonment of Use	2
11-02-06 Access	3
11-02-07 Accessory Structure (Or Building).....	3
11-02-08 Accessory Use	3
11-02-09 Adjacent Lot.....	3
11-02-10 Adjacent Property Owners (in regard to notification)	3
11-02-11 Adult Arcade	3
11-02-12 Adult Bookstore	4
11-02-13 Adult Cabaret.....	4
11-02-14 Adult Motel.....	4
11-02-15 Adult Motion Picture Theater	4
11-02-16 Adult Novelty Store	4
11-02-17 Adult Theater	5
11-02-18 Adult Video Store	5
11-02-19 Advertizing Banner	5
11-02-20 Affidavit of Correction	5

<u>11-02-21</u>	<u>Agriculture (or Farm)</u>	<u>5</u>
<u>11-02-22</u>	<u>Agricultural Business</u>	<u>6</u>
<u>11-02-23</u>	<u>Agricultural Support Business and Service Uses</u>	<u>6</u>
<u>11-02-24</u>	<u>Agricultural Uses</u>	<u>6</u>
<u>11-02-25</u>	<u>Agri-tainment Uses</u>	<u>6</u>
<u>11-02-26</u>	<u>Aircraft Activity Covenant with Disclosure</u>	<u>6</u>
<u>11-02-27</u>	<u>Airport</u>	<u>6</u>
<u>11-02-28</u>	<u>Airport, Landing Strip and Heliport Uses</u>	<u>7</u>
<u>11-02-29</u>	<u>Alley</u>	<u>7</u>
<u>11-02-30</u>	<u>Amended Plat</u>	<u>7</u>
<u>11-02-31</u>	<u>Amusement Center</u>	<u>7</u>
<u>11-02-32</u>	<u>Amusement Park</u>	<u>7</u>
<u>11-02-33</u>	<u>Animal Feeding Operation (AFO) and Concentrated Animal Feeding Operation (CAFO)</u>	<u>7</u>
<u>11-02-34</u>	<u>Animal Hospital</u>	<u>8</u>
<u>11-02-35</u>	<u>Animal Slaughterhouse</u>	<u>8</u>
<u>11-02-36</u>	<u>Animated Sign</u>	<u>8</u>
<u>11-02-37</u>	<u>Annual Report, Special Service District</u>	<u>8</u>
<u>11-02-38</u>	<u>Applicant</u>	<u>8</u>
<u>11-02-39</u>	<u>Appurtenant Facilities</u>	<u>8</u>
<u>11-02-40</u>	<u>Aquaculture Facility</u>	<u>9</u>
<u>11-02-41</u>	<u>Aquarium</u>	<u>9</u>
<u>11-02-42</u>	<u>Area of Shallow Flooding</u>	<u>9</u>
<u>11-02-43</u>	<u>Area of Special Flood Hazard</u>	<u>9</u>
<u>11-02-44</u>	<u>Arterial Street (Including Major and Minor)</u>	<u>9</u>
<u>11-02-45</u>	<u>Asphalt Mixing Plants</u>	<u>9</u>
<u>11-02-46</u>	<u>Asphyxiation</u>	<u>9</u>
<u>11-02-47</u>	<u>Attractive Devices</u>	<u>10</u>

11-02-48	Auction	10
11-02-49	Auction House	10
11-02-50	Auction Yard	10
11-02-51	Autoclave	10
11-02-52	Automobile Parking Lot	10
11-02-53	Automobile Race Drag Strip	10
11-02-54	Automobile Rental (or Leasing)	10
11-02-55	Automobile Sales	11
11-02-56	Automobile Service Stations	11
11-02-57	Auto Towing and Storage Yard	11
11-02-58	Average Trip Length	11
11-02-59	Avigation Easement	11
11-02-60	Bakery, Retail	11
11-02-61	Bakery, Wholesale	12
11-02-62	Bank	12
11-02-63	Banner	12
11-02-64	Barn	12
11-02-65	Base Flood Elevation	12
11-02-66	Beacon	12
11-02-67	Bed and Breakfast Establishments	12
11-02-68	Bee Colony	12
11-02-69	Bee	13
11-02-70	Beehive	13
11-02-71	Berm	13
11-02-72	Best Management Practices (BMP)	13
11-02-73	Beverage Manufacturing	14
11-02-74	Billboard	14

<u>11-02-75</u>	<u>Biosolids</u>	<u>14</u>
<u>11-02-76</u>	<u>Board of Adjustment.....</u>	<u>14</u>
<u>11-02-77</u>	<u>Board of County Commissioners</u>	<u>14</u>
<u>11-02-78</u>	<u>Boarding House</u>	<u>14</u>
<u>11-02-79</u>	<u>Boat Sales</u>	<u>14</u>
<u>11-02-80</u>	<u>Book Binding.....</u>	<u>14</u>
<u>11-02-81</u>	<u>Botanical Garden.....</u>	<u>15</u>
<u>11-02-82</u>	<u>Broom (or Brush) Manufacturing</u>	<u>15</u>
<u>11-02-83</u>	<u>Buffering.....</u>	<u>15</u>
<u>11-02-84</u>	<u>Building Height</u>	<u>15</u>
<u>11-02-85</u>	<u>Building Inspector.....</u>	<u>15</u>
<u>11-02-86</u>	<u>Building Material Sales and Storage</u>	<u>15</u>
<u>11-02-87</u>	<u>Building Marker</u>	<u>15</u>
<u>11-02-88</u>	<u>Building Permit.....</u>	<u>15</u>
<u>11-02-89</u>	<u>Buildout Rate</u>	<u>16</u>
<u>11-02-90</u>	<u>Bulk Storage and/or Bulk Sales</u>	<u>16</u>
<u>11-02-91</u>	<u>Bus Repair and Storage</u>	<u>16</u>
<u>11-02-92</u>	<u>Bus Terminal</u>	<u>16</u>
<u>11-02-93</u>	<u>Business Park Uses</u>	<u>16</u>
<u>11-02-94</u>	<u>Cabinet Shop.....</u>	<u>17</u>
<u>11-02-95</u>	<u>Campgrounds, Commercial</u>	<u>17</u>
<u>11-02-96</u>	<u>Canopy Sign</u>	<u>17</u>
<u>11-02-97</u>	<u>Capacity.....</u>	<u>17</u>
<u>11-02-98</u>	<u>Car Washing and Waxing.....</u>	<u>17</u>
<u>11-02-99</u>	<u>Carnival</u>	<u>17</u>
<u>11-02-100</u>	<u>Cemeteries</u>	<u>17</u>
<u>11-02-101</u>	<u>Channel</u>	<u>17</u>

11-02-102	Channelization	18
11-02-103	Chief Building Official	18
11-02-104	Christmas Tree Lot	18
11-02-105	Church	18
11-02-106	Circus	18
11-02-107	Clinic, Medical (or Dental)	18
11-02-108	Cold Storage Plant	18
11-02-109	Collector Street	18
11-02-110	Colorado Discharge Permit System (CDPS)	18
11-02-111	Colorado Marijuana Code	19
11-02-112	Combustible	19
11-02-113	Commercial Composting Operation	19
11-02-114	Commercial and/or Industrial Complex	19
11-02-115	Commercial Message	19
11-02-116	Commercial Retail	19
11-02-117	Commercial Uses	19
11-02-118	Commission	20
11-02-119	Commissioners	20
11-02-120	Common Plan of Development or Sale	20
11-02-121	Communications Towers, Commercial	20
11-02-122	Comparable Basis	20
11-02-123	Compatible	20
11-02-124	Concrete Mixing Plant	20
11-02-125	Conditional Letter of Map Revision (CLOMR)	21
11-02-126	Conditional Use	21
11-02-127	Conservation Plan	21
11-02-128	Conservation Plan Permit	21

<u>11-02-129</u>	<u>Construction Activities</u>	<u>21</u>
<u>11-02-130</u>	<u>Construction Trailer</u>	<u>22</u>
<u>11-02-131</u>	<u>Consumption Area</u>	<u>22</u>
<u>11-02-132</u>	<u>Continuous Sound</u>	<u>22</u>
<u>11-02-133</u>	<u>Contour Tillage/Contour Farming.....</u>	<u>22</u>
<u>11-02-134</u>	<u>Convalescent Home</u>	<u>22</u>
<u>11-02-135</u>	<u>Convenience Retail Store</u>	<u>22</u>
<u>11-02-136</u>	<u>Cornice</u>	<u>22</u>
<u>11-02-137</u>	<u>Crematory.....</u>	<u>22</u>
<u>11-02-138</u>	<u>Critical Facility or Critical Facilities</u>	<u>23</u>
<u>11-02-139</u>	<u>Crop Farm.....</u>	<u>26</u>
<u>11-02-140</u>	<u>Cul-de-sac.....</u>	<u>26</u>
<u>11-02-141</u>	<u>Culvert.....</u>	<u>26</u>
<u>11-02-142</u>	<u>Curb</u>	<u>26</u>
<u>11-02-143</u>	<u>Dairy Farm</u>	<u>26</u>
<u>11-02-144</u>	<u>Dairy Products Processing</u>	<u>27</u>
<u>11-02-145</u>	<u>Dangerous Trees</u>	<u>27</u>
<u>11-02-146</u>	<u>Day.....</u>	<u>27</u>
<u>11-02-147</u>	<u>Day Care Center, Adult.....</u>	<u>27</u>
<u>11-02-148</u>	<u>Day Care Center, Child</u>	<u>27</u>
<u>11-02-149</u>	<u>Day Care Home, Adult.....</u>	<u>27</u>
<u>11-02-150</u>	<u>Day Care Home, Child</u>	<u>27</u>
<u>11-02-151</u>	<u>Dedication</u>	<u>28</u>
<u>11-02-152</u>	<u>Demolition and Construction Debris Landfill</u>	<u>28</u>
<u>11-02-153</u>	<u>Density</u>	<u>28</u>
<u>11-02-154</u>	<u>Development</u>	<u>28</u>
<u>11-02-155</u>	<u>Development Permit.....</u>	<u>28</u>

[11-02-156 Developmentally Disabled.....28](#)

[11-02-157 Director of Community and Economic Development28](#)

[11-02-158 Director of Public Works29](#)

[11-02-159 District Review Team \(Special District Service Plan Review\).....29](#)

[11-02-160 Disturbed Area29](#)

[11-02-161 Dog Track.....29](#)

[11-02-162 Double-Fronting Lot.....29](#)

[11-02-163 Drive-in Establishment30](#)

[11-02-164 Driving Range30](#)

[11-02-165 Drug Manufacturing30](#)

[11-02-166 Dry Cleaners, Retail30](#)

[11-02-167 Dry Cleaning Plant30](#)

[11-02-168 Dwelling30](#)

[11-02-169 Dwelling, Accessory30](#)

[11-02-170 Dwelling, Condominium30](#)

[11-02-171 Dwelling, Multi-family.....31](#)

[11-02-172 Dwelling, Single-Family \(Attached\)31](#)

[11-02-173 Dwelling, Single-Family \(Detached\)31](#)

[11-02-174 Dwelling, Townhouse.....31](#)

[11-02-175 Dwelling, Two-Family.....31](#)

[11-02-176 Dwelling Unit31](#)

[11-02-177 Dwelling Unit, Accessory \(ADU\)31](#)

[11-02-178 Easement.....32](#)

[11-02-179 Eating Establishment32](#)

[11-02-180 Economical Service32](#)

[11-02-181 Educational Tours.....32](#)

[11-02-182 Election Sign32](#)

<u>11-02-183</u>	<u>Electronic Manufacturing</u>	<u>32</u>
<u>11-02-184</u>	<u>Electroplating.....</u>	<u>32</u>
<u>11-02-185</u>	<u>Enameling, Lacquering, or Galvanizing of Metal</u>	<u>33</u>
<u>11-02-186</u>	<u>Encroachment Lines.....</u>	<u>33</u>
<u>11-02-187</u>	<u>Environmentally Sensitive Areas</u>	<u>33</u>
<u>11-02-188</u>	<u>Equal Degree of Encroachment.....</u>	<u>33</u>
<u>11-02-189</u>	<u>Equestrian Arena, Commercial.....</u>	<u>33</u>
<u>11-02-190</u>	<u>Equestrian Arena, Personal</u>	<u>34</u>
<u>11-02-191</u>	<u>Erosion</u>	<u>34</u>
<u>11-02-192</u>	<u>Erosion Control (EC) Plan.....</u>	<u>34</u>
<u>11-02-193</u>	<u>Erosion and Sediment Control Plan (ESCP)</u>	<u>34</u>
<u>11-02-194</u>	<u>Essential Facilities.....</u>	<u>34</u>
<u>11-02-195</u>	<u>Establishment</u>	<u>34</u>
<u>11-02-196</u>	<u>Event Center</u>	<u>35</u>
<u>11-02-197</u>	<u>Evidence</u>	<u>35</u>
<u>11-02-198</u>	<u>Excavation and Hauling Operation, Major.....</u>	<u>35</u>
<u>11-02-199</u>	<u>Excavation and Hauling Operation, Minor</u>	<u>35</u>
<u>11-02-200</u>	<u>Exemption from Platting</u>	<u>35</u>
<u>11-02-201</u>	<u>Existing Traffic-Generating Development</u>	<u>35</u>
<u>11-02-202</u>	<u>Exotic Animal Farm</u>	<u>35</u>
<u>11-02-203</u>	<u>Explosion</u>	<u>36</u>
<u>11-02-204</u>	<u>Explosive Manufacturing and Storage</u>	<u>36</u>
<u>11-02-205</u>	<u>Explosives</u>	<u>36</u>
<u>11-02-206</u>	<u>Extraction and Disposal Uses</u>	<u>36</u>
<u>11-02-207</u>	<u>Extraordinary Costs.....</u>	<u>36</u>
<u>11-02-208</u>	<u>FAA Aeronautical Study on Obstructions</u>	<u>36</u>
<u>11-02-209</u>	<u>Fact Finding Review</u>	<u>36</u>

11-02-210	Fairgrounds.....	37
11-02-211	Family.....	37
11-02-212	Farming	37
11-02-213	Farm Machinery Manufacturing and Assembly	37
11-02-214	Farm Machinery Sales.....	37
11-02-215	Farm supply Sales	37
11-02-216	Farmers Market.....	38
11-02-217	Feedlots.....	38
11-02-218	Feepayer.....	38
11-02-219	Fence	38
11-02-220	Fertilizer manufacturing and processing.....	38
11-02-221	Final Plat.....	38
11-02-222	Final Stabilization	39
11-02-223	Financial Institution	39
11-02-224	Fire Chief	39
11-02-225	Fire District	39
11-02-226	Fire Station	39
11-02-227	Firewood Sales, Storage, and Splitting.....	39
11-02-228	Fireworks.....	39
11-02-229	Fireworks Stand.....	39
11-02-230	Fish Hatchery	40
11-02-231	Flag	40
11-02-232	Flammable Gas.....	40
11-02-233	Flea Market.....	40
11-02-234	FLEEt	Error! Bookmark not defined.
11-02-235	Flood Control Overlay District Variance	40
11-02-236	Flood Control Regulations Appeal	40

<u>11-02-237</u>	<u>Flood Insurance Rate Map (F.I.R.M.)</u>	<u>40</u>
<u>11-02-238</u>	<u>Flood Insurance Study</u>	<u>40</u>
<u>11-02-239</u>	<u>Flood Hazard Area</u>	<u>41</u>
<u>11-02-240</u>	<u>Flood Hazard Area, Development In A</u>	<u>41</u>
<u>11-02-241</u>	<u>Flood or Flooding</u>	<u>41</u>
<u>11-02-242</u>	<u>Flood Profile</u>	<u>41</u>
<u>11-02-243</u>	<u>Flood Proofing</u>	<u>41</u>
<u>11-02-244</u>	<u>Flood Protection Elevation</u>	<u>41</u>
<u>11-02-245</u>	<u>Flood Storage Area</u>	<u>41</u>
<u>11-02-246</u>	<u>Floodplain</u>	<u>42</u>
<u>11-02-247</u>	<u>Floodplain Administrator</u>	<u>42</u>
<u>11-02-248</u>	<u>Floodway</u>	<u>42</u>
<u>11-02-249</u>	<u>Floor Area, Commercial/Industrial</u>	<u>42</u>
<u>11-02-250</u>	<u>Floor Area, Residential</u>	<u>42</u>
<u>11-02-251</u>	<u>Flour Mill</u>	<u>42</u>
<u>11-02-252</u>	<u>Food Processing and Storage</u>	<u>42</u>
<u>11-02-253</u>	<u>Foster Family Care</u>	<u>42</u>
<u>11-02-254</u>	<u>Forestry and Silviculture</u>	<u>43</u>
<u>11-02-255</u>	<u>Fragile Soils</u>	<u>43</u>
<u>11-02-256</u>	<u>Freestanding Sign</u>	<u>43</u>
<u>11-02-257</u>	<u>Frontage Roads</u>	<u>43</u>
<u>11-02-258</u>	<u>FUELING STATION</u>	<u>43</u>
<u>11-02-259</u>	<u>Funeral Home / Funeral Parlor</u>	<u>43</u>
<u>11-02-260</u>	<u>Fur Farm</u>	<u>44</u>
<u>11-02-261</u>	<u>Galvanizing of Metal</u>	<u>44</u>
<u>11-02-262</u>	<u>Garage, Motor Vehicle Repair and Service</u>	<u>44</u>
<u>11-02-263</u>	<u>Garage, Private</u>	<u>44</u>

<u>11-02-264</u>	<u>Garage Sale</u>	<u>44</u>
<u>11-02-265</u>	<u>Garden Plot</u>	<u>44</u>
<u>11-02-266</u>	<u>Gas or Liquified Petroleum Gas Storage</u>	<u>44</u>
<u>11-02-267</u>	<u>Gas Migration</u>	<u>44</u>
<u>11-02-268</u>	<u>Gas Processing Plant</u>	<u>45</u>
<u>11-02-269</u>	<u>Golf Course</u>	<u>45</u>
<u>11-02-270</u>	<u>Golf, Miniature</u>	<u>45</u>
<u>11-02-271</u>	<u>Graffiti</u>	<u>45</u>
<u>11-02-272</u>	<u>Grain Elevator</u>	<u>45</u>
<u>11-02-273</u>	<u>Grain mill</u>	<u>45</u>
<u>11-02-274</u>	<u>Grassed Waterway / Sod Waterway</u>	<u>45</u>
<u>11-02-275</u>	<u>Greenhouse</u>	<u>46</u>
<u>11-02-276</u>	<u>Gross Usable Area</u>	<u>46</u>
<u>11-02-277</u>	<u>Ground Floor Area of Principal Building</u>	<u>46</u>
<u>11-02-278</u>	<u>Group Living Facility</u>	<u>46</u>
<u>11-02-279</u>	<u>Guard Dogs</u>	<u>46</u>
<u>11-02-280</u>	<u>Gun and Archery Range</u>	<u>46</u>
<u>11-02-281</u>	<u>Halfway House</u>	<u>46</u>
<u>11-02-282</u>	<u>Hazardous Materials</u>	<u>47</u>
<u>11-02-283</u>	<u>Hazardous Waste</u>	<u>47</u>
<u>11-02-284</u>	<u>Hazardous Waste Disposal Site</u>	<u>47</u>
<u>11-02-285</u>	<u>Health Spa</u>	<u>47</u>
<u>11-02-286</u>	<u>Heavy Industrial</u>	<u>47</u>
<u>11-02-287</u>	<u>Heavy Manufacturing or Processing</u>	<u>48</u>
<u>11-02-288</u>	<u>Heavy Retail and Heavy Services</u>	<u>48</u>
<u>11-02-289</u>	<u>Heliport</u>	<u>49</u>
<u>11-02-290</u>	<u>Hemp Farm</u>	<u>49</u>

<u>11-02-291</u>	<u>Hemp manufacturing and extraction.....</u>	<u>49</u>
<u>11-02-292</u>	<u>High Occupancy Building Unit.....</u>	<u>49</u>
<u>11-02-293</u>	<u>High Rise.....</u>	<u>49</u>
<u>11-02-294</u>	<u>Home Occupation.....</u>	<u>49</u>
<u>11-02-295</u>	<u>Horse Trailer Sales and Rental</u>	<u>50</u>
<u>11-02-296</u>	<u>Hospital</u>	<u>50</u>
<u>11-02-297</u>	<u>Hospitality Business.....</u>	<u>50</u>
<u>11-02-298</u>	<u>Hotel or Motel.....</u>	<u>50</u>
<u>11-02-299</u>	<u>Household Pets</u>	<u>50</u>
<u>11-02-300</u>	<u>Illicit / Illegal Discharge</u>	<u>50</u>
<u>11-02-301</u>	<u>Impact Fee Administration</u>	<u>50</u>
<u>11-02-302</u>	<u>Impervious Area</u>	<u>51</u>
<u>11-02-303</u>	<u>Improvement</u>	<u>51</u>
<u>11-02-304</u>	<u>Incidental SALES</u>	<u>51</u>
<u>11-02-305</u>	<u>Incidental Sign.....</u>	<u>51</u>
<u>11-02-306</u>	<u>Incinerator.....</u>	<u>51</u>
<u>11-02-307</u>	<u>Inclusion</u>	<u>51</u>
<u>11-02-308</u>	<u>Increasing the Existing Design Capacity</u>	<u>51</u>
<u>11-02-309</u>	<u>Indoor Commercial Recreation/Entertainment</u>	<u>52</u>
<u>11-02-310</u>	<u>Industrial Uses.....</u>	<u>52</u>
<u>11-02-311</u>	<u>Inert Fill Material for Grading</u>	<u>52</u>
<u>11-02-312</u>	<u>Inert Fill Material for Landfilling.....</u>	<u>52</u>
<u>11-02-313</u>	<u>Infectious Waste</u>	<u>53</u>
<u>11-02-314</u>	<u>Institutional Care.....</u>	<u>53</u>
<u>11-02-315</u>	<u>Institutional Uses.....</u>	<u>53</u>
<u>11-02-316</u>	<u>Insulation Material Sales and Storage.....</u>	<u>53</u>
<u>11-02-317</u>	<u>International Airport Clear Zone</u>	<u>53</u>

<u>11-02-318</u>	<u>Jails and Prisons</u>	<u>53</u>
<u>11-02-319</u>	<u>Junk.....</u>	<u>53</u>
<u>11-02-320</u>	<u>Kennel/Cattery, Commercial</u>	<u>54</u>
<u>11-02-321</u>	<u>Kennel/Cattery, Private</u>	<u>54</u>
<u>11-02-322</u>	<u>Landscape Storage Yard</u>	<u>54</u>
<u>11-02-323</u>	<u>Landscaped Area</u>	<u>54</u>
<u>11-02-324</u>	<u>Landscaping</u>	<u>54</u>
<u>11-02-325</u>	<u>Larger Common Plan of Development or Sale</u>	<u>54</u>
<u>11-02-326</u>	<u>Level Of Service</u>	<u>55</u>
<u>11-02-327</u>	<u>Letter of Map Revision (LOMR).....</u>	<u>55</u>
<u>11-02-328</u>	<u>Letter of Map Revision Based on Fill (LOMR-F).....</u>	<u>55</u>
<u>11-02-329</u>	<u>Library, Public</u>	<u>55</u>
<u>11-02-330</u>	<u>License</u>	<u>55</u>
<u>11-02-331</u>	<u>Licensed Hospitality Business</u>	<u>55</u>
<u>11-02-332</u>	<u>Licensed Premises</u>	<u>56</u>
<u>11-02-333</u>	<u>Licensee.....</u>	<u>56</u>
<u>11-02-334</u>	<u>Licensing Regulations.....</u>	<u>56</u>
<u>11-02-335</u>	<u>Light Industrial</u>	<u>56</u>
<u>11-02-336</u>	<u>Light Manufacturing or Processing.....</u>	<u>56</u>
<u>11-02-337</u>	<u>limited Access Areas</u>	<u>57</u>
<u>11-02-338</u>	<u>Linseed Oil, Shellac, and Turpentine Manufacturing or Refinery</u>	<u>57</u>
<u>11-02-339</u>	<u>Livestock and Poultry</u>	<u>57</u>
<u>11-02-340</u>	<u>Livestock and Poultry Confinement Operation</u>	<u>57</u>
<u>11-02-341</u>	<u>Livestock Unit.....</u>	<u>58</u>
<u>11-02-342</u>	<u>Loading or Unloading Space</u>	<u>58</u>
<u>11-02-343</u>	<u>Local Licensing Authority.....</u>	<u>58</u>
<u>11-02-344</u>	<u>Local Street (Residential or Industrial).....</u>	<u>58</u>

<u>11-02-345</u>	<u>Location.....</u>	<u>58</u>
<u>11-02-346</u>	<u>Lodges, Fraternal and Social Organizations</u>	<u>58</u>
<u>11-02-347</u>	<u>Lodging, Commercial</u>	<u>58</u>
<u>11-02-348</u>	<u>Logistics Center, Heavy</u>	<u>58</u>
<u>11-02-349</u>	<u>Logistics Center, Light</u>	<u>59</u>
<u>11-02-350</u>	<u>Lot.....</u>	<u>59</u>
<u>11-02-351</u>	<u>Lot Area</u>	<u>59</u>
<u>11-02-352</u>	<u>Lot, Corner.....</u>	<u>59</u>
<u>11-02-353</u>	<u>Lot Coverage</u>	<u>59</u>
<u>11-02-354</u>	<u>Lot Depth.....</u>	<u>60</u>
<u>11-02-355</u>	<u>Lot, Double Frontage</u>	<u>60</u>
<u>11-02-356</u>	<u>Lot, Flag</u>	<u>60</u>
<u>11-02-357</u>	<u>Lot Frontage.....</u>	<u>60</u>
<u>11-02-358</u>	<u>Lot, Interior.....</u>	<u>60</u>
<u>11-02-359</u>	<u>Lot Line.....</u>	<u>60</u>
<u>11-02-360</u>	<u>Lot Lines, Front.....</u>	<u>60</u>
<u>11-02-361</u>	<u>Lot Lines, Rear</u>	<u>60</u>
<u>11-02-362</u>	<u>Lot Width.....</u>	<u>60</u>
<u>11-02-363</u>	<u>Lot, Zoning.....</u>	<u>61</u>
<u>11-02-364</u>	<u>Lowest Floor</u>	<u>61</u>
<u>11-02-365</u>	<u>Lumber Mill.....</u>	<u>61</u>
<u>11-02-366</u>	<u>Malodorous Condition</u>	<u>61</u>
<u>11-02-367</u>	<u>Major Energy Facilities</u>	<u>61</u>
<u>11-02-368</u>	<u>Major Energy Facility Operation Applicant.....</u>	<u>61</u>
<u>11-02-369</u>	<u>Major Repairs.....</u>	<u>62</u>
<u>11-02-370</u>	<u>Major Road System.....</u>	<u>62</u>
<u>11-02-371</u>	<u>Manufactured Home</u>	<u>62</u>

[11-02-372](#) [Manufactured Home Park](#)62

[11-02-373](#) [Manufactured Home Sales Lot](#).....62

[11-02-374](#) [Manufactured Home Subdivision](#)63

[11-02-375](#) [Manufacturing, General](#)63

[11-02-376](#) [Manufacturing of Small Components and Instruments](#)63

[11-02-377](#) [Marijuana](#)63

[11-02-378](#) [Marijuana Business](#).....63

[11-02-379](#) [Marijuana Hospitality Business](#)63

[11-02-380](#) [Marijuana Hospitality Mobile License](#).....63

[11-02-381](#) [Marquee](#).....63

[11-02-382](#) [Marquee Sign](#)64

[11-02-383](#) [Massage](#)64

[11-02-384](#) [Massage Business](#).....64

[11-02-385](#) [Massage Therapist](#).....64

[11-02-386](#) [Material Modification \(Special District Service Plans\)](#)64

[11-02-387](#) [Maturity](#)64

[11-02-388](#) [Medical Marijuana](#).....65

[11-02-389](#) [Medical Marijuana Business](#).....65

[11-02-390](#) [Medical Marijuana Product](#)65

[11-02-391](#) [Medical Marijuana Products Manufacturer](#)65

[11-02-392](#) [Medical Marijuana Store](#)65

[11-02-393](#) [Microwave Installation](#).....65

[11-02-394](#) [Mineral Deposits of Commercial Quantity and Quality](#)66

[11-02-395](#) [Mobile Home](#)66

[11-02-396](#) [Mobile Home Park](#).....66

[11-02-397](#) [Mobile Premises](#).....66

[11-02-398](#) [Moderate Manufacturing or Processing](#)66

<u>11-02-399</u>	<u>Mortuary</u>	<u>67</u>
<u>11-02-400</u>	<u>Mosque</u>	<u>67</u>
<u>11-02-401</u>	<u>Mover.....</u>	<u>67</u>
<u>11-02-402</u>	<u>Moving and Transfer Company</u>	<u>67</u>
<u>11-02-403</u>	<u>Municipal Separate Storm Sewer System (MS4)</u>	<u>67</u>
<u>11-02-404</u>	<u>Municipal Separate Storm Sewer System (MS4) Permit</u>	<u>68</u>
<u>11-02-405</u>	<u>Municipal Separate Storm Sewer System (MS4) Permitted Area, Adams County</u>	<u>68</u>
<u>11-02-406</u>	<u>Museum</u>	<u>68</u>
<u>11-02-407</u>	<u>National Flood Insurance Program (NFIP)</u>	<u>68</u>
<u>11-02-408</u>	<u>National Pollutant Discharge Elimination System (NPDES)</u>	<u>68</u>
<u>11-02-409</u>	<u>Natural Hazard</u>	<u>69</u>
<u>11-02-410</u>	<u>Neighborhood Indoor Uses.....</u>	<u>69</u>
<u>11-02-411</u>	<u>No Till or Slot Planting.....</u>	<u>69</u>
<u>11-02-412</u>	<u>Noncombustible Building Construction</u>	<u>69</u>
<u>11-02-413</u>	<u>Nonconforming Conditions.....</u>	<u>69</u>
<u>11-02-414</u>	<u>Nonconforming Lot.....</u>	<u>69</u>
<u>11-02-415</u>	<u>Nonconforming Mobile Home Park.....</u>	<u>70</u>
<u>11-02-416</u>	<u>Nonconforming Sign</u>	<u>70</u>
<u>11-02-417</u>	<u>Nonconforming Structure.....</u>	<u>70</u>
<u>11-02-418</u>	<u>Nonconforming Use.....</u>	<u>70</u>
<u>11-02-419</u>	<u>Nonconformity, Dimensional.....</u>	<u>70</u>
<u>11-02-420</u>	<u>Nonhazardous Materials</u>	<u>70</u>
<u>11-02-421</u>	<u>Nonliving Material</u>	<u>70</u>
<u>11-02-422</u>	<u>Non-Site related improvements.....</u>	<u>71</u>
<u>11-02-423</u>	<u>Nude Model Studio.....</u>	<u>71</u>
<u>11-02-424</u>	<u>Nudity or State of Nudity</u>	<u>71</u>
<u>11-02-425</u>	<u>Nurseries</u>	<u>71</u>

11-02-426 Nursery School71

11-02-427 Nursing Home71

11-02-428 Obstruction.....71

11-02-429 Off-Premise Advertising Devices72

11-02-430 Offending Vegetation.....72

11-02-431 Offices72

11-02-432 Off-Site Directional Sign72

11-02-433 Off-Street Parking Space72

11-02-434 Oil and Gas Facility72

11-02-435 Oil and Gas Well Drilling and Production72

11-02-436 On-Site Wastewater Treatment System.....73

11-02-437 Open Area73

11-02-438 Open Space.....73

11-02-439 Open Space, Active73

11-02-440 Operations.....73

11-02-441 Operator.....73

11-02-442 Outdoor Advertising Sign73

11-02-443 Outdoor Commercial Recreation74

11-02-444 Outdoor Consumption Area74

11-02-445 Outdoor Concerts and Events.....74

11-02-446 Outdoor Storage.....74

11-02-447 Overall Development Plan.....74

11-02-448 Outdoor Public Uses74

11-02-449 Owner75

11-02-450 Painting and Body Shop75

11-02-451 Parking Garage.....75

11-02-452 Parking Lot, Commercial75

<u>11-02-453</u>	<u>Parks, Public.....</u>	<u>75</u>
<u>11-02-454</u>	<u>Pawnbroker</u>	<u>75</u>
<u>11-02-455</u>	<u>Pawnshops.....</u>	<u>76</u>
<u>11-02-456</u>	<u>Pennant</u>	<u>76</u>
<u>11-02-457</u>	<u>Percent of New Trips Factor</u>	<u>76</u>
<u>11-02-458</u>	<u>Permanent.....</u>	<u>76</u>
<u>11-02-459</u>	<u>Permanent Grass</u>	<u>76</u>
<u>11-02-460</u>	<u>Permanent Monument</u>	<u>76</u>
<u>11-02-461</u>	<u>Permanent Structures.....</u>	<u>76</u>
<u>11-02-462</u>	<u>Permit</u>	<u>77</u>
<u>11-02-463</u>	<u>Permit Issuing Authority.....</u>	<u>77</u>
<u>11-02-464</u>	<u>Permitted Use</u>	<u>77</u>
<u>11-02-465</u>	<u>Person</u>	<u>77</u>
<u>11-02-466</u>	<u>Place of Worship</u>	<u>77</u>
<u>11-02-467</u>	<u>Plains Area of Adams County.....</u>	<u>77</u>
<u>11-02-468</u>	<u>Planned Unit Development (P.U.D.)</u>	<u>78</u>
<u>11-02-469</u>	<u>Planning Commission.....</u>	<u>78</u>
<u>11-02-470</u>	<u>Plat.....</u>	<u>78</u>
<u>11-02-471</u>	<u>Plugging.....</u>	<u>78</u>
<u>11-02-472</u>	<u>Playgrounds and PlayFields</u>	<u>78</u>
<u>11-02-473</u>	<u>Police Station</u>	<u>79</u>
<u>11-02-474</u>	<u>Pollutant.....</u>	<u>79</u>
<u>11-02-475</u>	<u>Pollution</u>	<u>79</u>
<u>11-02-476</u>	<u>Portable Sign.....</u>	<u>79</u>
<u>11-02-477</u>	<u>Post Office</u>	<u>80</u>
<u>11-02-478</u>	<u>Poultry Farm</u>	<u>80</u>
<u>11-02-479</u>	<u>Power Plant</u>	<u>80</u>

[11-02-480 Pre-Application Conference \(Special District Service Plan Review\)80](#)

[11-02-481 Premesis80](#)

[11-02-482 Preschool80](#)

[11-02-483 Primary Residence81](#)

[11-02-484 Principal Structure or Use81](#)

[11-02-485 Private Room81](#)

[11-02-486 Private Streets81](#)

[11-02-487 Pro Forma \(Special District Service Plan\)81](#)

[11-02-488 Professionally Prepared \(Special District Service Plan Review\)81](#)

[11-02-489 Prohibited Animal81](#)

[11-02-490 Projecting Sign82](#)

[11-02-491 Public Improvement82](#)

[11-02-492 Public Service82](#)

[11-02-493 Public Streets82](#)

[11-02-494 Public Utility Storage and Yard82](#)

[11-02-495 Putrescible Waste82](#)

[11-02-496 Racing Facilities83](#)

[11-02-497 Radio and TV Broadcasting Station83](#)

[11-02-498 Radio and TV Tower, Commercial83](#)

[11-02-499 Railroad Yard83](#)

[11-02-500 Ranching83](#)

[11-02-501 Reach83](#)

[11-02-502 Real Estate Sales Sign83](#)

[11-02-503 Rear Lot Line84](#)

[11-02-504 Recreational Uses84](#)

[11-02-505 Recreational, Indoor Uses84](#)

[11-02-506 Recreational, Outdoor Uses84](#)

<u>11-02-507</u>	<u>Recreational Vehicle</u>	<u>84</u>
<u>11-02-508</u>	<u>Recyclable Materials</u>	<u>84</u>
<u>11-02-509</u>	<u>Recycling Facility</u>	<u>85</u>
<u>11-02-510</u>	<u>Redevelopment</u>	<u>85</u>
<u>11-02-511</u>	<u>Reduced-till (Minimum-till)</u>	<u>85</u>
<u>11-02-512</u>	<u>Residence</u>	<u>85</u>
<u>11-02-513</u>	<u>Residential Sign</u>	<u>85</u>
<u>11-02-514</u>	<u>Residential Uses</u>	<u>86</u>
<u>11-02-515</u>	<u>Restaurants.....</u>	<u>86</u>
<u>11-02-516</u>	<u>Restricted Access Area</u>	<u>86</u>
<u>11-02-517</u>	<u>Retail Marijuana</u>	<u>86</u>
<u>11-02-518</u>	<u>Retail Marijuana Business</u>	<u>86</u>
<u>11-02-519</u>	<u>Retail Marijuana Cultivation Facility</u>	<u>87</u>
<u>11-02-520</u>	<u>Retail Marijuana Hospitality and Sales Business</u>	<u>87</u>
<u>11-02-521</u>	<u>Retail Marijuana Products Manufacturer</u>	<u>87</u>
<u>11-02-522</u>	<u>Retail Marijuana Store</u>	<u>87</u>
<u>11-02-523</u>	<u>Retail Sales.....</u>	<u>87</u>
<u>11-02-524</u>	<u>Retirement Home</u>	<u>87</u>
<u>11-02-525</u>	<u>Revegetation.....</u>	<u>87</u>
<u>11-02-526</u>	<u>Riding Stable or Academy.....</u>	<u>88</u>
<u>11-02-527</u>	<u>Right-of-way</u>	<u>88</u>
<u>11-02-528</u>	<u>Road Capital Improvement.....</u>	<u>88</u>
<u>11-02-529</u>	<u>Roadside Stand.....</u>	<u>88</u>
<u>11-02-530</u>	<u>Rodeo.....</u>	<u>88</u>
<u>11-02-531</u>	<u>Roof Sign</u>	<u>88</u>
<u>11-02-532</u>	<u>Rural Street.....</u>	<u>89</u>
<u>11-02-533</u>	<u>Safe Parking Site:</u>	<u>89</u>

<u>11-02-534</u>	<u>Sale or Sell</u>	<u>89</u>
<u>11-02-535</u>	<u>Sales and Office Trailer</u>	<u>89</u>
<u>11-02-536</u>	<u>Salvage yard</u>	<u>89</u>
<u>11-02-537</u>	<u>Sanatorium</u>	<u>89</u>
<u>11-02-538</u>	<u>Sanitary Landfill/Solid Waste Disposal</u>	<u>89</u>
<u>11-02-539</u>	<u>Savings and Loan Institutions.....</u>	<u>90</u>
<u>11-02-540</u>	<u>Scenic View</u>	<u>90</u>
<u>11-02-541</u>	<u>School, College or University</u>	<u>90</u>
<u>11-02-542</u>	<u>School, Commercial</u>	<u>90</u>
<u>11-02-543</u>	<u>School, Public, Private, and Parochial</u>	<u>90</u>
<u>11-02-544</u>	<u>Semi-nude</u>	<u>90</u>
<u>11-02-545</u>	<u>Septage</u>	<u>90</u>
<u>11-02-546</u>	<u>Service Plan</u>	<u>90</u>
<u>11-02-547</u>	<u>Service Provider, Special District Service Plan</u>	<u>91</u>
<u>11-02-548</u>	<u>Services</u>	<u>91</u>
<u>11-02-549</u>	<u>Setback.....</u>	<u>91</u>
<u>11-02-550</u>	<u>Setback Line</u>	<u>91</u>
<u>11-02-551</u>	<u>Setback Line, Front</u>	<u>91</u>
<u>11-02-552</u>	<u>Settlement</u>	<u>91</u>
<u>11-02-553</u>	<u>Sewage Sludge</u>	<u>92</u>
<u>11-02-554</u>	<u>Sexual Encounter Establishment</u>	<u>92</u>
<u>11-02-555</u>	<u>Sexually Oriented Business.....</u>	<u>92</u>
<u>11-02-556</u>	<u>Shooting Range</u>	<u>92</u>
<u>11-02-557</u>	<u>Short-Term Rentals.....</u>	<u>92</u>
<u>11-02-558</u>	<u>Shoulder</u>	<u>92</u>
<u>11-02-559</u>	<u>Side Lot Line.....</u>	<u>93</u>
<u>11-02-560</u>	<u>Sidewalk</u>	<u>93</u>

<u>11-02-561</u>	<u>Sign</u>	<u>93</u>
<u>11-02-562</u>	<u>Significant Change</u>	<u>93</u>
<u>11-02-563</u>	<u>Site Plan.....</u>	<u>93</u>
<u>11-02-564</u>	<u>Site Related Improvements</u>	<u>93</u>
<u>11-02-565</u>	<u>Site Selection</u>	<u>93</u>
<u>11-02-566</u>	<u>Site Specific Development Plan.....</u>	<u>94</u>
<u>11-02-567</u>	<u>Sixty (60) Ldn</u>	<u>94</u>
<u>11-02-568</u>	<u>Sketch Plan</u>	<u>94</u>
<u>11-02-569</u>	<u>Social Organizations.....</u>	<u>94</u>
<u>11-02-570</u>	<u>Sod Farm</u>	<u>94</u>
<u>11-02-571</u>	<u>Soil Conservation District</u>	<u>94</u>
<u>11-02-572</u>	<u>Solar Energy System</u>	<u>94</u>
<u>11-02-573</u>	<u>Solar Energy System, Large-Scale</u>	<u>95</u>
<u>11-02-574</u>	<u>Solar Energy System, Medium-Scale.....</u>	<u>95</u>
<u>11-02-575</u>	<u>Solar Energy System, Small-Scale</u>	<u>95</u>
<u>11-02-576</u>	<u>Solid Waste.....</u>	<u>95</u>
<u>11-02-577</u>	<u>Solid Waste Disposal Site</u>	<u>95</u>
<u>11-02-578</u>	<u>Solid Waste Disposal Site and Facility.....</u>	<u>95</u>
<u>11-02-579</u>	<u>Special District.....</u>	<u>96</u>
<u>11-02-580</u>	<u>Special Sign</u>	<u>96</u>
<u>11-02-581</u>	<u>Special Use.....</u>	<u>96</u>
<u>11-02-582</u>	<u>Specified Anatomical Areas</u>	<u>96</u>
<u>11-02-583</u>	<u>Specified Sexual Activities</u>	<u>96</u>
<u>11-02-584</u>	<u>Standards, Development.....</u>	<u>96</u>
<u>11-02-585</u>	<u>Standards, Performance.....</u>	<u>97</u>
<u>11-02-586</u>	<u>Start of Construction.....</u>	<u>97</u>
<u>11-02-587</u>	<u>State Licensing Authority.....</u>	<u>97</u>

<u>11-02-588</u>	<u>Stockyard.....</u>	<u>97</u>
<u>11-02-589</u>	<u>Storage.....</u>	<u>97</u>
<u>11-02-590</u>	<u>Storage Area.....</u>	<u>98</u>
<u>11-02-591</u>	<u>Storage Capacity of a Floodplain.....</u>	<u>98</u>
<u>11-02-592</u>	<u>Storage Structure.....</u>	<u>98</u>
<u>11-02-593</u>	<u>Storage Yard.....</u>	<u>98</u>
<u>11-02-594</u>	<u>Stormwater.....</u>	<u>98</u>
<u>11-02-595</u>	<u>Stormwater Quality (SWQ) Permit.....</u>	<u>98</u>
<u>11-02-596</u>	<u>Story.....</u>	<u>99</u>
<u>11-02-597</u>	<u>Strip Cropping.....</u>	<u>99</u>
<u>11-02-598</u>	<u>Structure.....</u>	<u>99</u>
<u>11-02-599</u>	<u>Structure Height.....</u>	<u>99</u>
<u>11-02-600</u>	<u>Structure, Permanent.....</u>	<u>99</u>
<u>11-02-601</u>	<u>Subdivider.....</u>	<u>99</u>
<u>11-02-602</u>	<u>Subdivision.....</u>	<u>100</u>
<u>11-02-603</u>	<u>Subdivision Improvement Agreement.....</u>	<u>100</u>
<u>11-02-604</u>	<u>Subject Property.....</u>	<u>101</u>
<u>11-02-605</u>	<u>Substantial Damage.....</u>	<u>101</u>
<u>11-02-606</u>	<u>Substantial Improvement.....</u>	<u>101</u>
<u>11-02-607</u>	<u>Substation.....</u>	<u>101</u>
<u>11-02-608</u>	<u>Sufficient Service (Special District Service Plan Review).....</u>	<u>101</u>
<u>11-02-609</u>	<u>Suspended Sign.....</u>	<u>101</u>
<u>11-02-610</u>	<u>Synagogue.....</u>	<u>102</u>
<u>11-02-611</u>	<u>Temple.....</u>	<u>102</u>
<u>11-02-612</u>	<u>Temporary Display Structure.....</u>	<u>102</u>
<u>11-02-613</u>	<u>Temporary Sign.....</u>	<u>102</u>
<u>11-02-614</u>	<u>Temporary Stands.....</u>	<u>102</u>

<u>11-02-615</u>	<u>Temporary Use.....</u>	<u>102</u>
<u>11-02-616</u>	<u>Terracing</u>	<u>102</u>
<u>11-02-617</u>	<u>Textile or Cloth Manufacture.....</u>	<u>102</u>
<u>11-02-618</u>	<u>Theater.....</u>	<u>102</u>
<u>11-02-619</u>	<u>Tillage.....</u>	<u>103</u>
<u>11-02-620</u>	<u>Timbering and logging.....</u>	<u>103</u>
<u>11-02-621</u>	<u>TINY HOME</u>	<u>103</u>
<u>11-02-622</u>	<u>TINY HOME VILLAGE</u>	<u>103</u>
<u>11-02-623</u>	<u>Trade Schools.....</u>	<u>103</u>
<u>11-02-624</u>	<u>Topography.....</u>	<u>103</u>
<u>11-02-625</u>	<u>Total Maximum Daily Load (TMDL)</u>	<u>103</u>
<u>11-02-626</u>	<u>Traditional Farming</u>	<u>104</u>
<u>11-02-627</u>	<u>Traffic-Generating Development.....</u>	<u>104</u>
<u>11-02-628</u>	<u>Trailer, Truck Sales and Service</u>	<u>104</u>
<u>11-02-629</u>	<u>Transfer Station.....</u>	<u>104</u>
<u>11-02-630</u>	<u>Transmission Lines.....</u>	<u>104</u>
<u>11-02-631</u>	<u>Transmission Shop.....</u>	<u>104</u>
<u>11-02-632</u>	<u>Tree farm.....</u>	<u>105</u>
<u>11-02-633</u>	<u>Trip</u>	<u>105</u>
<u>11-02-634</u>	<u>Trip, Diverted</u>	<u>105</u>
<u>11-02-635</u>	<u>Trip Generation</u>	<u>105</u>
<u>11-02-636</u>	<u>Trip, Pass-By.....</u>	<u>105</u>
<u>11-02-637</u>	<u>Truck Stop.....</u>	<u>105</u>
<u>11-02-638</u>	<u>Underground Fuel Storage for Use on the Property.....</u>	<u>105</u>
<u>11-02-639</u>	<u>Universities.....</u>	<u>106</u>
<u>11-02-640</u>	<u>Unoccupied structure feature.....</u>	<u>106</u>
<u>11-02-641</u>	<u>Upholstery Service.....</u>	<u>106</u>

<u>11-02-642</u>	<u>Urban Adams County</u>	<u>106</u>
<u>11-02-643</u>	<u>Use</u>	<u>106</u>
<u>11-02-644</u>	<u>Use by Right</u>	<u>106</u>
<u>11-02-645</u>	<u>Utility Production or Processing Facility</u>	<u>106</u>
<u>11-02-646</u>	<u>Vacation Campground</u>	<u>107</u>
<u>11-02-647</u>	<u>Vacation RENTAL</u>	<u>107</u>
<u>11-02-648</u>	<u>Vacation of a Plat, Right-of-way, or Public Easement</u>	<u>107</u>
<u>11-02-649</u>	<u>Variance</u>	<u>107</u>
<u>11-02-650</u>	<u>Vehicle</u>	<u>107</u>
<u>11-02-651</u>	<u>Vehicle-Miles of Travel</u>	<u>107</u>
<u>11-02-652</u>	<u>Vending / Produce Stand</u>	<u>107</u>
<u>11-02-653</u>	<u>Wall Sign</u>	<u>108</u>
<u>11-02-654</u>	<u>Warehousing</u>	<u>108</u>
<u>11-02-655</u>	<u>Waste Disposal Site</u>	<u>108</u>
<u>11-02-656</u>	<u>Waste Impoundment</u>	<u>108</u>
<u>11-02-657</u>	<u>Waste Processing Facility</u>	<u>108</u>
<u>11-02-658</u>	<u>Water Bodies</u>	<u>108</u>
<u>11-02-659</u>	<u>Water and Sewer Treatment Plant</u>	<u>109</u>
<u>11-02-660</u>	<u>Water Quality Control Volume (WQCV)</u>	<u>109</u>
<u>11-02-661</u>	<u>Water Storage</u>	<u>109</u>
<u>11-02-662</u>	<u>Water Surface Elevation</u>	<u>109</u>
<u>11-02-663</u>	<u>Water Surface Profile</u>	<u>109</u>
<u>11-02-664</u>	<u>Watercourse</u>	<u>109</u>
<u>11-02-665</u>	<u>Waters of the State of Colorado</u>	<u>109</u>
<u>11-02-666</u>	<u>Welding Shop</u>	<u>110</u>
<u>11-02-667</u>	<u>Wholesaling</u>	<u>110</u>
<u>11-02-668</u>	<u>Window Sign</u>	<u>110</u>

<u>11-02-669</u>	<u>Xeriscape</u>	<u>110</u>
<u>11-02-670</u>	<u>Yard Sale</u>	<u>110</u>
<u>11-02-671</u>	<u>Zoning Review</u>	<u>110</u>
<u>11-02-672</u>	<u>Zoo</u>	<u>111</u>

Chapter 11—DEFINITIONS**11-01 RULES OF CONSTRUCTION**

This chapter contains definitions of words, terms, and phrases used in these standards and regulations.

The following rules of construction apply:

1. All words, terms, and phrases shall be construed and understood according to the common and approved usage of the language, unless otherwise defined;
2. Words, terms, and phrases used in the present include the future tense, and words, terms, and phrases used in the future tense include the present tense;
3. The word “shall” is mandatory;
4. The word “may” is permissive;
5. Words, terms, and phrases used in the singular include the plural, and words, terms, and phrases used in the plural include the singular; and
6. Words, terms, and phrases used in the masculine include the feminine, and words, terms, and phrases in the feminine include the masculine.

11-02 WORDS, TERMS, AND PHRASES

The following listed words, terms, or phrases are defined as follows.

11-02-01 100-YEAR FLOOD

A flood having a recurrence interval that has a one-percent chance of being equaled or exceeded during any given year (1-percent-annual-chance-flood). The terms "base flood", "one-hundred-year flood" and "one percent chance flood" are synonymous with the term "100-year flood." The term does not imply that the flood will necessarily happen once every one hundred years.

*Adopted by the BOCC on June 27, 2011.

11-02-02 100-YEAR FLOODPLAIN

The area of land susceptible to being inundated as a result of the occurrence of a one-hundred-year flood.

*Adopted by the BOCC on June 27, 2011.

11-02-03 500-YEAR FLOOD

A flood having a recurrence interval that has a 0.2-percent chance of being equaled or exceeded during any given year (0.2-percent-chance-annual-flood). The term does not imply that the flood will necessarily happen once every five hundred years.

*Adopted by the BOCC on June 27, 2011.

11-02-04 500-YEAR FLOODPLAIN

The area of land susceptible to being inundated as a result of the occurrence of a five-hundred-year flood.

*Adopted by the BOCC on June 27, 2011.

11-02-05 ABANDONMENT OF USE

If active and continuous operations are not carried on in a nonconforming use during a continuous period of six months, the building, other structure or tract of land where such nonconforming use previously existed shall thereafter be occupied and used only for a conforming use. Intent to resume active operations shall not affect the forgoing. The burden of proof that an operation has been continuous rests with the owner or operator of the use. The evidence an operation has been continuous must be clear,

indicate at the specific time in question the use was in operation, and must be conclusive.

11-02-06 ACCESS

Provision for the passage of vehicles by a public or private street, or by a driveway connected to a public or private street, such that delivery of people, goods, and services is possible to individual properties or buildings.

11-02-07 ACCESSORY STRUCTURE (OR BUILDING)

An ancillary or subordinate structure which the use of is incidental to and customary in connection with the principal building or use and which is located on the same zoning lot as the principal building or use.

11-02-08 ACCESSORY USE

A subordinate use, which is incidental and customary in connection with the principal building or use and is located on the same zoning lot as the principal building or use.

11-02-09 ADJACENT LOT

A lot or parcel of land, which shares all, or part of a common lot or property line with another lot.

11-02-10 ADJACENT PROPERTY OWNERS (IN REGARD TO NOTIFICATION)

Lots containing existing residences, grounds, or other types of structures located on the same street frontage as the subject lot and is located within one-hundred-fifty (150) feet of the opposite side of the street for an equal distance. If there are no structures within this area, structures within a distance of five hundred (500) feet from all property lines will be considered adjacent properties.

11-02-11 ADULT ARCADE

An establishment where one (1) or more still or motion picture projectors, slide projectors, or other image producing machines, for viewing by five (5) 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 area”.

11-02-12 ADULT BOOKSTORE

See “Adult Novelty Store”.

11-02-13 ADULT CABARET

A nightclub, bar, restaurant “pop shop”, or similar commercial establishment which features: (a) persons who appear nude or in a state of nudity or seminude; (b) live performances which are characterized by the exposure of “specified anatomical areas” or by “specified sexual activities”, or 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”.

11-02-14 ADULT MOTEL

A motel, hotel or similar commercial establishment which: (a) offers public accommodations 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 advertises 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, or (b) offers a sleeping room for rent for a period of time of less than ten (10) hours, or allows a tenant or occupant to sub-rent a sleeping room for a time period of less than ten (10) hours.

11-02-15 ADULT MOTION PICTURE THEATER

A commercial establishment where films, motion pictures, video cassettes, slides or similar photographic reproductions depicting or describing “specified sexual activities” or “specified anatomical areas” are regularly shown.

11-02-16 ADULT NOVELTY STORE

A commercial establishment which: (a) devotes a significant or substantial portion of its stock-in-trade or interior floor space to; (b) receives a significant or substantial portion of its revenues from; or (c) devotes a significant or substantial portion of its advertising expenditures to the promotion of: the sale, rental or viewing of books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes, slides, or other visual representations which are characterized by

the depiction or description of “specified sexual activities” or “specified anatomical area”.

An establishment may have other principal business purposes that do not involve the offering for sale, rental or viewing of materials depicting or describing “specified sexual activities” or “specified anatomical areas”, and still be categorized as an adult bookstore, adult novelty store, or adult video store. Such other business purposes will not serve to exempt such establishment from being categorized as an adult bookstore, adult novelty store or adult video store so long as the provisions of the first paragraph of this section are met.

11-02-17 ADULT THEATER

A theater, concert hall, auditorium, or similar commercial establishment which regularly features persons who appear in a state of nudity or live performances which are characterized by exposure of “specified anatomical area” or by “specified sexual activities.”

11-02-18 ADULT VIDEO STORE

See “Adult Novelty Store”.

11-02-19 ADVERTIZING BANNER

An Advertising Banner is an ‘off-premise sign’, horizontal to the ground and of sufficient size to be seen by air passengers either landing or departing Denver International Airport or other areas near commercial airports as approved by the Board of County Commissioners. It must not be legible to the general public at ground level and is solely intended to be viewed by air passengers. All Advertising Banners shall meet the standards contained in this Section 4-16.

11-02-20 AFFIDAVIT OF CORRECTION

A recorded document correcting minor changes and/or errors in a recorded plat such as boundary, directional or distance mistakes.

11-02-21 AGRICULTURE (OR FARM)

The use of land for agricultural purposes, including farming, dairying, floriculture, horticulture pasturage, viticulture, grazing, animal and poultry husbandry, and the necessary accessory uses for packing, treating, storing, and shipping of farm products.

11-02-22 AGRICULTURAL BUSINESS

This use category includes: dairies, poultry farms, fur farms, exotic animal farms, and animal confinement operations.

11-02-23 AGRICULTURAL SUPPORT BUSINESS AND SERVICE USES

This use category includes business or commercial uses operated primarily for the support of agricultural needs, which may consist of products, materials, and equipment servicing and sales; storage or processing of agricultural products or animals; veterinary services; or technical support services. Examples include, but are not limited to, farm machinery sales and service, farm supply sales, and underground fuel storage for use on the property.

11-02-24 AGRICULTURAL USES

Agricultural uses include agricultural support businesses and services; agricultural business; equestrian arena, commercial; equestrian arena, personal; farming; nurseries; and ranching.

11-02-25 AGRI-TAINMENT USES

A land use that supports and enhances agriculture as an attraction for education and entertainment related purposes. Examples include farm tours, educational offerings, corn mazes, interactive animal displays, and the like. Accessory uses to agri-tainment may include: parking, limited concession stands, pick your own produce, play grounds and activity fields, and signage in compliance with the Signage regulations.

11-02-2511-02-26 AIRCRAFT ACTIVITY COVENANT WITH DISCLOSURE

A covenant signed by landowner(s) and recorded at the Office of the Adams County Clerk and Recorder to notify present and future landowners of the aircraft flight activity that will occur in the airspace above the property.

11-02-2611-02-27 AIRPORT

A facility, which provides space for aircraft to take off and land usually equipped with a control tower, hangars, and accommodations for passengers and cargo.

1. Private: Airport used for an individual or corporate private use and is not open to the public.

2. Public: Airport open to the general public.

~~11-02-27~~**11-02-28 AIRPORT, LANDING STRIP AND HELIPORT USES**

This use category includes: all airports, as well as landing strips and heliports, including those for private use including those used by ultra-light aircraft.

~~11-02-28~~**11-02-29 ALLEY**

A public or private thoroughfare that affords only a secondary means of access to an abutting property and primarily used to provide vehicular access to the rear or side of properties.

~~11-02-29~~**11-02-30 AMENDED PLAT**

A plat which contains modifications to an existing approved and recorded plat which do not significantly affect the land use of an area and/or are technical in nature as determined by the Director of Community and Economic Development, which does not involve the construction of public improvements, or an increase in density in a subdivision. Amended Plats may be processed under the terms of either a Major or Minor Subdivision, subject to the terms of Chapter 2.

~~11-02-30~~**11-02-31 AMUSEMENT CENTER**

A commercial establishment with three (3) or more machines of amusement.

~~11-02-31~~**11-02-32 AMUSEMENT PARK**

An outdoor commercial establishment, which may include structures where there are various devices for entertainment, including rides, booths for the conduct of games or sale of items, and structures for shows and entertainment.

~~11-02-32~~**11-02-33 ANIMAL FEEDING OPERATION (AFO) AND CONCENTRATED ANIMAL FEEDING OPERATION (CAFO)**

An operation for the growing, feeding, and fattening of livestock and/or poultry for commercial purposes, where:

1. The animals are confined within a closed structure and/or the animals are kept within permanent corrals, pens, or yards;

2. Food is supplied by means other than grazing, foraging, or other natural means; and
3. These animals have been, are, or will be stabled or confined and fed or maintained for a total of forty-five (45) consecutive days or more in any twelve (12) month period.

A CAFO is a large or medium AFO, as defined by the United States Environmental Protection Agency, National Pollutant Discharge Elimination System (NPDES) regulations.

~~11-02-33~~**11-02-34 ANIMAL HOSPITAL**

An establishment for the care of sick or injured animals. Such facilities may include veterinarian offices, administrative offices, space for examination, surgery, recovery, and may include boarding of animals while under treatment, but does not include animal boarding generally.

~~11-02-34~~**11-02-35 ANIMAL SLAUGHTERHOUSE**

An establishment or area for the purpose of slaughtering animals for commercial purposes.

~~11-02-35~~**11-02-36 ANIMATED SIGN**

Any sign or part of a sign which changes physical position by any rotation or which gives the visual impression of such movement or rotation through special effects including, but not limited to, lights.

~~11-02-36~~**11-02-37 ANNUAL REPORT, SPECIAL SERVICE DISTRICT**

An annual report requiring certain information about a Special District required to be submitted each year at the request of the Adams County Community and Economic Development Department.

~~11-02-37~~**11-02-38 APPLICANT**

A person submitting an application for permit or approval, and may be referred to as the *Permittee*.

~~11-02-38~~**11-02-39 APPURTENANT FACILITIES**

Any buildings, structures, or other property, which are clearly essential to, and customarily found in connection with major energy facilities at the site of the major facility, excluding the federal government and its agencies.

11-02-3911-02-40 AQUACULTURE FACILITY

Any structure, lake, pond, tank, tanker truck, or the like used or intended to be used for the controlled propagation, growth, and harvest of cultured aquatic stock including, but not limited to, fish and other aquatic vertebrates, mollusks, crustaceans, and algae and other aquatic plants. This definition includes fish hatcheries.

11-02-41 AQUARIUM

An establishment where aquatic organisms are housed and exhibited.

11-02-4011-02-42 AREA OF SHALLOW FLOODING

An area of shallow, indeterminate flooding not related to the flood profile where a clearly defined channel does not exist, and the path of flooding is unpredictable and indeterminate and velocity flow may be evident.

11-02-4111-02-43 AREA OF SPECIAL FLOOD HAZARD

The land located within the area subject to a one (1) percent or greater chance of flooding in any given year.

11-02-4211-02-44 ARTERIAL STREET (INCLUDING MAJOR AND MINOR)

A street that has limited access control designed to provide continuity throughout the metropolitan area. An arterial street may form boundaries for neighborhoods, may have signals at major intersections, and may have limited access. Intersections occur at grade, and in some cases, direct access to abutting property is provided. However, access should be limited to allow for more efficient traffic flow.

11-02-4311-02-45 ASPHALT MIXING PLANTS

An industrial establishment or plant where gravel or sand are combined with a mixture of bitumens to create a substance for paving, roofing, and waterproofing.

11-02-4411-02-46 ASPHYXIATION

Death caused by exposure to an atmosphere with less than 10% oxygen.

11-02-4511-02-47 ATTRACTIVE DEVICES

Any device intended to attract attention including, but not limited to fixed aerial displays, balloons, pennants, strings of flags, streamers, devices affected by the movement of the air, devices utilizing light or sound, or inflatable or inflated devices.

11-02-4611-02-48 AUCTION

A sale at which property or goods are sold to the highest bidder.

11-02-4711-02-49 AUCTION HOUSE

A completely enclosed commercial establishment at which an auction takes place, excluding the sale of livestock.

11-02-4811-02-50 AUCTION YARD

A commercial establishment or area at which an auction takes place at which livestock sale rings are permitted.

11-02-4911-02-51 AUTOCLAVE

A pressurized, steam heated vessel used for sterilization.

11-02-5011-02-52 AUTOMOBILE PARKING LOT

An area used for parking of motor vehicles.

1. Accessory: A parking lot associated with a residential or nonresidential building or use which is primarily for the use of residents living in the development or their guests or for the use of customers or employees of a nonresidential building.
2. Commercial: A parking lot, which is not associated with either a particular residential or nonresidential development but is made available for parking by the general public for a fee.

11-02-5111-02-53 AUTOMOBILE RACE DRAG STRIP

A paved strip or race course where automobile drag races are held.

11-02-5211-02-54 AUTOMOBILE RENTAL (OR LEASING)

A commercial establishment offering the temporary use of automobiles or trucks in exchange for payment. Such establishments may include office space, parking areas for rental vehicles, parking areas for customers and

employees, and servicing and repair facilities, but shall not include facilities for bodywork, painting, or restoration.

11-02-5311-02-55 AUTOMOBILE SALES

The use of any structure or land for a business involving the sale of new or used motor vehicles and recreational vehicles. Such establishments may include office space, parking lots for the display and storage of vehicles available for sale, parking areas for customers and employees, vehicle repair facilities, facilities for bodywork, painting, or restoration, and sale of parts.

11-02-5411-02-56 AUTOMOBILE SERVICE STATIONS

This use category includes fueling stations, car washes, and fueling service stations that may include a convenience store.

11-02-5511-02-57 AUTO TOWING AND STORAGE YARD

A parcel of land used for the temporary storage of vehicles which have been towed by a towing company or for impounded vehicles, but which does not include permanent vehicle storage or dismantling of vehicles.

11-02-5611-02-58 AVERAGE TRIP LENGTH

The average length in miles of trips on the County's major road system.

11-02-5711-02-59 AVIGATION EASEMENT

A right generally established by deed or recorded plat to permit the unobstructed passage of all aircraft to an infinite height, together with the right to cause in all airspace above the surface of the grantor's property such noise, frequent overflights, vibrations, fumes, dust, fuel particles, radio energy emissions, and all other effects that may be caused by the operation of aircraft landing, or taking off, or operating at an aviation facility.

11-02-5811-02-60 BAKERY, RETAIL

A structure, room, or place used for making, preparing, or baking, bread, biscuits, pastry, cakes, doughnuts, crullers, noodles, macaroni, or spaghetti to be sold on-premises at retail and consumed on or off premises.

~~11-02-59~~~~11-02-61~~ **BAKERY, WHOLESALE**

A structure, room, or place used for making, preparing, or baking, bread, biscuits, pastry, cakes, doughnuts, crullers, noodles, macaroni, or spaghetti to be sold on or off premises at wholesale and consumed off premises.

~~11-02-60~~~~11-02-62~~ **BANK**

See “Financial Institution”.

~~11-02-64~~~~11-02-63~~ **BANNER**

Any sign of lightweight fabric or similar material that is mounted to a pole or a structure.

~~11-02-62~~~~11-02-64~~ **BARN**

An accessory building associated with agricultural zoning or use.

~~11-02-63~~~~11-02-65~~ **BASE FLOOD ELEVATION**

The elevation shown on a FEMA Flood Insurance Rate Map for Zones AE, AH, A1-A30, AR, AR/A, AR/AE, AR/A1-A30, AR/AH, AR/AO, V1-V30, and VE that indicates the water surface elevation resulting from a flood that has a one percent chance of equaling or exceeding that level in any given year.

*Adopted by the BOCC on June 27, 2011.

~~11-02-64~~~~11-02-66~~ **BEACON**

Any light with one (1) or more beams directed into the atmosphere or directed at one (1) or more points not on the same lot as the light source; also, any light with one (1) or more beams that rotate, flash or move.

~~11-02-65~~~~11-02-67~~ **BED AND BREAKFAST ESTABLISHMENTS**

Any residential structure used for commercial lodging purposes while also being occupied by either an owner or resident manager.

~~11-02-66~~~~11-02-68~~ **BEE COLONY**

A community of live bees having a queen, some thousands of workers, and, during part of the year, a number of drones who live together as one (1) family in a hive and all the offspring, inputs and byproducts, including comb(s), honey, pollen, and brood.

11-02-6711-02-69 BEE

Any stage of the domestic honeybee, *Apis Mellifera*, species.

11-02-6811-02-70 BEEHIVE

Structure intended for the housing of a bee colony usually composed of brood frame(s) and attached bees that are also used to create a new bee colony.

11-02-6911-02-71 BERM

A mound of soil, either natural or manmade, used to obstruct views or direct the flow of stormwater.

11-02-7011-02-72 BEST MANAGEMENT PRACTICES (BMP)

Technique, process, activity, schedule of activities, control measures, structures, prohibitions of practices, maintenance procedures, and other management practices utilized during construction or post-construction to prevent, reduce or eliminate pollution or degradation of Waters of the State to the maximum extent practicable based on available technology and economically practicable solutions that are achievable in light of best industry practices. BMPs can be temporary or permanent. BMPs can also be structural (engineered structures designed to treat runoff) or non-structural (source control practices).

Structural BMPs are designed to manage or treat stormwater runoff before it reaches a waterway, pond or lake. Examples of construction structural BMPs include, but are not limited to; silt fence, inlet protection, sediment basins, extended detention basins, etc.

Non-structural BMPs focus on management of pollutants at their source by minimizing exposure to runoff, rather than treating runoff in constructed facilities. Non-structural BMPs are used as source controls. Examples of construction non-structural BMPs include, but are not limited to; construction phasing, good housekeeping practices, spill prevention and response, employee education and training, mulch and seeding, soil roughening, vegetation buffers, operation and maintenance procedures to control site runoff, spills, sludge, waste, and drainage from raw material storage, etc.

BMPs must be selected for the specific activity and applicable pollutant source, designed, installed, implemented prior to the start of the activity to control potential pollutants, and maintained in effective operating condition in accordance with good engineering, hydrologic, and pollution control practices.

~~11-02-71~~11-02-73 **BEVERAGE MANUFACTURING**

An establishment or area for the purpose of manufacturing beverages, excluding alcoholic beverages.

~~11-02-72~~11-02-74 **BILLBOARD**

A permanent large sign characterized by a single or double sign face structure to direct attention to a business, commodity, service, activity or product sold, conducted, or offered off the premises where such sign is located. The owner of the sign usually sells use of the sign to an advertiser on a time-contract basis.

~~11-02-73~~11-02-75 **BIOSOLIDS**

The accumulated treated residual product resulting from a domestic wastewater treatment works. Biosolids does not include grit or screenings from a wastewater treatment works, commercial or industrial sludges (regardless of whether the sludges are combined with domestic sewage), sludge generated during treatment of drinking water, or domestic or industrial septage.

*Adopted by the BOCC on December 13, 2010.

~~11-02-74~~11-02-76 **BOARD OF ADJUSTMENT**

The Board of Adjustment of Adams County.

~~11-02-75~~11-02-77 **BOARD OF COUNTY COMMISSIONERS**

The Board of County Commissioners of Adams County.

~~11-02-76~~11-02-78 **BOARDING HOUSE**

A structure where lodging and/or meals are offered for a fee, and where the length of residence may continue for an extended period of time, as distinguished from a motel or hotel.

~~11-02-77~~11-02-79 **BOAT SALES**

A commercial establishment or area for the purpose of boat sales.

~~11-02-78~~11-02-80 **BOOK BINDING**

An industrial establishment or area for the purpose of binding books.

11-02-81 BOTANTICAL GARDEN

An establishment where plants are grown for display to the public. Gardens are typically labeled and grown for identification purpose and indicating its scientific name and its family.

11-02-79~~11-02-82~~ BROOM (OR BRUSH) MANUFACTURING

An industrial establishment or area for the purpose of manufacturing brooms and/or brushes.

11-02-80~~11-02-83~~ BUFFERING

Buffering shall mean the installation of plant materials, fencing, or landforms (or a combination of these measures), between two (2) or more properties which inhibits visibility and/or mitigates the transmission of noise, dust, lights, and other nuisances from one property to another.

11-02-81~~11-02-84~~ BUILDING HEIGHT

See "Structure Height".

11-02-82~~11-02-85~~ BUILDING INSPECTOR

The Chief Building Official of Adams County or his designee (See Section 11-02-88).

11-02-83~~11-02-86~~ BUILDING MATERIAL SALES AND STORAGE

A commercial establishment or area for the purpose of providing building material at retail or wholesale.

11-02-84~~11-02-87~~ BUILDING MARKER

Any sign indicating the name of a building, date, and incidental information about its construction, which is cut into a masonry surface or made of bronze or other permanent material.

11-02-85~~11-02-88~~ BUILDING PERMIT

A development permit issued by the Adams County Community and Economic Development Department before any building or construction activity can be initiated on a parcel of land.

~~11-02-86~~~~11-02-89~~ **BUILDOUT RATE**

Actual or projected amount of development which has been built, sold, or leased or is expected to be built, sold, or leased as presented in a ratio of units of development to time, such as residential dwelling units per year or square feet of commercial space per year.

~~11-02-87~~~~11-02-90~~ **BULK STORAGE AND/OR BULK SALES**

Bulk Storage and/or Bulk sales (fuel, oil, gasoline, and petroleum products) (as defined by the Colorado Division of Oil and Public Safety) covers that portion of a property where liquids are received by tank vessel, pipelines, tank car, or tank vehicle and are stored or blended in bulk for the purpose of distributing such liquids by tank vessel, pipeline, tank car, tank vehicle, portable tank or portable container. [Note: A bulk plant is normally a wholesale facility where petroleum products are stored prior to resale or redistribution.]

~~11-02-88~~~~11-02-91~~ **BUS REPAIR AND STORAGE**

An establishment or area for the purpose of bus repair, service, and storage.

~~11-02-89~~~~11-02-92~~ **BUS TERMINAL**

An establishment, which provides space for arrival and departure of busses offering transportation to the public usually equipped with accommodations for passengers and for fueling and servicing of busses.

~~11-02-90~~~~11-02-93~~ **BUSINESS PARK USES**

This use category includes research and production and certain light industry uses. Examples of business park uses include: apparel and other finished products made from fabrics and similar materials; measuring, analyzing, and controlling instrument manufacturing; photographic; medical and optical goods; watches and clocks; musical instruments and sporting/athletic goods manufacturing; united states postal service; arrangement of transportation of freight and cargo; communications; motion picture production and allied services; research; development and testing services; space research and technology; bakeries; and moving companies.

11-02-91~~11-02-94~~ CABINET SHOP

A commercial establishment for the purpose of sales, refinishing, or repair of cabinets.

11-02-92~~11-02-95~~ CAMPGROUNDS, COMMERCIAL

This use category includes: camps; recreational vehicle parks; campsites; tents; and trailer parks.

11-02-93~~11-02-96~~ CANOPY SIGN

Any sign, which is a part of or attached to an awning or a canopy; or any other fabric, plastic, or protective cover over a door, entrance, window, or outdoor service area.

11-02-94~~11-02-97~~ CAPACITY

The maximum number of vehicles which have a reasonable expectation of passing over a given section of a road during a given time period, under prevailing traffic conditions, expressed in terms of vehicles per hour. Capacity is measured in this Regulation and the Road Impact Fee Study during the evening peak hour.

11-02-95~~11-02-98~~ CAR WASHING AND WAXING

A commercial establishment or area containing facilities for washing or waxing automobiles.

11-02-96~~11-02-99~~ CARNIVAL

A traveling amusement show typically having various devices for entertainment, including rides and booths for the conduct of games or sale of items.

11-02-97~~11-02-100~~ CEMETERIES

A place for burying or housing the dead; includes mausoleum.

11-02-98~~11-02-101~~ CHANNEL

The physical confine of stream or waterway consisting of a bed and stream banks, existing in a variety of geometries. Channels may be natural or man-made

*Adopted by the BOCC on June 27, 2011.

~~11-02-99~~11-02-102 **CHANNELIZATION**

The artificial creation, enlargement or realignment of a stream channel.

*Adopted by the BOCC on June 27, 2011.

~~11-02-100~~11-02-103 **CHIEF BUILDING OFFICIAL**

The Director of Community and Economic Development or his or her assigned representative.

~~11-02-101~~11-02-104 **CHRISTMAS TREE LOT**

An area for the temporary retail sale of Christmas trees usually set up in the parking lot of a large commercial business.

~~11-02-102~~11-02-105 **CHURCH**

See “Place of Worship”.

~~11-02-103~~11-02-106 **CIRCUS**

A traveling amusement show typically performed in large tents featuring daring acts, performing animals, and clowns.

~~11-02-104~~11-02-107 **CLINIC, MEDICAL (OR DENTAL)**

An establishment providing health services, medical, or surgical care for patients where overnight stays are on an emergency basis only.

~~11-02-105~~11-02-108 **COLD STORAGE PLANT**

An establishment for the storage of items in an artificially cooled environment.

~~11-02-106~~11-02-109 **COLLECTOR STREET**

A street designed as a main interior street that collects and distributes traffic between local and arterial streets, typically with stop signs on side streets and traffic signals at arterials.

~~11-02-107~~11-02-110 **COLORADO DISCHARGE PERMIT SYSTEM (CDPS)**

The state of Colorado’s system of permitting discharges (e.g., stormwater, wastewater) to waters of the state which corresponds to the federal nodes permits under the federal clean water act.

11-02-10811-02-111 COLORADO MARIJUANA CODE

Sections 14 and 16 of Article XVIII of the Colorado Constitution and C.R.S. §44-10-101, et seq., as amended, and any rules promulgated pursuant thereto.

11-02-10911-02-112 COMBUSTIBLE

A material, which will ignite or burn when exposed to fire and is not capable of supporting its design load under the attack of fire for an extended time period without failure.

11-02-11011-02-113 COMMERCIAL COMPOSTING OPERATION

A commercial establishment or area where organic matter is degraded through a controlled process by microorganisms.

11-02-11111-02-114 COMMERCIAL AND/OR INDUSTRIAL COMPLEX

A commercial and/or industrial multi-structure development or an establishment where multiple principle uses exist within a single commercial or industrial structure on one (1) lot.

11-02-11211-02-115 COMMERCIAL MESSAGE

Any sign wording, logo, or other representation directly or indirectly, names, advertises, or directs attention to a business, product, service or other commercial activity.

11-02-11311-02-116 COMMERCIAL RETAIL

This use category includes: building supplies; general merchandise stores; food stores; apparel and accessory stores; furniture and home furnishings stores; greenhouses (retail) and greenhouses with garden supplies; miscellaneous retail except fuel dealers; health services; legal services; social services except care facilities; membership organizations; miscellaneous services; engineering and management services; dry cleaners; cabinet sales. This use does not include bars, restaurants, pawnshops or drive-in facilities.

11-02-11411-02-117 COMMERCIAL USES

This use includes airports, landing strips and heliports; animal hospitals; automobile service stations; bed and breakfast establishments; campgrounds, commercial; communications towers, commercial;

commercial retail; convenience retail stores; drive-in establishments; golf courses and driving ranges; heavy retail and heavy services; indoor commercial recreation/entertainment; kennels, commercial; lodging, commercial; massage business; off-premise advertising devices; offices; outdoor commercial recreation; parking lots, commercial; racing facilities; restaurants; services; sexually oriented business; and trade schools.

~~11-02-115~~11-02-118 **COMMISSION**

The Adams County Planning Commission.

~~11-02-116~~11-02-119 **COMMISSIONERS**

The Board of County Commissioners of Adams County.

~~11-02-117~~11-02-120 **COMMON PLAN OF DEVELOPMENT OR SALE**

A contiguous area where multiple separate and distinct construction activities may be taking place at different times on different schedules but remain related. "Contiguous" means construction activities located in close proximity to each other, within ¼ mile.

~~11-02-118~~11-02-121 **COMMUNICATIONS TOWERS, COMMERCIAL**

This use category includes radio or TV broadcasting towers; telecommunications towers or other types of telecommunications facilities; and antenna arrays (satellite dishes).

~~11-02-119~~11-02-122 **COMPARABLE BASIS**

Generally equivalent in terms of costs, timelines, and quality of service.

~~11-02-120~~11-02-123 **COMPATIBLE**

Uses or structures although not identical, are similar, show some resemblance to each other, are related in appearance, are harmonious, and/or are congenial in combination.

~~11-02-121~~11-02-124 **CONCRETE MIXING PLANT**

An industrial establishment or plant where a material made from sand, pebbles, and/or crushed stone is held together by a mass of cement or mortar.

11-02-12311-02-125 **CONDITIONAL LETTER OF MAP REVISION (CLOMR)**

FEMA's comment on a proposed project, which does not revise an effective floodplain map, that would, upon construction, affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodplain.

*Adopted by the BOCC on June 27, 2011.

11-02-12311-02-126 **CONDITIONAL USE**

A use which may be suitable, as determined by the Board of County Commissioners, in a zone district, but which would impair the integrity and character of the zone district in which it is located, or in an adjoining zone district, unless restrictions on location, size, extent and character of performance are imposed.

11-02-12411-02-127 **CONSERVATION PLAN**

A written plan submitted to the appropriate soil conservation district, which describes measures designed to prevent, to the extent possible, soil erosion from occurring on the land for which the plan was developed.

11-02-12511-02-128 **CONSERVATION PLAN PERMIT**

The approved Conservation Plan signed by all parties concerned and recorded with the Office of the Adams County Clerk and Recorder.

11-02-12611-02-129 **CONSTRUCTION ACTIVITIES**

Any ground surface land disturbing activity associated with construction that occurs from initial groundbreaking to final stabilization, regardless of ownership of the construction activities. Construction activities include, but are not limited to; clearing, grading, excavation, demolition, utility work, paving, building, installing new or improved roads and access roads, haul roads, staging areas, stockpiling of fill materials, and borrow areas. Construction activities also include repaving activities where underlying or surrounding soil is exposed, graded or excavated as part of the repaving operation; and activities to conduct repairs or replacements that are not part of regular and routine maintenance. Construction activities do not include routine maintenance performed to maintain original line grade, hydraulic capacity, or original purpose of the facility.

~~11-02-127~~11-02-130 **CONSTRUCTION TRAILER**

A temporary structure for the storage of construction materials and a construction office to be used for managing a construction job.

~~11-02-128~~11-02-131 **CONSUMPTION AREA**

A designated and secured area within the Licensed Premises of a Hospitality Business where consumers can use and consume marijuana and where no one under the age of 21 is permitted.

~~11-02-129~~11-02-132 **CONTINUOUS SOUND**

A steady, fluctuating or impulsive noise which exists essentially without interruption for a period of five (5) minutes or more, or for an accumulation of fifteen (15) minutes or more for any one (1) hour period.

~~11-02-130~~11-02-133 **CONTOUR TILLAGE/CONTOUR FARMING**

A conservation tillage and planting system in which farming is conducted on sloping land and the land is prepared, planted, and cultivated on the contour by following established grades of terraces, diversions, or contour strips.

~~11-02-131~~11-02-134 **CONVALESCENT HOME**

See “Nursing Home”.

~~11-02-132~~11-02-135 **CONVENIENCE RETAIL STORE**

A small commercial establishment selling packaged food and other convenience items, which may include gasoline. This use category includes any retail establishment selling consumer products and having a gross floor area of less than two thousand (2,000) square feet.

~~11-02-133~~11-02-136 **CORNICE**

Any prominent, continuous, horizontally projecting feature crowning a building, or dividing it horizontally for architectural design purposes.

~~11-02-134~~11-02-137 **CREMATORY**

An establishment containing a furnace or other means used to reduce human remains to ashes or its equivalent.

*Adopted by the BOCC on December 13, 2010.

11-02-13511-02-138 CRITICAL FACILITY OR CRITICAL FACILITIES

1. This a structure or related infrastructure, but not the land on which it is situated, as specified in Rule 6 of the Rules and Regulations for Regulatory Floodplains in Colorado (2 CCR 408-1), that if flooded may result in significant hazards to public health and safety or interrupt essential services and operations for the community at any time before, during and after a flood. Critical Facilities are classified under the following categories: (1) Essential Services; (2) Hazardous Materials; (3) At-risk Populations; and (4) Vital to Restoring Normal Services. Essential services facilities include public safety, emergency response, emergency medical, designated emergency shelters, communications, public utility plant facilities, and transportation lifelines.

These facilities consist of:

- a. Public safety (police stations, fire and rescue stations, emergency vehicle and equipment storage, and, emergency operation centers);
- b. Emergency medical (hospitals, ambulance service centers, urgent care centers having emergency treatment functions, and non-ambulatory surgical structures but excluding clinics, doctors offices, and non-urgent care medical structures that do not provide these functions);
- c. Designated emergency shelters;
- d. Communications (main hubs for telephone, broadcasting equipment for cable systems, satellite dish systems, cellular systems, television, radio, and other emergency warning systems, but excluding towers, poles, lines, cables, and conduits);
- e. Public utility plant facilities for generation and distribution (hubs, treatment plants, substations and pumping stations for water, power and gas, but not including towers, poles, power lines, buried pipelines, transmission lines, distribution lines, and service lines); and
- f. Air Transportation lifelines (airports (municipal and larger), helicopter pads and structures serving emergency functions, and associated infrastructure (aviation control towers, air traffic control centers, and emergency equipment aircraft hangars).

Specific exemptions to this category include wastewater treatment plants (WWTP), Non-Potable water treatment and distribution systems, and hydroelectric power generating plants and related appurtenances. Owners of these facilities are encouraged to meet the spirit of Rule

6(D) when practicable in order to protect their own infrastructure and to avoid system failures during extreme flood events. Emergency restoring plans following major flood events should be considered as a prudent addition to operation and maintenance plans for those facilities.

Public utility plant facilities may be exempted if it can be demonstrated to the satisfaction of the Board that the facility is an element of a redundant system for which service will not be interrupted during a flood. At a minimum, it shall be demonstrated that redundant facilities are available (either owned by the same utility or available through an intergovernmental agreement or other contract) and connected, the alternative facilities are either located outside of the 100-year floodplain or are compliant with this rule, and an operations plan is in effect that states how redundant systems will provide service to the affected area in the event of a flood. Evidence of ongoing redundancy shall be provided to the Board on an as-needed basis upon request.

2. Hazardous materials facilities include facilities that produce or store highly volatile, flammable, explosive, toxic and/or water-reactive materials.

These facilities may include:

- a. Chemical and pharmaceutical plants (chemical plant, pharmaceutical manufacturing);
- b. Laboratories containing highly volatile, flammable, explosive, toxic and/or water-reactive materials;
- c. Refineries;
- d. Hazardous waste storage and disposal sites; and
- e. Above ground gasoline or propane storage or sales centers.

Facilities shall be determined to be Critical Facilities if they produce or store materials in excess of threshold limits. If the owner of a facility is required by the Occupational Safety and Health Administration (OSHA) to keep a Material Safety Data Sheet (MSDS) on file for any chemicals stored or used in the work place, AND the chemical(s) is stored in quantities equal to or greater than the Threshold Planning Quantity (TPQ) for that chemical, then that facility shall be considered to be a Critical Facility. The TPQ for these chemicals is: either 500 pounds or the TPQ listed (whichever is lower) for the 356 chemicals listed under 40 C.F.R. § 302 (2010), also known as Extremely Hazardous Substances (EHS); or 10,000 pounds for any other chemical. This threshold is consistent with the requirements for reportable chemicals established by the Colorado Department of Health and Environment. OSHA requirements for MSDS can be found in 29 C.F.R. § 1910 (2010). The Environmental Protection Agency (EPA) regulation "Designation, Reportable

Quantities, and Notification,” 40 C.F.R. § 302 (2010), available at http://www.access.gpo.gov/nara/cfr/waisidx_03/40cfr302_03.html, and OSHA regulation “Occupational Safety and Health Standards,” 29 C.F.R. § 1910 (2010), available at http://www.access.gpo.gov/nara/cfr/waisidx_99/29cfr1910_99.html, are incorporated herein by reference and include the regulations in existence at the time of the promulgation of these Rules, but exclude later amendments to or editions of the regulations.

Specific exemptions to this category include: a) Finished consumer products within retail centers and households containing hazardous materials intended for household use, and agricultural products intended for agricultural use. b) Buildings and other structures containing hazardous materials for which it can be demonstrated to the satisfaction of the local authority having jurisdiction by hazard assessment and certification by a qualified professional (as determined by the local jurisdiction having land use authority) that a release of the subject hazardous material does not pose a major threat to the public. c) Pharmaceutical sales, use, storage, and distribution centers that do not manufacture pharmaceutical products. These exemptions shall not apply to buildings or other structures that also function as Critical Facilities under another category outlined in these Standards and Regulations.

3. At-risk population facilities include medical care, congregate care, and schools.

These facilities consist of:

- a. Elder care (nursing homes);
- b. Congregate care serving 12 or more individuals (day care and assisted living);
- c. Public and private schools (pre-schools, K-12 schools), before-school and after-school care serving 12 or more children);

4. Facilities vital to restoring normal services including government operations.

These facilities consist of:

- a. Essential government operations (public records, courts, jails, building permitting and inspection services, community administration and management, maintenance and equipment centers);
- b. Essential structures for public colleges and universities (dormitories, offices, and classrooms only).

These facilities may be exempted if it is demonstrated to the Board that the facility is an element of a redundant system for which service will not be interrupted during a flood. At a minimum, it shall

be demonstrated that redundant facilities are available (either owned by the same entity or available through an intergovernmental agreement or other contract), the alternative facilities are either located outside of the 100-year floodplain or are compliant with this rule, and an operations plan is in effect that states how redundant facilities will provide service to the affected area in the event of a flood. Evidence of ongoing redundancy shall be provided to the Floodplain Administrator on an as-needed basis upon request.

*Adopted by the BOCC on June 27, 2011.

~~11-02-136~~11-02-139 **CROP FARM**

Land used for the growing, processing, storage, and/or packing of agricultural products such as, but not limited to, vegetables, fruits, grains, seeds, flowers, ornamental crops, trees, sod, or the like. This includes associated crop preparation, harvesting, and processing activities, such as mechanical soil preparation, irrigation system construction, spraying, and crop processing. Types of crop farms include, but are not limited to, hemp farms, nurseries, sod farms, and tree farms.

~~11-02-137~~11-02-140 **CUL-DE-SAC**

A local street with only one (1) outlet, which terminates in a vehicular turnaround and having an appropriate terminal for the safe and convenient reversal of traffic movement.

~~11-02-138~~11-02-141 **CULVERT**

A drain, ditch or conduit not incorporated in a closed system that carries drainage water under a driveway, roadway, pedestrian walk, or public right-of-way.

~~11-02-139~~11-02-142 **CURB**

A vertical or sloping edge of a roadway.

~~11-02-140~~11-02-143 **DAIRY FARM**

An agricultural operation where milk and milk products are produced, processed, packaged, and/or stored.

11-02-141~~11-02-144~~ DAIRY PRODUCTS PROCESSING

An establishment that converts raw dairy into a finished packaged form and distributes the product to be sold for consumption offsite.

11-02-142~~11-02-145~~ DANGEROUS TREES

Those trees or their parts within the boundaries of any lot or open area which may be considered troublesome, a hindrance to the general public, or endanger the security and usefulness of any public street, highway, alley, sewer or sidewalk.

11-02-143~~11-02-146~~ DAY

One calendar day.

11-02-144~~11-02-147~~ DAY CARE CENTER, ADULT

A facility which provides services to individuals who cannot be left alone during the day because of health care and social need, confusion or disability. An alternative to long-term facility care.

*Adopted by BOCC on December 13, 2010.

11-02-145~~11-02-148~~ DAY CARE CENTER, CHILD

An establishment for the care and supervision of children for periods of less than twenty-four (24) hours per day. Day care centers include preschools and nursery schools.

11-02-146~~11-02-149~~ DAY CARE HOME, ADULT

A facility which provides services to no more than four (4) individuals who cannot be left alone during the day because of health care and social need, confusion or disability. An alternative to long-term facility care.

*Adopted by the BOCC on December 13, 2010.

11-02-147~~11-02-150~~ DAY CARE HOME, CHILD

A private residence used for the care of twelve (12) or fewer children including the occupant's own children for a period of less than twenty-four (24) hours per day. The operator must possess a license from the Colorado Department of Social Services.

~~11-02-148~~11-02-151 **DEDICATION**

Gift or donation of property by the owner to another party.

~~11-02-149~~11-02-152 **DEMOLITION AND CONSTRUCTION DEBRIS LANDFILL**

A disposal site for metal, plastic, glass, concrete, asphalt, brick, wood, dirt, and limited amounts of paper products if such paper is an integral part of materials used for construction purposes.

~~11-02-150~~11-02-153 **DENSITY**

The permitted number of dwelling units per gross acre of land to be developed.

~~11-02-151~~11-02-154 **DEVELOPMENT**

Man-made change to alter or improve real estate including, but not limited to; any land disturbing activity, excavation, grading, fill, alteration, land subdivision, change in land use, or structural development, including but not limited to; construction or installation of a building or structure, creation of impervious surfaces for a site that does not meet the definition of “Redevelopment”, which affects the quantity or quality of the discharge of stormwater runoff. Depending on the scale of the development activity, a Stormwater Quality (SWQ) Permit and/or Post-Construction Stormwater requirements may be required.

~~11-02-152~~11-02-155 **DEVELOPMENT PERMIT**

A preliminary or final approval of an application for rezoning, planned unit development, conditional or special use permit, subdivision, building permit, development or site plan, or similar application for new construction.

~~11-02-153~~11-02-156 **DEVELOPMENTALLY DISABLED**

Persons having cerebral palsy, multiple sclerosis, mental retardation, autism, or epilepsy.

~~11-02-154~~11-02-157 **DIRECTOR OF COMMUNITY AND ECONOMIC DEVELOPMENT**

The Director of Community and Economic Development is empowered to render interpretations, establish application requirements, provide advice, review applications, maintain the comprehensive plan, administer

standards and regulations, promulgate administrative forms, make administrative decisions, and issue administrative permits.

~~11-02-155~~11-02-158 **DIRECTOR OF PUBLIC WORKS**

The Director of Public Works is empowered to provide advice, review applications, administer agreements, administer and enforce standards and regulations, promulgate administrative forms, make administrative decisions, render interpretations, establish application requirements, and issue administrative permits.

~~11-02-156~~11-02-159 **DISTRICT REVIEW TEAM (SPECIAL DISTRICT SERVICE PLAN REVIEW)**

Staff representatives from departments within Adams County government who are responsible for the review of Special District service plans and the writing of staff reports to the Planning Commission and the Board of County Commissioners.

~~11-02-157~~11-02-160 **DISTURBED AREA**

Any construction activity that results in a change of the existing land (both vegetative and non-vegetative). Disturbed area does not include routine maintenance to maintain original line and grade, hydraulic capacity or original purpose of the facility, normal farming, tillage, fanning, or plowing of land that is zoned agricultural, nor does it include the performance of emergency work necessary to remedy or prevent an immediate threat to life, property or the environment. However, any person performing such emergency work shall immediately notify the Department of the emergency situation and the actions taken in response to such emergency. The Department may require such person to obtain a Stormwater Quality (SWQ) Permit in order to implement such emergency remedial measures.

~~11-02-158~~11-02-161 **DOG TRACK**

An establishment where live dogs are raced, or live broadcasts of dog races are televised. Typically, bets are placed and paid out within the establishment.

~~11-02-159~~11-02-162 **DOUBLE-FRONTING LOT**

A lot that borders a road right-of-way on opposite sides. Within residential or agricultural zone districts, accessory structures on double-fronting lots

shall be required to meet the minimum setbacks for the primary structure of the particular zone district.

~~11-02-160~~11-02-163 **DRIVE-IN ESTABLISHMENT**

An establishment which by design, physical facilities, service or by packaging procedures encourages or permits customers to receive services, obtain goods, or be entertained while remaining in their motor vehicle.

~~11-02-161~~11-02-164 **DRIVING RANGE**

A tract of land and the related facilities for practicing golf shots.

~~11-02-162~~11-02-165 **DRUG MANUFACTURING**

An industrial establishment or area used for the purpose of manufacturing pharmaceutical and non-illicit drugs.

~~11-02-163~~11-02-166 **DRY CLEANERS, RETAIL**

A commercial establishment or area where customers drop off, pick up, and pay for garments to be dry-cleaned.

~~11-02-164~~11-02-167 **DRY CLEANING PLANT**

An industrial establishment or area for the purpose of cleaning garments and fabrics with any of a variety of nonaqueous agents.

~~11-02-165~~11-02-168 **DWELLING**

A structure or portion thereof used exclusively for human habitation including mobile homes, manufactured homes, one-family, two-family, multiple family, but not including hotels, motels, or similar establishments.

~~11-02-166~~11-02-169 **DWELLING, ACCESSORY**

Living quarters provided for the sole use of persons (and their families) employed on the premises where a principal use exists.

~~11-02-167~~11-02-170 **DWELLING, CONDOMINIUM**

A building or group of buildings in which units are owned individually, and the structure, common areas and facilities are owned by all the owners.

11-02-16811-02-171 DWELLING, MULTI-FAMILY

A dwelling containing more than two (2) dwelling units.

11-02-16911-02-172 DWELLING, SINGLE-FAMILY (ATTACHED)

A single-family residence attached in any way to another residence.

11-02-17011-02-173 DWELLING, SINGLE-FAMILY (DETACHED)

A single-family residence located on a single lot, being the principal use of the lot, and not connected to any other residence.

11-02-17111-02-174 DWELLING, TOWNHOUSE

An attached single family dwelling in a row of at least three (3) such units in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one (1) or more common fire resistant walls.

11-02-17211-02-175 DWELLING, TWO-FAMILY

A residence designed, arranged or used exclusively by two (2) families living independently of each other in a single structure, excluding Accessory Dwelling Units.

11-02-17311-02-176 DWELLING UNIT

One (1) or more rooms used by one (1) family for living or sleeping purposes, which contains kitchen and bathroom facilities for the sole use of the resident family.

11-02-17411-02-177 DWELLING UNIT, ACCESSORY (ADU)

A subordinate dwelling unit added to, created within, or detached from a single-family structure with a separate entrance that provides basic requirements for living, sleeping, eating, cooking and sanitation. As the purpose of an ADU is to be an accessory use/structure to a primary dwelling, an ADU shall not be separated to a different parcel or conveyed to different ownership from the primary dwelling's parcel or owner. A single-family structure with an accessory dwelling unit is not considered to be a two-family dwelling or duplex. If the ADU is adjoined to or placed atop an unoccupied structure, such as a garage or covered porch, the garage or covered porch shall not be included in the gross floor area counted towards the ADU. Storage and mechanical space, including utility rooms

and closet space, associated with the ADU shall be counted towards the floor area calculation.

~~11-02-175~~11-02-178 **EASEMENT**

A right-of-way granted, but not dedicated, for limited use of private land for a public or quasi-public purpose and within which the owner of the property shall not erect any permanent structures.

~~11-02-176~~11-02-179 **EATING ESTABLISHMENT**

A retail establishment for selling food and drink for consumption on the premises, including lunch counters and refreshment stands selling prepared food and drink for immediate consumption. See also “Restaurant”.

~~11-02-177~~11-02-180 **ECONOMICAL SERVICE**

Service equivalent in terms of cost to the service proposed in a Special Service District Plan.

~~11-02-181~~ **EDUCATIONAL TOURS**

A visit that may include tours and site visits. It provides hands-on learning opportunities to a place away from normal places of study. Educational tours are built around clear learning objectives to provide an experience outside of classrooms or labs.

~~11-02-178~~11-02-182 **ELECTION SIGN**

A sign advocating or advertising the election of any candidate for public office or any question upon which a public vote is being taken.

~~11-02-179~~11-02-183 **ELECTRONIC MANUFACTURING**

An industrial establishment or area for the purpose of manufacturing electronics. This includes the manufacturing and assembly of small electronic appliances.

~~11-02-180~~11-02-184 **ELECTROPLATING**

The process of plating or coating objects with a metal through electrolysis or an industrial establishment or where such processing occurs.

~~11-02-181~~11-02-185 **ENAMELING, LACQUERING, OR GALVANIZING OF METAL**

The process of bonding a glassy substance, usually opaque, to the surface of metal through the process of fusion or an industrial establishment or area where such processing occurs.

~~11-02-182~~11-02-186 **ENCROACHMENT LINES**

Limits of obstruction to flood flows. These lines are generally parallel to the stream. The lines are established by assuming the area landward (outside) of the encroachment lines may be ultimately developed in such a way it will not be available to convey flood flows. The stream channel and adjoining floodplains between these lines will be maintained as open space and will be adequate to flood heights, such increase under any condition not exceeding one-half (1/2) foot.

~~11-02-183~~11-02-187 **ENVIRONMENTALLY SENSITIVE AREAS**

Environmentally sensitive areas include, but are not limited to, wetlands, biological resources, habitats, streams, including ephemeral and intermittent, lakes, rivers, springs, national parks, archaeological/historic sites, natural heritage areas, tribal lands, drinking water sources, intakes, marinas/boat ramps, and wildlife areas.

~~11-02-184~~11-02-188 **EQUAL DEGREE OF ENCROACHMENT**

Equal degree of encroachment is determining the loss of hydraulic carrying capacity due to encroachment on each side of the floodplain such that the loss of capacity on one side equals the loss of capacity due to encroachment on the other. Determination of the equal degree of encroachment on the floodplain shall be performed along a significant reach of the stream.

~~11-02-185~~11-02-189 **EQUESTRIAN ARENA, COMMERCIAL**

An area where activities including, but not limited to, horseback riding, a rodeo, a charreada, calf roping and/or riding, bulldogging and barrel racing, excluding horse racing, practice and/or training are conducted on premises. User fees, dues, admission fees, or other compensation may be paid. Food and/or alcohol may be bought or sold on the premises.

~~11-02-186~~11-02-190 **EQUESTRIAN ARENA, PERSONAL**

An area where activities including, but not limited to, horseback riding, a rodeo, a charreada, calf roping and/or riding, bulldogging and barrel racing are conducted for practice, competition or entertainment for the private, non-commercial enjoyment of the owner. No more than twenty persons in addition to those residing on the property are permitted at any given time. Activities exceeding twenty persons in addition to those residing on the property are considered commercial equestrian arenas. User fees, dues, admission fees, or other compensation are not permitted.

~~11-02-187~~11-02-191 **EROSION**

Process by which soil particles are detached and transported by wind, water, and gravity to a downwind, down slope or downstream location.

~~11-02-188~~11-02-192 **EROSION CONTROL (EC) PLAN**

Civil construction drawing depicting the project site with the locations of all erosion and sediment control BMPs, including the associated BMP details, which will be installed and maintained during construction. It also includes final stabilization practices that will be implemented after construction is completed.

~~11-02-189~~11-02-193 **EROSION AND SEDIMENT CONTROL PLAN (ESCP)**

Detailed written plan required to obtain a Stormwater Quality Permit. This plan identifies measures that will be implemented to control erosion, prevent sediment from traveling outside the construction site's permitted area, and minimize the discharge of pollutants in stormwater from the commencement of construction activities until Final Stabilization is achieved. The narrative ESCP also includes the EC Plan. Also referred to as "Stormwater Management Plan" (SWMP) by the State of Colorado, or "Stormwater Pollution Prevention Plan" (SWPPP) for construction activities by EPA.

~~11-02-190~~11-02-194 **ESSENTIAL FACILITIES**

Water dependent uses shall be located in or adjacent to water bodies and/or in floodplains and/or in wetland areas.

~~11-02-191~~11-02-195 **ESTABLISHMENT**

A place of business together with its employees, merchandise, and equipment.

11-02-19211-02-196 **EVENT CENTER**

A facility consisting of structures or premises used to accommodate the assembly of persons for private or public meetings, parties, weddings, wedding receptions, reunions, birthday celebrations, charitable fundraisers, and any other social engagement purposes, or similar such uses. Such use may include the provision of food, beverages, and entertainment.

11-02-19311-02-197 **EVIDENCE**

Any map, table, chart, contract, or any other document or testimony given, prepared, or certified by a qualified person to attest to a specific fact.

11-02-19411-02-198 **EXCAVATION AND HAULING OPERATION, MAJOR**

Any significant disturbance and removal of soils from a property that will affect an area of more than ten (10) acres or have a term in excess of three-hundred-sixty-five (365) days.

11-02-19511-02-199 **EXCAVATION AND HAULING OPERATION, MINOR**

Any significant disturbance and removal of soils from a property that will affect a maximum area of ten (10) acres and have a term less than three-hundred-sixty-five (365) days.

11-02-19611-02-200 **EXEMPTION FROM PLATTING**

A release from the requirements of platting by resolution of the Board of County Commissioners in accordance with the terms set forth in these standards and regulations.

11-02-19711-02-201 **EXISTING TRAFFIC-GENERATING DEVELOPMENT**

The most intense use of land within the twelve-(12) months prior to the time of commencement of Traffic-Generation Development.

11-02-19811-02-202 **EXOTIC ANIMAL FARM**

An agricultural operation where animals native to a foreign country or of foreign origin or character, not native to the United States, or introduced from abroad are kept, raised, bred, or slaughtered for the purposes of commercial sale.

~~11-02-199~~11-02-203 **EXPLOSION**

The rapid oxidation of a combustible creating heat and fire, and displacing large amounts of air.

~~11-02-200~~11-02-204 **EXPLOSIVE MANUFACTURING AND STORAGE**

An industrial establishment or area for the purpose of manufacturing and storage of explosives.

~~11-02-201~~11-02-205 **EXPLOSIVES**

Materials or products, which decompose by detonation when in sufficient concentration.

~~11-02-202~~11-02-206 **EXTRACTION AND DISPOSAL USES**

This use category includes: extraction uses such as mining, quarrying, drilling, and pumping, and disposal uses such as junk, scrap, or salvage yards, landfills, sludge disposal or storage, construction material stockpiling, resource recovery facilities, and trash compaction or transfer stations, and any other form of waste management facilities and all extraction uses, not including oil and gas well drilling and production as defined within this chapter. These uses create major disruptions to the area's environment even when carefully regulated. Dust, dirt, noise, and unsightly conditions can be anticipated. None of these uses is an acceptable neighbor in a residential environment.

~~11-02-203~~11-02-207 **EXTRAORDINARY COSTS**

Unique and/or one-time costs defined as such according to Generally Accepted Accounting Principles (GAAP).

~~11-02-204~~11-02-208 **FAA AERONAUTICAL STUDY ON OBSTRUCTIONS**

A study conducted by the Federal Aviation Administration to examine the effects of buildings and structures on such factors as aircraft operational capabilities; electronic and procedural requirements; and airport hazard standards.

~~11-02-205~~11-02-209 **FACT FINDING REVIEW**

An investigation by the Director of Community and Economic Development as to the facts regarding compliance of an operator with a permit approved by the Director of Community and Economic Development.

11-02-210 FAIRGROUNDS

An area of land used to hold events, fairs, trade shows, activities focused on agriculture, and the like, which are generally open to the public with or without an admission charge and which may include as an accessory use the sale of goods to the public as gifts or for their own use. Fairgrounds may include structures to support these activities.

~~11-02-206~~11-02-211 FAMILY

An individual or three (3) or more persons related by blood, marriage, or legal adoption, living together in a dwelling unit as a single housekeeping unit. Persons not related by blood, marriage, or legal adoption shall be deemed to constitute a family where they are living and cooking together as a single housekeeping unit, but shall not include unrelated students attending colleges or universities.

~~11-02-207~~11-02-212 FARMING

This use category includes farming and other supporting agricultural uses. Farming includes traditional farming, sod farming, tree farming, and animal farming in unconfined operations.

~~11-02-208~~11-02-213 FARM MACHINERY MANUFACTURING AND ASSEMBLY

An industrial establishment or area for the purpose of farm machinery manufacturing and assembly.

~~11-02-209~~11-02-214 FARM MACHINERY SALES

A business or commercial use where agricultural equipment such as, but not limited to, tractors, cultivators, plows, sprayers, spreaders, mowers, balers, front end loaders, and skid loaders, is repaired, maintained, or offered for sale.

~~11-02-210~~11-02-215 FARM SUPPLY SALES

A business or commercial use operated primarily for the support of agricultural needs through the sale of farm tools and implements, animal feed, grain, tack, plants and seeds, horticultural supplies, and similar products. This definition excludes the sale of large implements, such as tractors and combines.

11-02-216 FARMERS MARKET

A structure or place where agricultural produce is brought for the purposes of retail sales. (Note: A farmers market differs from a produce stand in that there may be more than one (1) seller allowed per parcel of land and the structure from which produce is sold at a farmers' market need not be portable or capable of being dismantled or removed from the site.)

11-02-217 FEEDLOTS

A commercial establishment where livestock are kept confined in a compound or fenced area in order to be fattened for sale or slaughter.

11-02-218 FEEPAYER

A person commencing traffic generating land development activity who is obligated to pay a Regional Traffic impact fee in accordance with the terms of these regulations.

11-02-219 FENCE

Any wall or structure constructed for the purpose of enclosing, screening, restricting access to, or providing decoration to any lot, building or structure. Except where otherwise required in this Code, regulations governing the height, location and opacity of fences also apply to walls, hedges or landscaping used in lieu of a fence or in combination with a fence. A fence includes all elements of the structure, including the base, footings, supporting columns, post, braces, gates, structural members, or any other of its appendages.

11-02-220 FERTILIZER MANUFACTURING AND PROCESSING

Any place where a commercial fertilizer, soil conditioner, plant amendment, or compost is manufactured, produced, compounded, mixed, blended, or in any way altered chemically or physically.

11-02-221 FINAL PLAT

The final map of all or a portion of a subdivision, which is presented for final approval.

11-02-21611-02-222 FINAL STABILIZATION

Condition reached when all ground surface disturbing activities at the site have been completed, and uniform vegetative cover has been established with an individual plant density of at least seventy percent (70%) of pre-disturbance levels, or equivalent permanent, physical erosion reduction methods have been employed.

11-02-21711-02-223 FINANCIAL INSTITUTION

A business engaged in monetary transactions including banks, savings and loans, thrifts, and lending institutions.

11-02-21811-02-224 FIRE CHIEF

The chief of staff or top employee of a fire protection district.

11-02-21911-02-225 FIRE DISTRICT

A special district created according to state statutes to provide fire protection and prevention services to property within Adams County.

11-02-22011-02-226 FIRE STATION

An establishment used for the storage of fire trucks and emergency medical vehicles, which also contains office space and living quarters for firefighting personnel.

11-02-22111-02-227 FIREWOOD SALES, STORAGE, AND SPLITTING

A commercial establishment or area for the purpose of firewood sales, splitting, and storage.

11-02-22211-02-228 FIREWORKS

Only those items not prohibited by Colorado Law (See C.R.S. Section 12-28-101) which include toy caps which do not contain more than twenty five hundredths of a grain of explosive compound per cap, sparklers, trick matches, cigarette loads, trick noise makers, toy smoke devices, and novelty auto alarms.

11-02-22311-02-229 FIREWORKS STAND

A temporary structure permitted by these standards and regulations for the sale of or dispensing of fireworks.

~~11-02-224~~11-02-230 **FISH HATCHERY**

A commercial establishment where fish eggs are hatched and fish are raised and sold for use in stocking streams and lakes, or for food.

~~11-02-225~~11-02-231 **FLAG**

Any fabric, banner, or bunting containing distinctive colors, patterns, or symbols.

~~11-02-226~~11-02-232 **FLAMMABLE GAS**

Gas that has no flash point and will ignite without preheating of any kind.

~~11-02-227~~11-02-233 **FLEA MARKET**

An occasional or periodic market held in an open area or structure where groups of individual sellers offer goods for sale to the public.

~~11-02-228~~11-02-234 **FLOOD CONTROL OVERLAY DISTRICT VARIANCE**

A grant of relief from the requirements of the Flood Control regulations, which permit construction in a manner that would otherwise be prohibited by these standards and regulations.

~~11-02-229~~11-02-235 **FLOOD CONTROL REGULATIONS APPEAL**

A request for a review of the interpretation of any provision of the flood control regulations or a request for a determination or variance.

~~11-02-230~~11-02-236 **FLOOD INSURANCE RATE MAP (F.I.R.M.)**

The official map on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zone applicable to the community.

~~11-02-231~~11-02-237 **FLOOD INSURANCE STUDY**

The official report provided in which the Federal Emergency Management Agency has provided flood profiles, as well as the flood boundaries, floodway map, and the water surface elevation of the base flood.

11-02-23211-02-238 FLOOD HAZARD AREA

The land in the floodplain subject to one (1) percent or greater chance of flooding in any given year. It normally consists of the floodway and the flood fringe areas.

11-02-23311-02-239 FLOOD HAZARD AREA, DEVELOPMENT IN A

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 located within the area of special flood hazard.

11-02-23411-02-240 FLOOD OR FLOODING

A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters and/or the unusual and rapid accumulation or runoff of surface waters from any source.

11-02-23511-02-241 FLOOD PROFILE

A graph or a longitudinal profile drawing showing the relationship of the water surface elevation of a flood event to location along a stream or river.

11-02-23611-02-242 FLOOD PROOFING

A combination of structural provisions, changes, or adjustments to properties and structures subject to flooding primarily for the reduction or elimination of flood damage to properties, water and sanitary facilities, structures, and contents of buildings.

11-02-23711-02-243 FLOOD PROTECTION ELEVATION

An elevation one (1) foot above the elevation or flood profile of the 100-year flood under existing channel and floodplain conditions. Critical facilities, as identified by the Board of County Commissioners pursuant to these Standards and Regulations, shall be subject to a flood protection elevation of two (2) feet above the base flood elevation or flood profile of the 100-year flood under existing channel and floodplain conditions.

11-02-23811-02-244 FLOOD STORAGE AREA

The fringe area of the floodplain in which flows are characteristically of shallow depths and low velocities.

~~11-02-239~~11-02-245 **FLOODPLAIN**

Land adjacent to a watercourse subject to flooding as a result of the occurrence of the 100-year or one percent (1%) frequency flood of a watercourse. This term is synonymous with the term “flood hazard area”.

~~11-02-240~~11-02-246 **FLOODPLAIN ADMINISTRATOR**

The person designated by these standards and regulations to administer the provisions of the Flood Control Overlay Zone District Regulations and subject to the provisions of Section 3-34-04-03 Floodplain Administrator.

~~11-02-241~~11-02-247 **FLOODWAY**

The area of the floodplain required for the reasonable passage or conveyance of the 100-year flood which will convey the base flood with not more than a one-half (0.5) foot rise in the water surface elevation based on the assumption there will be an equal degree of encroachment extended for a significant segment on both sides of the water course.

~~11-02-242~~11-02-248 **FLOOR AREA, COMMERCIAL/INDUSTRIAL**

The total area of floor space within interior walls of a structure, excluding basement.

~~11-02-243~~11-02-249 **FLOOR AREA, RESIDENTIAL**

Total area of a dwelling excluding basement, carport or garage.

~~11-02-244~~11-02-250 **FLOUR MILL**

A mill for grinding grain into flour.

~~11-02-245~~11-02-251 **FOOD PROCESSING AND STORAGE**

An industrial establishment used to process, package, and store food product, excluding the killing and dressing of any flesh or fowl. Retail sales of food product are permitted as an accessory use for off premise consumption.

~~11-02-246~~11-02-252 **FOSTER FAMILY CARE**

A home designated by the Courts, Social Service Department, or other competent authority for care and/or education of children under the age

of eighteen (18) years unrelated to the foster parents by blood, adoption, or marriage.

~~11-02-247~~11-02-253 **FORESTRY AND SILVICULTURE**

This use category includes uses related to the management, cultivation, harvest, and/or reforestation of forests.

~~11-02-248~~11-02-254 **FRAGILE SOILS**

Those soils which (1) have not been under tillage within the five (5) years previous to the filing of an application for a permit to till fragile soils under these regulations and (2) are designated as Class VI or Class VII soils in the Soil Survey of Adams County, Colorado published by the United States Department of Agriculture in cooperation with the Colorado Agricultural Experiment Station in October, 1974, and any other subsequent soil survey of Adams County issued by the above-named agency.

~~11-02-249~~11-02-255 **FREESTANDING SIGN**

Any sign supported by structures or supports placed on or anchored in the ground and are independent from any building or other structure.

~~11-02-250~~11-02-256 **FRONTAGE ROADS**

Those roads lying between a controlled access street or highway and adjacent property that provide access to said property.

~~11-02-251~~11-02-257 **FUELING STATION**

A structure or property on or in which the principal use is the retail sale of gasoline, oil, or other fuel for motor vehicles and which may include, as an incidental use, a convenience store, the retail sale and installation of vehicle accessories, the making of minor repairs, and facilities for washing and servicing of not more than three (3) vehicles completely enclosed in a structure.

~~11-02-252~~11-02-258 **FUNERAL HOME / FUNERAL PARLOR**

An establishment with facilities for the preparation of the deceased for burial or cremation to include embalming, for the viewing of the body, and for funerals. Also known as a Mortuary.

*Adopted by the BOCC on December 13, 2010.

11-02-25311-02-259 **FUR FARM**

An agricultural operation where fur-bearing animals are kept, raised, bred, or slaughtered for the purposes of commercial sale.

11-02-25411-02-260 **GALVANIZING OF METAL**

See “Enameling, Lacquering, or Galvanizing of Metal”.

11-02-25511-02-261 **GARAGE, MOTOR VEHICLE REPAIR AND SERVICE**

An establishment or area used for the repair, rebuilding, reconstruction, painting, inside storage, or servicing of vehicles or a portion thereof up to 1-1/2 ton factory rated capacity, but which does not include the storage or dismantling of wrecked motor vehicles or storage of junk.

11-02-25611-02-262 **GARAGE, PRIVATE**

A structure that is accessory to a dwelling and which is used for the parking and storage of vehicles owned and operated by the residents of the dwelling, and which is not a separate commercial enterprise available to the public.

11-02-25711-02-263 **GARAGE SALE**

A sale of old or used belongings held at a private residence.

11-02-25811-02-264 **GARDEN PLOT**

An assigned space reserved for the use of an organized group of community members for the purpose of gardening. The garden plot shall be managed and maintained by the active participation of the gardeners themselves.

*Adopted by the BOCC on December 13, 2010.

11-02-25911-02-265 **GAS OR LIQUIFIED PETROLEUM GAS STORAGE**

An industrial establishment or area for the storage of gas or liquefied petroleum gas in approved portable metal cylinders for above ground storage.

11-02-26011-02-266 **GAS MIGRATION**

The movement of combustible gases through porous soil.

11-02-26111-02-267 **GAS PROCESSING PLANT**

Any establishment and appurtenant facilities utilized in the gas stripping process or coal gasification process to obtain a refined product.

11-02-26211-02-268 **GOLF COURSE**

A tract of land for playing golf, improved with tees, greens, fairways, hazards, and which may include clubhouses and shelters.

11-02-26311-02-269 **GOLF, MINIATURE**

A tract of land for playing miniature golf which is played with a putter and golf ball in which each hole constitutes an obstacle course consisting of alleys, tunnels, bridges and the like through which the ball must be driven to hole it.

11-02-26411-02-270 **GRAFFITI**

Any writing, printing, marks, signs, symbols, figures, designs, inscriptions or other drawings which are scratched, scrawled, painted, drawn, or otherwise placed on any exterior surface of a structure, wall, fence, sidewalk, curb, or other permanent structure on public or private property which have the effect of defacing the property.

11-02-26511-02-271 **GRAIN ELEVATOR**

A structure in which grain is stored and handled by means of mechanical elevator and conveyor devices, for the eventual transferal to trucks, train cars, or other forms of transportation.

11-02-26611-02-272 **GRAIN MILL**

A facility where grain, such as corn, wheat, rye, oats, or barley, is ground into flour.

11-02-26711-02-273 **GRASSED WATERWAY / SOD WATERWAY**

A natural or constructed waterway or outlet shaped or graded and established in suitable vegetation as needed for the safe disposal of runoff from a field, diversion, terrace, or other structure.

[11-02-268](#)[11-02-274](#) **GREENHOUSE**

A structure whose roof and sides are made largely of glass or other transparent or translucent material and in which the temperature and humidity can be regulated for the cultivation of delicate or out-of-season plants.

[11-02-269](#)[11-02-275](#) **GROSS USABLE AREA**

The total floor area within a building excluding storage area, common hallways, etc.

[11-02-270](#)[11-02-276](#) **GROUND FLOOR AREA OF PRINCIPAL BUILDING**

The area, in square feet, of the ground floor of the principal building on the lot measured by the extreme outside dimensions of the structure.

[11-02-271](#)[11-02-277](#) **GROUP LIVING FACILITY**

A facility licensed by the Courts, Social Service Department, or other competent governmental authority for housing residents in a group home which include 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 four (4) foster home residents, residential child care facility, or shelter for domestic violence.

[11-02-272](#)[11-02-278](#) **GUARD DOGS**

Any dog placed within an enclosure, on a commercial or industrial zoned lot, for the protection of persons or property by attacking or threatening to attack any unauthorized person found within the enclosure patrolled by the dog.

[11-02-273](#)[11-02-279](#) **GUN AND ARCHERY RANGE**

An establishment designed to provide practice in the use of firearms and bow and arrow under controlled conditions so public health and safety are protected. Gun and archery ranges may include the sale of firearms, bows, arrows, associated equipment or supplies, food, and sanitary facilities.

[11-02-274](#)[11-02-280](#) **HALFWAY HOUSE**

A facility which houses residents which have been sent subject to criminal corrective action by means of any sentence, suspended sentence,

probation, parole, work release, conditional release from prison, jail, or other correction facility, deferred judgment, deferred prosecution, criminal diversion program, or similar order, program, condition, or requirements imposed, arranged, or ordered by any referring agency resulting from any criminal charge or conviction. Also known as: transitional house or diversion center.

*Adopted by the BOCC on December 13, 2010.

~~11-02-275~~11-02-281 **HAZARDOUS MATERIALS**

Includes, but is not limited to, inorganic mineral acids of sulfur, fluorine, chlorine, nitrogen, chromium, phosphorous, selenium and arsenic and their common salts; lead, nickel, and mercury and their inorganic salts or metallo-organic derivatives; coal, tar acids such as phenol and cresols and their salts and all radioactive materials and wastes.

~~11-02-276~~11-02-282 **HAZARDOUS WASTE**

Any hazardous material so defined in C.R.S. Section 25-15-101 (9), and any waste that requires special handling to avoid illness or injury to persons or damage to property.

~~11-02-277~~11-02-283 **HAZARDOUS WASTE DISPOSAL SITE**

A disposal site as defined in C.R.S. Section 25-15-200.3 (5).

~~11-02-278~~11-02-284 **HEALTH SPA**

A commercial establishment providing instruction or equipment designed to promote or improve the health of clients.

~~11-02-279~~11-02-285 **HEAVY INDUSTRIAL**

This use category includes: construction, manufacturing, processing, transportation, and public utilities, and those uses with severe potential for negative impact on any uses located relatively close to them. It includes uses that require unenclosed structures that are large, tall and unsightly, such as concrete batch plants. Heavy industrial uses have enormous potential for generation of dust, noise and odor and may require large areas of exterior storage. The following uses are permitted: heavy construction contractors; heavy logistics center; meat processing, packing, packaging, and slaughter; alcoholic beverages; sawmills; paper, pulp, or paperboard mills; chemicals and allied products manufacturing except drugs; petroleum products manufacturing; rubber and miscellaneous

plastics manufacturing; stone and clay products; transportation equipment; railroad transportation; utility production or processing facilities, but not offices or transmission or distribution; the storage and disassembly of vehicles and the re-assembly of various parts; asphalt and concrete production facilities; chemical manufacturing; manufactured homes, trailers, truck, and automobile manufacturing; auction yards with livestock; and salvage yards.

~~11-02-280~~11-02-286 **HEAVY MANUFACTURING OR PROCESSING**

Manufacturing and processing in which operations are carried on which will be likely to create smoke, fumes, noise, odor, vibration, or dust, or which may be detrimental to the health, safety, or general welfare of the community. The following uses are examples of heavy manufacturing or processing: abrasive manufacturing, acid manufacturing; asbestos products manufacturing; boiler or tank manufacturing; bone reduction; caustic soda manufacturing; celluloid manufacturing; coal, coke yards, or coal classifications, felt manufacturing; fossil fuel manufacturing; detergent, soap and by-products manufacturing using animal fat; disinfectant, insecticide, or poison manufacturing; distillation of bone, refuse, grain, and wood; dye manufacturing; fuel, oil, gasoline, and petroleum products (bulk storage and/or sale); hazardous waste treatment facility; linseed oil, shellac, and turpentine manufacturing and refinery; lubrication and grease manufacturing; lumber mills, planing mills, and storage of logs; oil compounding; paint and enamel manufacturing; pickle manufacturing; scrap processing or shredding yard; smelting or refining of metal; sugar and beet refining; tar and waterproofing (materials manufacturing, treatment, and bulk storage).

~~11-02-281~~11-02-287 **HEAVY RETAIL AND HEAVY SERVICES**

Heavy retail and heavy service uses include retail and/or service activities that have large amounts of exterior service or storage areas or partially enclosed structures and may generate more off-site impacts such as: automobile dealers; automotive repair except top, body, upholstery repair, paint, and tire retreading shops; automotive services except wrecking or towing storage yards; mobile home and manufactured housing dealers with mobile home sales office; auto/truck rental/leasing; cold storage; cabinet manufacturing with sales; radio and TV broadcasting station; flea market; firewood sales, storage, and splitting; and pawn shops.

11-02-28211-02-288 HELIPORT

An area, either at ground level or elevated on a structure, licensed and approved for the landing and takeoff of helicopters, and any appurtenant structures or facilities which may include parking, waiting room, refueling, maintenance, repair, or storage facilities.

11-02-28311-02-289 HEMP FARM

Land used for the growing, cutting, baling storage, and packaging of industrial hemp.

11-02-28411-02-290 HEMP MANUFACTURING AND EXTRACTION

The act of taking the cultivated hemp plant and extracting cannabidiol (CBD) oil to then add said oil to already manufactured products and/or manufacturing products containing the CBD oil. This use also includes the manufacture of products from cultivated hemp such as rope and textiles. Hemp for these purposes shall be industrial hemp as defined in CRS Article 61, section 35-61-101(7) that means a plant of the genus Cannabis and any part of the plant, whether growing or not, containing a delta-9 tetrahydrocannabinol (THC) concentration of no more than three-tenths of one percent (0.3% THC) on a dry weight basis.

11-02-28511-02-291 HIGH OCCUPANCY BUILDING UNIT

Means any School, Nursing Facility as defined in C.R.S. § 25.5-4-103(14), hospital, life care institutions as defined in C.R.S. § 12-13-101, or correction facility as defined in C.R.S. § 17-1-102(1.7), provided the facility or institution regularly serves 50 or more persons; or an operating child care center as defined in C.R.S. § 26-6-102(1.5).

11-02-28611-02-292 HIGH RISE

A multifamily dwelling greater than three (3) stories in height and requiring an elevator for access to upper floors.

11-02-28711-02-293 HOME OCCUPATION

A business, profession, occupation or trade conducted for personal gain or support of the residential occupation and conducted within a residential building or accessory structure to a residential use.

~~11-02-288~~11-02-294 **HORSE TRAILER SALES AND RENTAL**

A commercial establishment or area for the purpose of horse trailer sales and rental.

~~11-02-289~~11-02-295 **HOSPITAL**

An establishment that provides medical or surgical care and treatment for the sick and the injured, where overnight stays are routine, and may include necessary accessory facilities such as laboratories, outpatient, or training facilities.

~~11-02-290~~11-02-296 **HOSPITALITY BUSINESS**

A Marijuana Hospitality Business or Retail Marijuana Hospitality and Sales Business, as defined.

~~11-02-291~~11-02-297 **HOTEL OR MOTEL**

A commercial establishment, which offers lodging accommodations to the general public and provides additional services such as restaurants, meeting rooms, and recreation facilities. A hotel or motel shall provide a minimum of six (6) guestrooms.

~~11-02-292~~11-02-298 **HOUSEHOLD PETS**

Domesticated dogs and cats, small animals (rabbits, guinea pigs, hamsters, chinchillas, mice, and fish), reptiles (non-venomous only), and birds (parakeets, canaries, cockatiels, parrots) kept in cages, which are customarily kept in the home.

~~11-02-293~~11-02-299 **ILLICIT / ILLEGAL DISCHARGE**

Any direct or indirect discharge to the storm drainage system that is not composed entirely of stormwater as defined in Adams County Ordinance No.11, as amended.

~~11-02-294~~11-02-300 **IMPACT FEE ADMINISTRATION**

The person or persons designated by the County Administrator to administer the Regional Traffic Impact Fee Regulations.

11-02-29511-02-301 IMPERVIOUS AREA

Developed area with covering or pavement that prevents the land's natural ability to absorb and infiltrate typical precipitation and irrigation events. Impervious areas include, but are not limited to; roof tops, walkways, patios, driveways, parking lots, storage areas, impervious concrete and asphalt, and any other continuous non-pervious pavement or covering.

11-02-29611-02-302 IMPROVEMENT

Any man-made, immovable item that becomes part of, is placed upon, or is affixed to a structure or lot.

11-02-303 INCIDENTAL SALES

Retail sales and the sale of food on the premises where retail activities and food sales is not a primary reason to frequent the establishment, but where goods and food is offered for purchase as a convenience to the customer.

11-02-29711-02-304 INCIDENTAL SIGN

A sign without a commercial message, usually informational, that has a purpose secondary to the use of the lot on which it is located, such as "no parking," "entrance," "loading only," telephone," and other similar directives.

11-02-29811-02-305 INCINERATOR

An engineered apparatus used to burn waste substances and in which all the combustion factors, temperature, retention time, turbulence and combustion air, can be controlled.

11-02-29911-02-306 INCLUSION

The process by which a Special District's boundaries are altered through the addition of real property.

11-02-30011-02-307 INCREASING THE EXISTING DESIGN CAPACITY

The addition of any buildings, structures, or other property which creates an increase in the capacity of the facility, beyond which was approved in the original application, but shall not apply to technological modifications

or minor apparatus which increase capacity without an increase in resource consumption, pollutant discharge, or noise levels.

~~11-02-301~~11-02-308 **INDOOR COMMERCIAL RECREATION/ENTERTAINMENT**

This use category includes: all indoor commercial amusement facilities (except “Sexually Oriented Businesses”) including, but not limited to: bowling alleys; indoor sports arenas; physical fitness facilities; movie theaters; Event Centers; video arcades; and pool arcades.

~~11-02-302~~11-02-309 **INDUSTRIAL USES**

Industrial uses include business park uses; extraction and disposal uses; heavy industry; heavy manufacturing or processing; landscape storage yards; light industry; light manufacturing or processing; major energy facilities; moderate manufacturing or processing; and outdoor storage.

~~11-02-303~~11-02-310 **INERT FILL MATERIAL FOR GRADING**

Uncontaminated, natural earthen material including sand, loam, crushed rock, soil, and/or rock or stones either singularly or in combination, that does not contain putrescible or hazardous matter, liquid or hardened cementitious material, brick, concrete, metal materials, asphalt or asphalt pieces, or any chemical substance in concentrations of residential screen levels for soil contaminants as specified by Colorado Department of Public Health and Environment.

~~11-02-304~~11-02-311 **INERT FILL MATERIAL FOR LANDFILLING**

As defined in C.R.S. Section 25-15-101(14), non-water soluble, non-putrescible, stable, inorganic, non-hazardous, non-leaching solid material that is uneconomic or impractical to reuse or recycle and that is visibly free of oil, adhesives, stains, paint, metal materials, and free of contaminants based on the knowledge of the source of the material or on representative sampling and analysis of such material. Inert fill material for landfilling purposes includes brick, ceramic, cement cured for more than 60 days, concrete, masonry, bituminous concrete, asphalt fragments which are not located within the water table, rock and dirt. Street sweepings from street cleaning machines are not considered inert material and are instead considered solid waste.

11-02-30511-02-312 **INFECTIOUS WASTE**

Any material as defined in C.R.S. Section 25-15-402 (1). This includes waste capable of producing an infectious disease and requires the consideration of certain factors as described in state statutes necessary for induction of disease. Generally, the waste must contain pathogens with sufficient virulence and quantity so that exposure to the waste by a susceptible host could result in disease.

11-02-30611-02-313 **INSTITUTIONAL CARE**

This use category includes: convents or monasteries; nursing homes; hospitals/clinics; foster homes; sanitariums; convalescent homes; protective living facilities; boarding/rooming houses; and sheltered care homes.

11-02-30711-02-314 **INSTITUTIONAL USES**

Institutional uses include institutional care; jails and prisons; neighborhood indoor uses; outdoor public uses; places of worship; public service; and universities.

11-02-30811-02-315 **INSULATION MATERIAL SALES AND STORAGE**

A commercial establishment or area for the sale and/or storage of insulation materials.

11-02-30911-02-316 **INTERNATIONAL AIRPORT CLEAR ZONE**

An area devoted to those uses identified in Article IV of the Intergovernmental Agreement on a New Airport.

11-02-31011-02-317 **JAILS AND PRISONS**

This use category includes jails; prisons; penal institutions; or other facilities for the processing and confinement of persons held in lawful custody.

11-02-31111-02-318 **JUNK**

Any manufactured goods, appliances, fixtures, furniture, machinery, motor vehicle or trailer which is abandoned, demolished or dismantled, and such discarded or generally unusable material as scrap metal, scrap material, waste, bottles, tin cans, paper, garbage, boxes, crates, rags, used lumber,

building materials, motor vehicles, machinery parts, and used tires (these are by way of example and not by way of limitation).

~~11-02-312~~11-02-319 **KENNEL/CATTERY, COMMERCIAL**

This use category includes facilities where four (4) or more animals of the canine or feline family are kept, maintained, sheltered or boarded for compensation.

~~11-02-313~~11-02-320 **KENNEL/CATTERY, PRIVATE**

Premises where more than the maximum allowable number of dogs and/or cats are kept for the private, non-commercial enjoyment of the owner(s). This does not include offspring less than five (5) months of age belonging to one of the adult animals. Boarding dogs and/or cats other than those animals owned by the resident and/or owner and immediate family is prohibited.

~~11-02-314~~11-02-321 **LANDSCAPE STORAGE YARD**

An unenclosed portion of the lot or parcel upon which a landscape business owner maintains a principal office or a permanent business. Designation of the lot or parcel as a landscape storage yard would allow this area to be used to store and maintain construction equipment and other materials customarily used in the trade.

*Adopted by the BOCC on December 13, 2010.

~~11-02-315~~11-02-322 **LANDSCAPED AREA**

Land set aside for the purpose of planting and maintaining trees, shrubs, ground cover or grasses, as well as associated ornamental nonliving materials.

~~11-02-316~~11-02-323 **LANDSCAPING**

Landscaping shall mean those plants and associated nonliving ornamental materials, which are permitted in Section 4-15.

~~11-02-317~~11-02-324 **LARGER COMMON PLAN OF DEVELOPMENT OR SALE**

Contiguous area where multiple, separate and distinct construction activities may be taking place at different times on different schedules but remain related. Contiguous means construction activities located in close proximity to each other, within ¼ mile. This includes phased projects,

projects with multiple filings or lots, and projects in a contiguous area that may be unrelated but still under the same contract or same plan. If a construction project disturbs less than one acre, but is part of a common plan of development or sale, the disturbed area of the entire plan within the MS4 Permitted Area must be considered in determining SWQ Permit and/or Post-Construction Stormwater requirements, and all portions of the project must be covered.

~~11-02-318~~11-02-325 **LEVEL OF SERVICE**

A qualitative measure describing operational conditions, from “A” (best) to “F” (worst), within a traffic stream or at intersections, which is quantified for road segments by determination of a volume to capacity ratio (V/C), which is a measurement of the amount of capacity of a road which is being utilized by traffic.

~~11-02-319~~11-02-326 **LETTER OF MAP REVISION (LOMR)**

A Letter of Map Revision is an official revision to the currently effective FEMA map. It is issued by FEMA and changes flood zones, delineations, and elevations.

~~11-02-320~~11-02-327 **LETTER OF MAP REVISION BASED ON FILL (LOMR-F)**

FEMA’s modification of the Special Flood Hazard Area (SFHA) shown on the Flood Insurance Rate Map (FIRM) based on the placement of fill outside the existing regulatory floodway.

~~11-02-324~~11-02-328 **LIBRARY, PUBLIC**

An establishment operated by a public agency or nonprofit organization used to keep literary and artistic materials, such as books, periodicals, newspapers, pamphlets, and prints, for reading, reference, or borrowing.

~~11-02-322~~11-02-329 **LICENSE**

Means: (a) to grant a license or registration pursuant to these Regulations; and (b) (i) Official or legal permission to do a specific thing; (ii) Proof of permission granted in the form of a document.

~~11-02-323~~11-02-330 **LICENSED HOSPITALITY BUSINESS**

A Marijuana Hospitality Business or Retail Marijuana Hospitality and Sales Business.

11-02-32411-02-331 LICENSED PREMISES

The premises specified in an application for a license under these Regulations, which are owned or in possession of the licensee and within which the licensee is authorized to cultivate, manufacture, distribute, consume or sell marijuana in accordance with the provisions of these Regulations and in accordance with the provisions of the Colorado Marijuana Code and any rules adopted pursuant thereto.

11-02-32511-02-332 LICENSEE

a person licensed or registered pursuant to these Regulations.

11-02-32611-02-333 LICENSING REGULATIONS

The Adams County Licensing Regulations as adopted by the Adams County Board of County Commissioners.

11-02-32711-02-334 LIGHT INDUSTRIAL

This use category includes: manufacturing, assembly, processing, storage transportation, construction, repair and wholesale uses such as: general building contractors; special trade contractors; dairy and food processing and manufacturing facilities; textiles and apparel; logistics center; lumber, building materials, and wood products; furniture and fixtures; paper products, except mills; printing and publishing; drug manufacturing; leather and leather products, including tanning and finishing; fabricated metal, sheet metal shops, metal products manufacturing; electric and electronic equipment, including electronic distribution and electrical industrial; instruments and related products; meat processing and packaging, excluding meat packing and slaughter; miscellaneous manufacturing industries; local and interurban passenger transit; trucking and general warehousing; mini-storage; transportation services; wholesale trade (durable and non-durable); fuel and ice dealers; welding repair; automotive repair, including top, body, upholstery repair, paint, and tire re-treading shops; special warehousing and storage; recreational vehicle storage; dry cleaning plants; auction houses without livestock; and bus repair. Light industrial uses shall have limited outdoor storage and are those uses where no effects from noise, smoke, glare, vibration, fumes or other environmental factors are measurable at the property line.

11-02-32811-02-335 LIGHT MANUFACTURING OR PROCESSING

Manufacturing and processing in which no operations are carried on which will be likely to create smoke, fumes, noise, odor, vibration, or dust, or

which will be detrimental to the health, safety, or general welfare of the community. The following are examples of light manufacturing or processing: beverage manufacturing; book binding; canvas products manufacturing; clothing or cloth manufacturing; office and computing machines; electronics manufacturing; furnace installation, repair, and cleaning; hosiery manufacturing; machine shops; machine tool manufacturing; machinery sales; public utility storage, yards, and service installments; shoe manufacturing; sign manufacturing, repair, and maintenance.

~~11-02-329~~11-02-336 **LIMITED ACCESS AREAS**

Subject to the provisions of C.R.S. §44-10-1001, means a building, room or other contiguous area upon the licensed premises where regulated marijuana is consumed, grown, cultivated, stored, weighed, packaged, sold, or possessed for sale, under control of the licensee, with limited access to only those persons licensed by the State Licensing Authority and those visitors escorted by a person licensed by the state licensing authority. All areas of ingress or egress or limited access areas must be clearly identified as such by a sign as designated by the state licensing authority.

~~11-02-330~~11-02-337 **LINSEED OIL, SHELLAC, AND TURPENTINE MANUFACTURING OR REFINERY**

An industrial establishment or area for the purpose of manufacturing or refining linseed oil, shellac, or turpentine.

~~11-02-331~~11-02-338 **LIVESTOCK AND POULTRY**

Domestic animals of types customarily raised or kept on farms or ranches for profit or other productive purposes.

~~11-02-332~~11-02-339 **LIVESTOCK AND POULTRY CONFINEMENT OPERATION**

An operation for the growing, feeding and fattening of livestock and/or poultry for commercial purposes, where the animals are confined within a closed structure; and/or the animals are kept within permanent corrals, pens, or yards; and these animals have been, are, or will be stabled or confined and fed or maintained for a total of forty-five (45) consecutive days or more in any twelve (12) month period.

~~11-02-333~~11-02-340 **LIVESTOCK UNIT**

A term and number used to establish an equivalency for various species of livestock. Any combination of livestock species shall not exceed the maximum number of livestock units allowed in the applicable zone district.

~~11-02-334~~11-02-341 **LOADING OR UNLOADING SPACE**

An off-street area used for the temporary parking of a commercial vehicle for the loading or unloading of merchandise or materials.

~~11-02-335~~11-02-342 **LOCAL LICENSING AUTHORITY**

The Board of County Commissioners of the County of Adams, Colorado, or its designee.

~~11-02-336~~11-02-343 **LOCAL STREET (RESIDENTIAL OR INDUSTRIAL)**

A street designed for local service with no through traffic that may have stop signs or traffic signals.

~~11-02-337~~11-02-344 **LOCATION**

A particular parcel of land that may be identified by an address or other descriptive means.

~~11-02-338~~11-02-345 **LODGES, FRATERNAL AND SOCIAL ORGANIZATIONS**

An establishment used by an organization of persons joined together for a common purpose or interest.

~~11-02-339~~11-02-346 **LODGING, COMMERCIAL**

This use category includes hotels; motels; and convention centers.

~~11-02-340~~11-02-347 **LOGISTICS CENTER, HEAVY**

A wholesaling, warehousing, and/or distribution use that provides a central location for receiving, storing and distributing raw materials, semi-finished goods, or finished goods. Heavy logistic centers may be warehouses in which goods are stored (a.k.a. “product warehouses”), or truck terminals in which goods are transferred between trucks or between trucks and trains or other transportation modes (a.k.a. “truck terminals”), or moving warehouses (including indoor storage of portable on-demand

storage containers), or wholesaling operations (but not wholesale membership clubs in which memberships are available to the general public). Heavy logistic centers are expected to generate at least 50 truck trips per day.

~~11-02-341~~11-02-348 **LOGISTICS CENTER, LIGHT**

A wholesaling, warehousing, and/or distribution use that provides a central location for receiving, storing and distributing raw materials, semi-finished goods, or finished goods. A logistic center may be warehouses in which goods are stored (a.k.a. “product warehouses”), or wholesaling operations (but not wholesale membership clubs in which memberships are available to the general public). Logistic centers are expected to generate fewer than 50 truck trips per day.

~~11-02-342~~11-02-349 **LOT**

A single designated parcel, tract, or area of land established by a recorded subdivision plat or a separate parcel of land that existed as such prior to July 1, 1972.

~~11-02-343~~11-02-350 **LOT AREA**

The total area of a horizontal plane bounded by the lot lines but not including any areas occupied by right-of-way, floodplains, the waters of any lake, river, canal, or major drainage ditch.

~~11-02-344~~11-02-351 **LOT, CORNER**

A lot or parcel of land abutting two (2) or more streets at their intersection, or upon two (2) parts of the same streets forming an interior angle of less than one-hundred-thirty-five (135) degrees. The setback shall be the same as a front setback for all corner lots.

~~11-02-345~~11-02-352 **LOT COVERAGE**

The portion of a lot that can be legally occupied by the ground floor of the principal structure and use and all permitted accessory uses, buildings or structures.

~~11-02-346~~11-02-353 **LOT DEPTH**

The horizontal distance between the front lot line to the rear lot line measured from the midpoint of the front lot line to the midpoint of the rear lot line.

~~11-02-347~~11-02-354 **LOT, DOUBLE FRONTAGE**

A lot, other than a corner lot, which has frontage on more than one (1) street.

~~11-02-348~~11-02-355 **LOT, FLAG**

A lot where access to the public road is by a narrow, private, right-of-way.

~~11-02-349~~11-02-356 **LOT FRONTAGE**

Any lot line of a lot abutting a street or public right-of-way.

~~11-02-350~~11-02-357 **LOT, INTERIOR**

A lot with one frontage on a dedicated public right-of-way, other than an alley.

~~11-02-351~~11-02-358 **LOT LINE**

A line of record bounding a lot, which divides one lot from another lot or from a public or private street or any other public space.

~~11-02-352~~11-02-359 **LOT LINES, FRONT**

The lot line separating a lot from a street right-of-way. For corner or double frontage lots, there shall be as many front lot lines as there are frontages on street rights-of-way.

~~11-02-353~~11-02-360 **LOT LINES, REAR**

The lot line opposite and most distant from the front lot line; or in the case of triangular or otherwise irregularly shaped lots, the Chief Building Official shall designate the rear and side lot lines by address.

~~11-02-354~~11-02-361 **LOT WIDTH**

The horizontal distance between the side lot lines of a lot, measured at the established or minimum front setback line.

11-02-35511-02-362 LOT, ZONING

A lot or a series of contiguous lots, not separated by a street or other right-of-way, designated by their owner as a tract to be used, developed, built upon as a unit, under single ownership and control.

11-02-35611-02-363 LOWEST FLOOR

The lowest floor of the lowest enclosed area including a basement. An unfinished or flood resistant enclosure used solely for parking of vehicles, structure access or storage, in an area other than a basement area, is not considered lowest floor of a structure, provided said enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of the regulation.

11-02-35711-02-364 LUMBER MILL

A commercial establishment or area equipped with machinery for the purpose of dressing logs or lumber or modifying the shape or size of the lumber in any way.

11-02-35811-02-365 MALODOROUS CONDITION

An odor reading greater than the permitted odor standard allowed by state statutes or regulations. Odor readings will be taken to determine whether such conditions exist. The odor readings shall be made by an agent certified in Odor Intensity Rating by the Colorado Department of Public Health and Environment by use of a Barneby Cheney Scentometer. The reading shall be taken at any location on or outside the permit boundary.

11-02-35911-02-366 MAJOR ENERGY FACILITIES

Transmission lines, power plants, and substations; gas processing plants, and related storage areas providing fossil fuels, manufactured gas, or other petroleum derivatives; microwave installations; and pipelines above ground in excess of one (1) mile in length.

11-02-36011-02-367 MAJOR ENERGY FACILITY OPERATION APPLICANT

Any individual, partnership, corporation, association, company, or other public or corporate body, including any political subdivision, agency, instrumentality, or corporation of the state, engaged in the operation of a public utility and/or major energy facilities.

~~11-02-361~~11-02-368 **MAJOR REPAIRS**

Work or renovation estimated to cost more than fifty percent (50%) of the market value of the structure to be renovated. The costs of renovation or repair or replacement shall mean the fair market value of the materials and services necessary to accomplish such renovation, repair or replacement and no person may seek to avoid the intent of Section 4-22-02 by doing such work incrementally. The market value shall mean either the market value for property tax purposes, updated as necessary by the increase in the consumer price index since the date of the last valuation, or the valuation determined by an independent qualified appraiser, mutually selected by the Director of Community and Economic Development and the applicant. A qualified appraiser shall be a Member of the Appraisal Institute (M.A.I.) or an Accredited Rural Appraiser (A.R.A.).

~~11-02-362~~11-02-369 **MAJOR ROAD SYSTEM**

All arterial roads within unincorporated Adams County, excluding state and federal highways.

~~11-02-363~~11-02-370 **MANUFACTURED HOME**

A structure manufactured pursuant to the authority of the “National Manufactured Housing Construction and Safety Standards Act (42 U.S.C 4501 et seq., as amended) that is transferable in one (1) or more sections and which is built on a permanent chassis off site, with wheels and axles that are a temporary means of transport of the unit to its site. Manufactured homes are designed to be used with or without a permanent foundation. The sections of the home when assembled must have dimensions of at least eight (8) by forty (40) feet, excluding hitches and transport apparatus. All mobile homes manufactured after June 15, 1976, and meet federal standards are considered manufactured homes.

~~11-02-364~~11-02-371 **MANUFACTURED HOME PARK**

A tract of land under individual or corporate ownership with two (2) or more spaces for lease or rent upon which individual manufactured home residences are placed and used for residential purposes.

~~11-02-365~~11-02-372 **MANUFACTURED HOME SALES LOT**

An establishment or area for the sales of manufactured homes.

11-02-366~~11-02-373~~ MANUFACTURED HOME SUBDIVISION

A parcel (or contiguous parcels) of land divided into two (2) or more manufactured home lots for rent or sale.

11-02-367~~11-02-374~~ MANUFACTURING, GENERAL

Establishments engaged in the mechanical or chemical transformations of materials or substances into new products including the assembling of components, parts, the manufacturing of products, and the blending of materials such as lubricating oils, plastics, resins, or liquors.

11-02-368~~11-02-375~~ MANUFACTURING OF SMALL COMPONENTS AND INSTRUMENTS

An establishment or area for the purpose of assembly and production of small components and instruments.

11-02-369~~11-02-376~~ MARIJUANA

Medical Marijuana and Retail Marijuana as those terms are defined herein.

11-02-370~~11-02-377~~ MARIJUANA BUSINESS

A “Medical Marijuana Business” and/or a “Retail Marijuana Business” as defined by the Colorado Department of Revenue Marijuana Enforcement Division (1 CCR 212-2).

11-02-371~~11-02-378~~ MARIJUANA HOSPITALITY BUSINESS

An entity licensed pursuant to these Regulations and pursuant to C.R.S. § 44-12-101, et seq., to permit the use or consumption of marijuana within a Consumption Area.

11-02-372~~11-02-379~~ MARIJUANA HOSPITALITY MOBILE LICENSE

An entity licensed to permit the use or consumption of marijuana within a Mobile Premises.

11-02-373~~11-02-380~~ MARQUEE

Any permanent roof-like structure projecting beyond, and supported by the wall of a structure, generally designed and constructed to provide protection from the weather.

[11-02-374](#)[11-02-381](#) **MARQUEE SIGN**

Any sign attached to, in any manner, or made part of a marquee.

[11-02-375](#)[11-02-382](#) **MASSAGE**

A method of treating the body for remedial or hygienic purposes, including, but not limited to rubbing, stroking, kneading, or tapping with the hand or an instrument or both.

[11-02-376](#)[11-02-383](#) **MASSAGE BUSINESS**

An establishment providing massage, but does not include training rooms of public and private schools accredited by the state board of education or approved by the division charged with the responsibility of approving private occupational schools, training rooms of recognized professional or amateur athletic teams, and licensed health care facilities. A facility which is operated for the purpose of massage therapy performed by a massage therapist is a massage business.

[11-02-377](#)[11-02-384](#) **MASSAGE THERAPIST**

A person who has graduated from a massage therapy school accredited by the state board of education or division charged with the responsibility of approving private occupational schools, or from a school with comparable approval or accreditation from another state with transcripts indicating completion of at least five hundred (500) hours of training in massage therapy. A massage therapy school may include an equivalency program approved by the state board of education or division charged with the responsibility of approving private occupational schools.

[11-02-378](#)[11-02-385](#) **MATERIAL MODIFICATION (SPECIAL DISTRICT SERVICE PLANS)**

A basic or essential change to the method of providing services including the exclusion or addition of services.

[11-02-379](#)[11-02-386](#) **MATURITY**

For the purposes of these standards and regulations, maturity shall mean five (5) years after planting for shrubs, ten (10) years after planting for trees, and one (1) year after planting for ground covers. Large trees shall be those which typically reach a height of over twenty (20) feet at maturity, and ornamental trees shall mean those which typically reach a height of twenty (20) feet or under at maturity.

11-02-38011-02-387 MEDICAL MARIJUANA

Marijuana that is grown and sold pursuant to the provisions of these regulations, the Colorado Marijuana Code and Section 14 of Article XVIII of the Colorado Constitution.

11-02-38111-02-388 MEDICAL MARIJUANA BUSINESA

A medical marijuana store, medical marijuana products manufacturing operation, or an optional premise cultivation operation.

11-02-38211-02-389 MEDICAL MARIJUANA PRODUCT

A product infused with medical marijuana that is intended for use or consumption other than by smoking, including, but not limited to edible products, ointments, and tinctures.

11-02-38311-02-390 MEDICAL MARIJUANA PRODUCTS MANUFACTURER

A person licensed pursuant to these Regulations and to C.R.S. §44-10-101, et seq. to operate a business as described in these regulations and as is also described in C.R.S. § 44-10-503

11-02-38411-02-391 MEDICAL MARIJUANA STORE

A person licensed pursuant to these Regulations and pursuant to C.R.S. §1044-10-101, et seq., to operate a business as described in these Regulations and as is further described in C.R.S. § 44-10-501 that sells medical marijuana to registered patients or primary caregivers as defined in Section 14 of Article XVIII of the Constitution of the State of Colorado, but is not a primary caregiver.

11-02-38511-02-392 MICROWAVE INSTALLATION

Any non-mobile facility and appurtenant facilities transmitting or receiving microwave energy to a location, or from a location other than the structure to which the device is attached, and any addition thereto increasing the existing design capacity. Microwave installations with towers less than ninety (90) feet in height and/or utilizing less than one (1) acre in size for tower installation shall be exempt from this definition.

~~11-02-386~~11-02-393 **MINERAL DEPOSITS OF COMMERCIAL QUANTITY AND QUALITY**

Natural mineral deposits of limestone, coal, gravel, sand, and quarry aggregate for which extraction is or will be commercially feasible and for which it can be demonstrated by geologic, mineralogical, or other scientific data, the deposit is of significant value to the County.

~~11-02-387~~11-02-394 **MOBILE HOME**

A structure, transportable in one (1) or more sections, which is built on a permanent chassis and designed to be used as a dwelling with or without permanent foundation, and which has not been certified under the “National Manufactured Housing Construction and Safety Standards Act” (42 U.S.C. 4501 et seq., as amended). Mobile homes have not been produced since 1976. See also “Manufactured Home”.

~~11-02-388~~11-02-395 **MOBILE HOME PARK**

This use category includes: a parcel of land, under single ownership, planned and improved for the placement of mobile homes, where each mobile home is designed, arranged and intended to be occupied by one (1) living unit, located on a single or multiple lots, being the principal use of the lot, and not connected to any other residence.

~~11-02-389~~11-02-396 **MOBILE PREMISES**

A licensed premises operated by a Marijuana Hospitality Business in a motor vehicle, which includes any self-propelled vehicle that is designed primarily for travel on the public highways and that is generally and commonly used to transport persons and property over the public highways or a low-speed electric vehicle; but does not include electrical assisted bicycles, electric scooters, low-power scooters, wheelchairs, or vehicles moved solely by human power.

~~11-02-390~~11-02-397 **MODERATE MANUFACTURING OR PROCESSING**

Manufacturing and processing in which operations are carried on which may be likely to create smoke, fumes, noise, odor, vibration, or dust, but which are not detrimental to the health, safety, or general welfare of the community. The following uses are considered medium manufacturing or processing for the purpose of these standards and regulations:

1. Can Manufacturing
2. Candy Product Manufacturing (for sale off premises)

3. Cement, Cinder Block, Concrete, Lime or Plaster Manufacturing
4. Cosmetic and Perfume Manufacturing
5. Creosote Manufacturing or Treatment Plant
6. Fat Rendering Production (of edible fats and oils from animal or vegetable products)
7. Forging Plant and Foundry
8. Glass or Glass Product Manufacturing
9. Metal Ingots, Casting Sheets or Bearings, Forging or Rolling Mills
10. Millinery Manufacturing
11. Mobile Homes Manufacturing and Storage
12. Vacation Camper Manufacturing

~~11-02-391~~11-02-398 **MORTUARY**

An establishment with facilities for the preparation of the deceased for burial or cremation to include embalming, for the viewing of the body, and for funerals. Also known as Funeral Home or Funeral Parlor.

*Adopted by the BOCC on December 13, 2010.

~~11-02-392~~11-02-399 **MOSQUE**

See “Place of Worship”.

~~11-02-393~~11-02-400 **MOVER**

The drilling contractor or trucking contractor actually transporting the drilling rig for the operator.

~~11-02-394~~11-02-401 **MOVING AND TRANSFER COMPANY**

A commercial establishment, which moves and transfers items.

~~11-02-395~~11-02-402 **MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4)**

Any public owned conveyance or system of conveyances of stormwater that discharge to State Waters and is designed for or used for collecting or conveying stormwater. The MS4 is not a combined sewer, and is not part of a Publicly Owned Treatment Works (POTW). Examples include, but are not limited to; roads with drainage systems, roadside ditches, curbs, gutters, man-made channels, ditches, catch basins, municipal streets, storm drainage facilities (detention or retention ponds) storm sewer infrastructure (pipes, manholes, culverts, inlets/drains), and conveyances that are owned or operated by the County through agreement, contract, direct ownership, easement or right-of-way and are for the purpose of

managing floodplains, stream banks and channels. This term may also be referred to as “storm drainage system”.

~~11-02-396~~11-02-403 **MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) PERMIT**

State or federal stormwater discharge permit that regulates discharges from Municipal Separate Storm Sewer Systems (MS4) for compliance with Clean Water Act regulations.

~~11-02-397~~11-02-404 **MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) PERMITTED AREA, ADAMS COUNTY**

Area within unincorporated Adams County’s Urbanized Area, including projected Adams County’s Growth Area (if applicable), designated based on census information, which is revised and adopted as part of the Adams County’s MS4 Permit application and renewal permit process.

11-02-405 **MUSEUM**

A parcel, building, or structure that serves as a repository for a collection of items, objects, or curiosities of interest that are arranged and intended for public viewing with or without an admission charge and which may include as an accessory use the sale of goods to the public as gifts or for their own use.

~~11-02-398~~11-02-406 **NATIONAL FLOOD INSURANCE PROGRAM (NFIP)**

FEMA’s program of flood insurance coverage Program (NFIP) and floodplain management administered in conjunction with the Robert T. Stafford Disaster Relief and Emergency Assistance Act. The NFIP has applicable Federal regulations promulgated in Title 44 of the Code of Federal Regulations. The U.S. Congress established the NFIP in 1968 with the passage of the National Flood Insurance Act of 1968.

~~11-02-399~~11-02-407 **NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)**

The national program under Section 402 of the Clean Water Act that regulates of discharges of pollutants from point sources to waters of the U.S.

11-02-40011-02-408 **NATURAL HAZARD**

A geologic, wildlife, or flood condition which is adverse to past, current, or foreseeable construction or land use and constitutes a significant hazard to public health and safety or to property.

11-02-40111-02-409 **NEIGHBORHOOD INDOOR USES**

This use category includes: neighborhood community or recreational centers; day care centers (day or nursery schools); gymnasiums; branch libraries; indoor recreational centers; public or private primary and secondary schools (excluding trade schools); indoor skating rinks (ice or roller); indoor swimming pools; tennis; racquetball; handball; handball courts; and all other indoor institutional uses.

11-02-40211-02-410 **NO TILL OR SLOT PLANTING**

A conservation tillage system in which the soil is left undisturbed prior to planting. Planting is completed in a narrow seedbed approximately one (1) to three (3) inches wide. Weed control is accomplished primarily with herbicides. Residue from the preceding crop is to be retained on the soil surface with the exception of that buried by the drill.

11-02-40311-02-411 **NONCOMBUSTIBLE BUILDING CONSTRUCTION**

A material of which no part will ignite and burn when subjected to fire. Any material conforming to Uniform Building Code Standard No. 4-1 as adopted in the County Building Code shall be considered noncombustible, or a material having a structural base of noncombustible materials as defined above, with a surfacing material not over 1/8 inch thick which has a flame spread rating of fifty (50) or less.

11-02-40411-02-412 **NONCONFORMING CONDITIONS**

An activity of a building, sign, fence, structure, or a portion thereof which lawfully existed before the adoption or amendment of these standards and regulations, but which does not conform to all of the regulations contained in these standards and regulations, or amendments thereto, which pertain to the zone district in which it is located.

11-02-40511-02-413 **NONCONFORMING LOT**

A lot, the area, dimensions or location of which were lawful at the time the lot was created, but which fail to conform to the current standards and regulations due to adoption, revision or amendment.

~~11-02-406~~11-02-414 **NONCONFORMING MOBILE HOME PARK**

A mobile home park lawfully created prior to January 1, 1980, that may or may not be located in the Mobile Home Dwelling Zone District and is recognized as an established mobile home park by the County Treasurer's Office.

~~11-02-407~~11-02-415 **NONCONFORMING SIGN**

Any sign, the area, dimensions or location of which were lawful at the time the sign was erected, but which fail to conform to the current standards and regulations due to adoption, revision or amendment.

~~11-02-408~~11-02-416 **NONCONFORMING STRUCTURE**

Any structure for which the size, dimensions or location of which was lawful when erected or altered, but which fails to conform to the current standards and regulations due to adoption, revision or amendment.

~~11-02-409~~11-02-417 **NONCONFORMING USE**

A use or activity, which was lawful when, originally established, but which fails to conform to the current standards and regulations due to adoption, revision or amendment.

~~11-02-410~~11-02-418 **NONCONFORMITY, DIMENSIONAL**

A nonconforming situation that occurs when any one of the following items does not conform to the standards and regulations applicable to the district in which the property is located:

1. The height, size, or minimum floor area of a structure;
2. The relationship between an existing structure or structures and other structures; or
3. The lot lines of a parcel.

~~11-02-411~~11-02-419 **NONHAZARDOUS MATERIALS**

Materials not defined as "Hazardous Materials" or "Hazardous Waste" in this document.

~~11-02-412~~11-02-420 **NONLIVING MATERIAL**

Material associated with landscaping such as lava rock, washed river rock, wood chips, and other similar nonliving decorative material.

11-02-41311-02-421 NON-SITE RELATED IMPROVEMENTS

Road capital improvements and right-of-way dedications for roads on the County's major roadway system. Roadway improvements identified in the Regional Traffic Impact Fee Section are not site-related improvements.

11-02-41411-02-422 NUDE MODEL STUDIO

Any place where a person appears in a state of nudity or displays "specified anatomical areas" and is provided for money or any form of consideration to be observed, sketched, drawn, painted, sculpted, photographed, or similarly depicted by other persons.

11-02-41511-02-423 NUDITY OR STATE OF NUDITY

The appearance of human bare buttock, anus, male genitals, or the areola or nipple of the female breast; or a state of dress which fails to opaquely and fully cover human buttocks, anus, male or female genitals, pubic region or areola or nipple of the female breast.

11-02-41611-02-424 NURSERIES

Land and/or greenhouses used to raise flowers, shrubs, trees, grass, and/or other plants for the primary purpose of commercial sale.

11-02-41711-02-425 NURSERY SCHOOL

See "Day Care Center".

11-02-41811-02-426 NURSING HOME

A health establishment, which provides nursing care under the direction of a Colorado, licensed physician to patients who, for reason of illness or physical infirmities, are unable to care for themselves.

11-02-41911-02-427 OBSTRUCTION

Any dam, wall, embankment, levee, dike, pile, abutment, soil material, bridge, conduit, culvert, building, wire, fence, refuse, fill, structure or other matter in, along, across, or projecting into any channel which may impede, retard, or change the direction of the flow of water, either in itself or by catching debris carried by such water, or that is placed where the flow of water might carry the same downstream.

~~11-02-420~~11-02-428 **OFF-PREMISE ADVERTISING DEVICES**

This use category includes: signs advertising an establishment, merchandise, service, or entertainment, which is not sold, produced, manufactured, or furnished at the property on which the sign is located. These signs are commonly referred to as billboards.

~~11-02-421~~11-02-429 **OFFENDING VEGETATION**

Noxious weeds as defined by the Colorado Department of Agriculture and/or as identified for mandated control and enforcement by the County Weed Manager. Areas for cultivation of crops shall not be considered landscaping or offending vegetation.

*Adopted by the BOCC on December 13, 2010.

~~11-02-422~~11-02-430 **OFFICES**

This use category includes: banking and other credit agencies (offices only); security, commodity brokers and services; insurance carriers; real estate; holding and other investments; business services; and medical offices.

~~11-02-423~~11-02-431 **OFF-SITE DIRECTIONAL SIGN**

A sign, which directs attention to a business, commodity, service, activity or product, sold, conducted, or offered off the premises where such sign is located. An Off-Site Directional Sign shall be used to advertise a business, commodity, service, campaign, drive, or special event, which is located within one thousand (1,000) feet of the property on which the sign is placed.

~~11-02-424~~11-02-432 **OFF-STREET PARKING SPACE**

An area of three hundred (300) square feet, which shall include the parking space and the necessary area for ingress and egress.

~~11-02-425~~11-02-433 **OIL AND GAS FACILITY**

Oil and Gas Facility means an oil and gas facility as defined by the rules and regulations of the Colorado Oil and Gas Conservation Commission.

~~11-02-426~~11-02-434 **OIL AND GAS WELL DRILLING AND PRODUCTION**

The drilling for and production of gas and oil, along with the installation of pumps, tanks, pits, treaters, and separators and other equipment.

11-02-42711-02-435 **ON-SITE WASTEWATER TREATMENT SYSTEM**

An absorption system of any size or flow, or a system or facility for collecting, storing, treating, neutralizing, stabilizing, or disposing of sewage which is not part of or connected to a sewage treatment works. An on-site wastewater treatment system with a design hydraulic capacity equal to or greater than 2,000 gallons per day is considered to be a domestic wastewater treatment works and subject to State Health and Tri-County Health Regulations.

11-02-42811-02-436 **OPEN AREA**

Any real property in single or joint ownership with no structures.

11-02-42911-02-437 **OPEN SPACE**

Any parcel or area of land or water essentially unimproved and set aside, dedicated, designated or reserved for public or private use or enjoyment, or for the use and enjoyment of owners and occupants of land adjoining or neighboring such lands.

11-02-43011-02-438 **OPEN SPACE, ACTIVE**

Open space that may be improved and set aside, dedicated, designated, or reserved for recreational facilities such as swimming pools, play equipment for children, ball fields, court games, picnic tables, etc.

11-02-43111-02-439 **OPERATIONS**

The business activities that a Hospitality Business engages in to provide a service to their customers.

11-02-43211-02-440 **OPERATOR**

The mineral estate owner, the mineral estate lessee, drilling contractor, production company, or any party or parties acting on behalf of any of the above.

11-02-43311-02-441 **OUTDOOR ADVERTISING SIGN**

See "Billboard".

~~11-02-434~~11-02-442 **OUTDOOR COMMERCIAL RECREATION**

This use category includes: outdoor commercial amusement facilities; music arenas; theme parks; amusement parks; go-cart establishments; miniature golf establishments; ice and roller skating rinks; water slides; batting cages; archery ranges; pistol and shooting ranges; and drive-in theaters.

~~11-02-435~~11-02-443 **OUTDOOR CONSUMPTION AREA**

A Consumption Area that is outdoors and surrounded by a sight-obscuring wall, fence, hedge, or other opaque or translucent barrier.

~~11-02-436~~11-02-444 **OUTDOOR CONCERTS AND EVENTS**

An outdoor establishment or facility used to accommodate an audience at public meetings or artistic performances, which usually includes a stage and seating.

~~11-02-437~~11-02-445 **OUTDOOR STORAGE**

The storage of materials or inventory naturally and normally incidental to the primary use of a property limited to the primary user of the property and located on the same lot with the primary use. Accessory storage shall not include vehicles, which can be driven off the property under their own power and are licensed to be driven on public rights-of-way. Merchandise for sale or lease shall not be considered accessory storage, except storage of gravel, rock, recycled asphalt, or other landscaping materials shall be considered outdoor storage.

*Adopted by the BOCC on December 13, 2010.

~~11-02-438~~11-02-446 **OVERALL DEVELOPMENT PLAN**

A plan, map, and supporting materials required by these standards and regulations that outlines general, rather than detailed, development intentions and depicts a proposed subdivision in schematic form.

~~11-02-439~~11-02-447 **OUTDOOR PUBLIC USES**

This use category includes: public areas for active recreational activities including, but not limited to, jogging, cycling, tot lots, playing fields, playgrounds, outdoor swimming pools, tennis courts, public campgrounds, and publicly operated golf courses. Also included are recreational uses such as: arboretums; areas for hiking; nature areas; wildlife sanctuaries; picnic areas; garden plots; recreation-oriented parks; and other public

open spaces. Cemeteries, with or without caretaker residences, are also considered outdoor public uses.

~~11-02-440~~11-02-448 **OWNER**

Any person who alone, jointly, or severally with others:

1. Has a legal, possessory or equitable interest in a dwelling unit, with or without accompanying actual possession thereof; or
2. Acts as the agent of a person having a legal, possessory or equitable interest in a dwelling or dwelling unit thereof; or
3. Is the general representative or fiduciary of an estate through which a legal or equitable interest in a dwelling unit is administered.

~~11-02-441~~11-02-449 **PAINTING AND BODY SHOP**

An establishment or area for the purpose of the replacement, painting, restoration, welding, rebuilding or refinishing of vehicle parts or body components of automobiles, trucks, and other motor vehicles.

~~11-02-442~~11-02-450 **PARKING GARAGE**

A multi-level covered structure that provides primary parking to the public.

~~11-02-443~~11-02-451 **PARKING LOT, COMMERCIAL**

This use category includes: a parking lot or parking garage for public parking for a fee, not including parking lots or garages operated as an accessory use in association with a residential, commercial, or industrial business. See “Automobile Parking Lot”.

~~11-02-444~~11-02-452 **PARKS, PUBLIC**

A tract of land designed for and used by the public for active or passive recreation, which may include structures containing athletic facilities, cooking facilities, and restrooms. [Incidental sales related to active uses or temporary uses are permitted.](#)

~~11-02-445~~11-02-453 **PAWNBROKER**

Defined in accordance with C.R.S. Section 12-56-101. Used motor vehicles, used clothing, and nonprofit establishments are excluded from the provisions of this definition.

~~11-02-446~~11-02-454 **PAWNSHOPS**

A retail sales establishment where a pawnbroker regularly engages in or solicits business.

~~11-02-447~~11-02-455 **PENNANT**

Any lightweight plastic, fabric, or other material whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind.

~~11-02-448~~11-02-456 **PERCENT OF NEW TRIPS FACTOR**

The percentage of peak hour trips which a proposed land use will generate that constitutes new or additional trips added to the County's major roadway system. Those trips that do not represent additional trip ends shall not be counted as new or additional trips. Pass-by trips and diverted trips do not constitute new trips.

~~11-02-449~~11-02-457 **PERMANENT**

For the purpose of these standards and regulations, the term "permanent" shall mean any use or structure lasting for a period of five (5) years or longer.

~~11-02-450~~11-02-458 **PERMANENT GRASS**

A conservation system in which native grass has been left untilled or reseeded to native or adapted/introduced grasses.

~~11-02-451~~11-02-459 **PERMANENT MONUMENT**

Any structure of masonry and/or metal placed on or in the ground, including those exclusively placed for surveying reference, which meet the requirements of state law.

~~11-02-452~~11-02-460 **PERMANENT STRUCTURES**

Existing structures constructed after issuance of a valid building permit(s) by Adams County and occupied after the issuance of a valid Certificate(s) of Occupancy by Adams County.

11-02-45311-02-461 PERMIT

An express written and formal approval, including any conditions of approval, to conduct a use allowed by a Certificate of Designation, Conditional Use, Special Use Temporary Use, Domestic Sewage Sludge Application Permit, or other written and formal approvals adopted as a part of these standards and regulations.

11-02-45411-02-462 PERMIT ISSUING AUTHORITY

The entity authorized by these standards and regulations to issue a permit for a particular type of land use (the Director of Community and Economic Development for zoning review approval and temporary uses, Board of Adjustment for special uses, or Board of County Commissioners for conditional uses).

11-02-45511-02-463 PERMITTED USE

A use permitted by right in a zone district. The use must comply with all applicable performance standards for the use or uses and all County and State regulations to be permitted.

11-02-45611-02-464 PERSON

An individual, corporation, partnership, association, firm, other legal entity, state or political subdivision thereof, federal agency, state agency, municipality, commission, interstate body or other organization recognized by law and acting as either the owner or as the owner's agent.

11-02-45711-02-465 PLACE OF WORSHIP

A structure, or group of structures, which is intended for the conducting of organized religious services and associated activities such as religious classes, childcare during services, and committee and office work. For purposes of these standards and regulations, references to churches include all of these facilities.

11-02-45811-02-466 PLAINS AREA OF ADAMS COUNTY

For purposes of these standards and regulations, the Plains Area of Adams County shall mean those areas east of the areas designated for urban uses in the Airport Environs Plan. Separated by a line as follows: I-76 from the Weld County line to 152nd Avenue, then east to Watkins Mile Road, then south to 124th Avenue, then east to Quail Run Mile Road, then south to 80th Avenue, then east to Manila Mile Road, then south to 72nd Avenue,

then east to Schumaker Mile Road, then south to the Arapahoe County line.

~~11-02-459~~11-02-467 **PLANNED UNIT DEVELOPMENT (P.U.D.)**

In accordance with the Planned Unit Development Act of 1972, the objective of a Planned Unit Development is to establish an area of land, controlled by one or more landowners, to be developed under unified control or unified plan of development for a number of dwelling units, commercial, educational, recreational, or industrial uses, or any combination of the foregoing, the plan for which does not correspond in lot size, bulk, or type of use, density, lot coverage, open space, or other restriction to the existing land use regulations.

*Adopted by the BOCC on December 13, 2010.

~~11-02-460~~11-02-468 **PLANNING COMMISSION**

Planning Commission shall mean the Adams County Planning Commission, appointed by the Board of County Commissioners pursuant to C. R. S. Section 30-28-103, as amended.

~~11-02-461~~11-02-469 **PLAT**

A map or maps together with supporting documentation of certain described land prepared in accordance with these standards and regulations as an instrument which shall be filed with the Adams County Clerk and Recorder for providing a permanent and accurate record of the legal description, dedications, exact size, shape, and location of lots, blocks, streets, easements, and parcels of land within a subdivision. The plat, when recorded by the Adams County Clerk and Recorder, becomes the legal instrument whereby the location and boundaries of separate parcels of land within a subdivision are identified.

~~11-02-462~~11-02-470 **PLUGGING**

As defined by the State of Colorado Oil and Gas Conservation Commission Rules and Regulations.

11-02-471 **PLAYGROUNDS AND PLAYFIELDS**

Designated play areas and/or fields to be used for active and passive recreation for all ages including amenities such as swings, slides, sand boxes, water “spray grounds”, volleyball sand courts, hard court play surfaces, open fields, and the like.

11-02-46311-02-472 POLICE STATION

An establishment used for administration of police operations, the dispatch of police personnel and vehicles, and the incarceration of criminals.

11-02-46411-02-473 POLLUTANT

Pollutants may include, but are not limited to, any dredged spoil, dirt, slurry, solid waste, incinerator residue, sewage, sewage sludge, sediment, garbage, trash, chemical waste, biological nutrient, biological material, radioactive material, heat, wrecked or discharged equipment, rock, sand, or any industrial, municipal or agriculture waste, paints, varnishes, and solvents; oil and other automotive fluids; non-hazardous liquid and solid wastes; yard wastes including grass clippings and leaves; refuse, rubbish, garbage, litter, or other discarded or abandoned objects; accumulations that may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; pet wastes; wastes and residues that result from constructing a building or structure, concrete washout waste; wastes and residues that result from mobile washing operations; noxious or offensive matter of any kind, and any soil, mulch, or other type of landscaping material.

11-02-46511-02-474 POLLUTION

Man-made, man-induced, or natural alteration of the physical, chemical, biological, and/or radiological integrity of water. Pollution includes the presence of any foreign substance (organic, inorganic) in water or wastewater which in sufficient concentration tends to degrade its quality so as to constitute a hazard or impair the usefulness or quality of the water to a degree which may not create an actual hazard to the public health but which does adversely and unreasonably affect such waters for their designated use.

11-02-46611-02-475 PORTABLE SIGN

A sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels; signs converted to A-or T-frames; menu and sandwich board signs; balloons used as signs; umbrellas used for advertising; and signs attached to or painted on

vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operations of the business.

~~11-02-467~~11-02-476 **POST OFFICE**

An office or station of a government postal system at which mail is received and sorted, from which it is dispatched and distributed, and at which stamps are sold or other services rendered.

~~11-02-468~~11-02-477 **POULTRY FARM**

An agricultural operation where chickens, turkeys, ducks, geese, or other domestic fowl are kept, raised, bred, or slaughtered for eggs or meat for the purposes of commercial sale.

~~11-02-469~~11-02-478 **POWER PLANT**

Any electrical energy generating facility and appurtenant facilities which utilize a substation prior to distribution to a consumer, or any addition thereto, increasing the existing design capacity, except portable generators used in emergency situations.

~~11-02-470~~11-02-479 **PRE-APPLICATION CONFERENCE (SPECIAL DISTRICT SERVICE PLAN REVIEW)**

A scheduled meeting between the applicant and one (1) or more members of the District Review Team. The representative of the District Review Team and one (1) staff person from the Development Review Section of the Community and Economic Development Department must attend this meeting. At the pre-application conference, the proposed District, the state statutes, and these regulations shall be discussed in detail.

~~11-02-471~~11-02-480 **PREMESIS**

A distinct and definite location, which may include a building, a part of a building, a room or any other definite contiguous area.

~~11-02-472~~11-02-481 **PRESCHOOL**

See “Day Care Center”.

11-02-47311-02-482 PRIMARY RESIDENCE

Primary residence means a residence which is the usual place of return for housing as documented by at least two of the following: motor vehicle registration, driver's license, Colorado state identification card, voter registration, tax documents, or a utility bill. A person can only have one primary residence.

11-02-47411-02-483 PRINCIPAL STRUCTURE OR USE

The main or primary purpose for which a structure or land is used, and to which all other uses on the property are accessory.

11-02-47511-02-484 PRIVATE ROOM

A room in an adult motel that is not a peep booth, has a bed and a bath in the room or adjacent room, and is used primarily for lodging.

11-02-47611-02-485 PRIVATE STREETS

Those streets located on private land maintained by private entities and generally restricted to private use.

11-02-47711-02-486 PRO FORMA (SPECIAL DISTRICT SERVICE PLAN)

A presentation of all projected expenses to be incurred and revenues to be generated by a proposed Special District showing the year-end financial status of the Special District for each year from the organization of the Special District until the repayment of all proposed debt.

11-02-47811-02-487 PROFESSIONALLY PREPARED (SPECIAL DISTRICT SERVICE PLAN REVIEW)

Meeting the standards set for Special District service plans by the District Review Team, to include, but not limited to, quality of map preparation, organization, and readability.

11-02-47911-02-488 PROHIBITED ANIMAL

Any animal which is ordinarily found in an unconfined state and is usually not kept as a household pet, including, but not limited to, lions, tigers, cheetahs, panthers, leopards, cougars, mountain lions, ocelots, any wild members of the genus felis, lynx, bobcats, foxes, minks, skunks, raccoons, bears, non-human primates, wolves and coyotes; poisonous lizards, poisonous and/or constrictor snakes; lethal toads and arachnids (spiders,

scorpions and tarantulas). "Prohibited Animal" shall not include domestic ferrets (*Mustelia furo*), livestock, or household pets as defined herein. Alleged domestication of any prohibited animal shall not affect its status under this definition. The determination of prohibited animal status for an animal not listed herein will be made by the Director of Community and Economic Development.

~~11-02-480~~11-02-489 **PROJECTING SIGN**

Any sign affixed to a structure or wall in such a manner so that its leading edge extends more than six (6) inches beyond the surface of such structure or wall. Signs affixed to the structure that extend less than six (6) inches beyond the surface are considered to be wall signs.

~~11-02-481~~11-02-490 **PUBLIC IMPROVEMENT**

Any improvement, facility or service together with its associated public site or right-of-way necessary to provide transportation, drainage, public or private utilities, energy or similar essential services.

~~11-02-482~~11-02-491 **PUBLIC SERVICE**

This use category includes: emergency service buildings or garages (e.g. ambulance; fire; police; rescue); utility substations or transmission and distribution facilities; government offices; and all government-owned facilities except landfills or mining facilities.

~~11-02-483~~11-02-492 **PUBLIC STREETS**

Any streets or highways recognized by the public agency having jurisdiction over them.

~~11-02-484~~11-02-493 **PUBLIC UTILITY STORAGE AND YARD**

An area used for storage for establishments engaged in public services or utilities.

~~11-02-485~~11-02-494 **PUTRESCIBLE WASTE**

Those solid wastes that contain organic matter capable of being decomposed by microorganisms, and of such character and proportion as to be capable of attracting or providing food for birds or disease vectors.

11-02-48611-02-495 RACING FACILITIES

This use category includes automobile racing; horse racing; truck racing; and dog tracks.

11-02-48711-02-496 RADIO AND TV BROADCASTING STATION

A structure with electronic equipment that generates and amplifies a carrier radio or TV wave, modulates it, and radiates the resulting signal from an antenna.

11-02-48811-02-497 RADIO AND TV TOWER, COMMERCIAL

A structure intended for transmitting or receiving radio or television communications that may include parabolic dishes or microwave relay dishes mounted on the tower.

11-02-48911-02-498 RAILROAD YARD

An area of land, a portion of which is covered by a system of train tracks, used for the classifying, switching, storing, assembling, distributing, consolidating, moving, repairing, weighing, or transferring of train cars, trains, engines, locomotives, and rolling stock.

11-02-49011-02-499 RANCHING

Land used for grazing livestock for the primary purpose of obtaining a monetary profit.

11-02-49111-02-500 REACH

A hydraulic engineering term to describe longitudinal segments of a stream or river. A reach will generally include the segment of the floodplain where flood heights are primarily controlled by manmade or natural floodplain obstructions or restrictions. In an urban area, the segment of a stream or river between two (2) consecutive bridge crossings would most likely be a reach.

11-02-49211-02-501 REAL ESTATE SALES SIGN

A temporary sign erected to advertise the sale or lease of the premises on which the sign is located or the location of an open house, and does not require a sign permit or application fee.

~~11-02-493~~11-02-502 **REAR LOT LINE**

See “Lot Line, Rear”.

11-02-503 **RECREATIONAL USES**

Recreational uses include active and passive recreational services and parcels open to the public, such as parks, open spaces, trails, playfields, and the like. Incidental sales associated with recreational uses is permitted. These recreational opportunities are meant to serve the recreational and social interaction needs of the residents of all ages, economic situations, and physical conditions, and include publicly owned lands, open spaces, trails, playfields, and the like.

11-02-504 **RECREATIONAL, INDOOR USES**

An enclosed facility which offers active recreation opportunities, such as indoor swimming, tennis courts, racquetball, handball, and the like. This use may include incidental eating and drinking areas, incidental sales, and staff offices.

11-02-505 **RECREATIONAL, OUTDOOR USES**

An area or facility where any portion of the recreation activity takes place outside including swimming pools, game courts, and playgrounds. This use may include incidental eating and drinking areas, incidental sales, and staff offices.

~~11-02-494~~11-02-506 **RECREATIONAL VEHICLE**

A vehicle which is (1) built on a single chassis; (2) four hundred (400) square feet or less when measured at the largest horizontal projections; (3) designed to be self-propelled or permanently towable by a light duty truck; and (4) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

~~11-02-495~~11-02-507 **RECYCLABLE MATERIALS**

A type of material subject to reuse or recycling. Recyclable materials include metal, glass, cloth, paper, plastic, or any other material which presently has a commercial use or value as a commodity, raw material, or feedstock and is intentionally separated from a waste stream for reprocessing or remanufacture. Recyclable materials do not include any

material meeting the definition of a hazardous waste under Section 25-15-101(6), CRS, any material meeting the definition of an infectious waste under Section 25-15-402(1), CRS, any material meeting the definition of a putrescible waste, or any other materials likely to contaminate ground water, create off-site odors, or otherwise pose a threat to human health or the environment as a result of processing, reclaiming, recycling, storage prior to recycling, or use of the material.

[11-02-496](#)[11-02-508](#) **RECYCLING FACILITY**

Operators and owners claiming exclusion from Certificate of Designation Regulations by operating facilities, or sites receiving solid waste materials, for the purpose of processing, reclaiming, or recycling solid waste materials. The exclusion requires submittal of a design and operations plan to the Community and Economic Development Department, which will be reviewed in accordance with the recyclable materials criteria.

[11-02-497](#)[11-02-509](#) **REDEVELOPMENT**

Improvements to a site that is already substantially developed with 35% or more of existing impervious area. Improvements include the creation or addition of impervious area (including removal and/or replacement), to include the expansion of a building footprint or addition or replacement of a structure; structural development including construction, replacement of impervious area that is not part of a routine maintenance activity; and land disturbing activities. Depending on the scale of the redevelopment activity, a Stormwater Quality (SWQ) Permit and/or post-construction stormwater requirements may be required.

[11-02-498](#)[11-02-510](#) **REDUCED-TILL (MINIMUM-TILL)**

A tillage and planting system that meets at least one thousand (1,000) pounds flat small grain residue equivalent for wind erosion control and at least thirty percent (30%) ground cover for water erosion control.

[11-02-499](#)[11-02-511](#) **RESIDENCE**

A place of primary habitation. For the purposes of these standards and regulations, the terms residence and dwelling are interchangeable.

[11-02-500](#)[11-02-512](#) **RESIDENTIAL SIGN**

A freestanding or building sign located in a district zoned for residential uses that contains non-commercial messages or commercial advertising for

goods or services legally offered on the premises where the sign is located, if offering such service at such location conforms with all requirements of these standards and regulations.

~~11-02-501~~11-02-513 **RESIDENTIAL USES**

Residential uses include manufacture home parks, mobile home parks; single-family dwellings, attached; single-family dwellings, detached; two-family dwellings; multi-family dwellings; and group homes.

~~11-02-502~~11-02-514 **RESTAURANTS**

This use category includes: all establishments primarily oriented to serving food and/or beverages (including alcoholic beverages). This category does not include those restaurants serving to customers in vehicles.

~~11-02-503~~11-02-515 **RESTRICTED ACCESS AREA**

A designated and secure area within a Licensed Premises in a Retail Marijuana Hospitality and Sales business where Retail Marijuana is sold to consumers, processed for sale, and displayed for sale, and where no one under the age of 21 is permitted.

~~11-02-504~~11-02-516 **RETAIL MARIJUANA**

Marijuana that is grown, tested, manufactured, and/or sold pursuant to the provisions of these regulations, the Colorado Marijuana Code and Section 16 of Article XVIII of the Colorado Constitution, that is cultivated, manufactured, distributed, or sold by a licensed retail marijuana business. If the context requires, retail marijuana includes retail marijuana concentrate and retail marijuana products.

~~11-02-505~~11-02-517 **RETAIL MARIJUANA BUSINESS**

A retail marijuana store, a retail marijuana cultivation facility, a retail marijuana product manufacturing facility, a retail marijuana hospitality and sales business, a marijuana hospitality business, or a retail marijuana testing facility as set forth in Section 16 of Article XVIII of the Colorado Constitution and as may be more fully defined in the Colorado Marijuana Code.

11-02-506~~11-02-518~~ RETAIL MARIJUANA CULTIVATION FACILITY

A person licensed pursuant to these Regulations and the Colorado Code as defined therein and in Section 16 of the Colorado Constitution.

**11-02-507~~11-02-519~~ RETAIL MARIJUANA HOSPITALITY AND SALES
BUSINESS**

An entity licensed to (1) purchase Retail Marijuana from a Retail Marijuana Business, (2) Transfer Retail Marijuana to consumers, and (3) permit the use or consumption of Retail Marijuana Transferred to a consumer within the Restricted Access Area

11-02-508~~11-02-520~~ RETAIL MARIJUANA PRODUCTS MANUFACTURER

A person licensed pursuant to these Regulations and the Colorado Marijuana Code as defined therein.

11-02-509~~11-02-521~~ RETAIL MARIJUANA STORE

a person licensed pursuant to these Regulations and the Colorado Marijuana Code as defined therein.

11-02-510~~11-02-522~~ RETAIL SALES

Establishments engaged in the sale of goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods. A retail sales establishment is usually a place of business and is engaged in activity to attract the general public to make purchases.

11-02-511~~11-02-523~~ RETIREMENT HOME

An establishment used as a multiple dwelling residence for retired persons in separate dwelling units with limited accessory services such as recreation and other common facilities, and may include nursing or hospital care.

11-02-512~~11-02-524~~ REVEGETATION

The reseeded or planting of native or introduced plant species adapted to the land site and have been approved by the Soil Conservation District Board.

~~11-02-513~~11-02-525 **RIDING STABLE OR ACADEMY**

Any establishment where horses are boarded and cared for; where instruction in riding, jumping, and showing is offered; and/or where horses may be hired for riding. A riding stable or academy may also be an accessory use in the operation of a club, association, ranch, or similar establishment.

~~11-02-514~~11-02-526 **RIGHT-OF-WAY**

A strip of land occupied or intended to be occupied by a street, crosswalk, railroad, road, electric transmission line, gas pipeline, water main, sanitary or storm sewer main, shade trees or for another special use.

~~11-02-515~~11-02-527 **ROAD CAPITAL IMPROVEMENT**

Includes transportation planning, preliminary engineering, engineering design studies, land surveys, alignment studies, right-of-way acquisition, engineering, permitting, and construction of all necessary features for any road construction project on an arterial road on the County's major road system, undertaken to accommodate traffic resulting from new traffic-generating land development activity. Road capital improvements shall include but not be limited to: (a) construction of new through lanes, (b) construction of new bridges, (c) construction of new drainage facilities in conjunction with new road construction; (d) purchase and installation of traffic signals, including new and upgraded signalization, (e) construction of curbs, gutters, sidewalks, medians and shoulders, (f) construction of turn lanes, and (g) widening of existing roads.

~~11-02-516~~11-02-528 **ROADSIDE STAND**

A temporary structure used primarily to sell products produced on the property.

~~11-02-517~~11-02-529 **RODEO**

See Equestrian Arena, Commercial and Equestrian Arena, Personal.

~~11-02-518~~11-02-530 **ROOF SIGN**

Any sign painted, erected, or constructed wholly on and over the roof of a structure, supported by the roof structure, or extending vertically above the highest portion of the roof.

11-02-51911-02-531 RURAL STREET

Section line roads function in similar capacity to arterials, although may not have the levels of traffic. Paved and gravel rural roads can function in a similar manner as collector or local streets in rural areas.

11-02-532 SAFE PARKING SITE:

A location that provides individuals and families who are experiencing homelessness and living in their vehicle a dedicated, safe place to park.

11-02-52011-02-533 SALE OR SELL

Includes to exchange, barter, or traffic in, to solicit or receive and order except through a licensee licensed under these Regulations, to deliver for value in any way other than gratuitously, to peddle or possess with intent to sell, or to traffic in for any in for any consideration promised or obtained directly or indirectly.

11-02-52111-02-534 SALES AND OFFICE TRAILER

A temporary residential sales office used in conjunction with a residential development or subdivision.

11-02-52211-02-535 SALVAGE YARD

An industrial use contained within a structure, or parcel of land where junk, waste, discarded, or salvage materials are bought, sold, exchanged, stored, baled, packed, assembled, or handled, including automobile wrecking yards, but not including scrap processing or shredding.

11-02-52311-02-536 SANATORIUM

A hospital used for treating chronic and long-term illness and various nervous and mental disorders.

11-02-52411-02-537 SANITARY LANDFILL/SOLID WASTE DISPOSAL

A site for the disposal of refuse on land without creating a nuisance or hazard to public health and safety by utilizing the principles of engineering to confine the refuse to the smallest practical area, reduce it to the smallest practical volume, and regularly cover it with a layer of earth on a daily or more frequent basis.

11-02-52511-02-538 SAVINGS AND LOAN INSTITUTIONS

See “Financial Institutions”.

11-02-52611-02-539 SCENIC VIEW

A view from a highway or from private property of a natural setting that contains one (1) or more of the following: mountains, valleys, rivers, wetlands, farmlands, or other open spaces.

11-02-52711-02-540 SCHOOL, COLLEGE OR UNIVERSITY

A public or private institution of higher learning (beyond grade 12) providing courses as approved by the Colorado Department of Education.

11-02-52811-02-541 SCHOOL, COMMERCIAL

A structure or group of structures where instruction is given to pupils in arts, religion, crafts, philosophy, or trades, and is operated as a commercial enterprise.

11-02-52911-02-542 SCHOOL, PUBLIC, PRIVATE, AND PAROCHIAL

A school for any grades between the first and twelfth grade teaching accredited courses of instruction as approved by an agency of the State of Colorado.

11-02-53011-02-543 SEMI-NUDE

A state of dress in which clothing covers no more than the genitals, pubic region, and areola of the female breast, as well as portions of the body covered by supporting straps or devices.

11-02-53111-02-544 SEPTAGE

A liquid or semisolid that includes normal household wastes, human excreta, and animal or vegetable matter in suspension or solution generated from a residential, commercial, or industrial septic tank system.

*Adopted by the BOCC on December 13, 2010.

11-02-53211-02-545 SERVICE PLAN

The documentation submitted to Adams County by an applicant proposing the organization of a Special District, including text, maps, charts, and

tables, and containing all the information required in the Colorado Revised Statutes and these standards and regulations.

~~11-02-533~~11-02-546 **SERVICE PROVIDER, SPECIAL DISTRICT SERVICE PLAN**

Any municipal or quasi-municipal organization, which currently has or plans to have the ability to provide any or all of the services proposed in the service plan under review.

~~11-02-534~~11-02-547 **SERVICES**

This use category includes commercial establishments that provide a wide variety of personal and commercial services to the public on the premises that is not otherwise classified in this code under the Commercial Retail or Office categories. This category does not include those services serving customers in vehicles, such as drive-up banking facilities. This includes, but is not limited to, such things as hair and/or nail salons, day spas, animal grooming services, tattoo parlors/body art establishments, tanning salons, recording studios, dry cleaning and laundry services, and printing/packing/shipping services. Services may also include, but are not limited to, a system supplying a public need such as transport, communications, or utilities such as electricity and water.

~~11-02-535~~11-02-548 **SETBACK**

The distance between the street right-of-way line and the front line of a structure or any projection thereof, excluding uncovered steps.

~~11-02-536~~11-02-549 **SETBACK LINE**

A line defining the minimum front, side, and rear yard requirements.

~~11-02-537~~11-02-550 **SETBACK LINE, FRONT**

The front setback line is established through the construction of a structure.

~~11-02-538~~11-02-551 **SETTLEMENT**

The lowering of the top grade of the landfill due to further compaction of the soil and the decomposition of organic matter.

11-02-53911-02-552 SEWAGE SLUDGE

A combination of liquid wastes that may include chemicals, house wastes, human excreta, animal or vegetable matter in suspension or solution, and other solids in suspension or solution that is discharged from a dwelling, building, or other establishment.

*Adopted by the BOCC on December 13, 2010.

11-02-54011-02-553 SEXUAL ENCOUNTER ESTABLISHMENT

A business or commercial establishment, as one of its primary business purposes, offers, for any form of consideration, a place where two (2) 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 (1) or more of the persons is in a state of nudity or seminude. An adult motel will not be classified as a sexual encounter establishment by virtue of the fact it offers private rooms for rent.

11-02-54111-02-554 SEXUALLY ORIENTED BUSINESS

An adult arcade, adult bookstore, adult novelty shop, adult video store, adult cabaret, adult motel, adult motion picture theater, adult theater, sexual encounter establishment, or nude model studio. The definition of sexually oriented businesses 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.

11-02-54211-02-555 SHOOTING RANGE

See “Gun and Archery Range”.

11-02-54311-02-556 SHORT-TERM RENTALS

A residential dwelling which is leased for lodging accommodations in periods of thirty days or fewer. Short-term rentals shall be occupied by (a) primary resident(s) for at least one-hundred eighty (180) calendar days of the year. Short-term rentals shall be an accessory use to a primary use of residential.

11-02-54411-02-557 SHOULDER

The graded part of the right-of-way that lies between the edge of the main pavement (main traveled way) and the curb line.

11-02-54511-02-558 SIDE LOT LINE

Any property line of a lot other than front or rear lot lines.

11-02-54611-02-559 SIDEWALK

A paved path provided for pedestrian use and usually located at the side of a road within the right-of-way, which meets specifications set forth in these standards and regulations.

11-02-54711-02-560 SIGN

Any device, fixture, placard, or structure that uses any color, form, graphic, illumination, symbol, or writing to advertise, announce the purpose of, or identify the purpose of a person, or entity, institution, organization, business, product, event, or location, to communicate information to the public.

11-02-54811-02-561 SIGNIFICANT CHANGE

A change consisting of or relating to the essential nature, fundamental or characteristic part or quality of the approved Certificate of Designation.

11-02-54911-02-562 SITE PLAN

An accurately scaled development plan that illustrates the existing conditions on a land parcel as well as depicting details of a proposed development.

11-02-55011-02-563 SITE RELATED IMPROVEMENTS

Road capital improvements and right-of-way dedications, which provide direct access to the development. Direct access improvements include, but are not limited to the following: (a) driveways and streets leading to and from the development; (b) right and left lanes leading to those driveways and roads; (c) one through lane; (d) curb, gutter and sidewalks where applicable, (e) acceleration and/or deceleration lanes (f) traffic control measures for those driveways; and (g) internal streets. Credit is not provided for site-related improvements under the terms of this Regulation.

11-02-55111-02-564 SITE SELECTION

The process for determining the location of major energy facilities.

[11-02-552](#)[11-02-565](#) **SITE SPECIFIC DEVELOPMENT PLAN**

A land use approval that grants vested rights in accordance with C.R.S. 24-68-103. For the purposes of these regulations and standards, the following approvals are deemed "site specific development plans": Exemptions from Subdividing, Final Plats, Preliminary Development Plan (PDP), Final Development Plan (FDP), Major Subdivision, Minor Subdivision. In addition, the following approvals are intentionally omitted from the definition of a "site specific development plan": Conditional Use Permits, Overall Development Plan (ODP), Rezoning, Sketch Plan, Special Use Permits, Temporary Use Permits, and Variances.

[11-02-553](#)[11-02-566](#) **SIXTY (60) LDN**

The standard established for maximum noise exposure in the residential areas of Adams County. This measurement of sound is computed by following the methods described in Appendix A of Federal Aviation Regulation, Part 150, and concerning Airport Noise Compatibility Planning.

[11-02-554](#)[11-02-567](#) **SKETCH PLAN**

A rough plan of a proposed subdivision or other development, drawn and submitted in accordance with these standards and regulations, used to evaluate project feasibility and design characteristics at an early stage.

[11-02-555](#)[11-02-568](#) **SOCIAL ORGANIZATIONS**

See "Lodge, Fraternal, and Social Organizations."

[11-02-556](#)[11-02-569](#) **SOD FARM**

Land used for the growing of turfgrass sod for the primary purpose of commercial sale.

[11-02-557](#)[11-02-570](#) **SOIL CONSERVATION DISTRICT**

Soil Conservation District in Adams County organized pursuant to C. R. S. Section 35-70-101(ff).

[11-02-558](#)[11-02-571](#) **SOLAR ENERGY SYSTEM**

Any device or structural design feature whose primary purpose is to provide for the collection, storage, or distribution of solar energy for space heating, space cooling, electricity generation, or water heating.

Roof-mounted solar energy system: A solar energy system that is structurally mounted to the roof of a building or structure not solely designed to support the solar energy system.

Ground-mounted solar energy system: A solar energy system that is structurally mounted to the ground and is not roof-mounted. Ground-mounted systems include parking lot or parking canopy solar.

~~11-02-559~~11-02-572 **SOLAR ENERGY SYSTEM, LARGE-SCALE**

Solar Energy Systems that encompass 320 acres or more of surface area.

~~11-02-560~~11-02-573 **SOLAR ENERGY SYSTEM, MEDIUM-SCALE**

Solar Energy Systems that encompass greater than 35 and less than 320 acres of surface area.

~~11-02-561~~11-02-574 **SOLAR ENERGY SYSTEM, SMALL-SCALE**

Solar Energy Systems that encompass less than 35 acres of surface area.

~~11-02-562~~11-02-575 **SOLID WASTE**

Material such as garbage, refuse, sludge of sewage disposal plants, mill tailings, mining wastes, junk automobiles and parts thereof, and other discarded solid waste material, including solid wastes resulting from industrial, commercial, and community activities, but does not include agricultural wastes. "Solid Waste" does not include any solid or dissolved materials in domestic sewage, or agricultural wastes, or solid or dissolved materials in irrigation return flows, or industrial discharges which are point sources subject to permits under the provisions of the "Colorado Water Quality Control Act," C. R. S. Article 8 of Title 25, or materials handled at facilities licensed pursuant to the provisions on radiation.

~~11-02-563~~11-02-576 **SOLID WASTE DISPOSAL SITE**

The location and facilities at which the collection, storage, treatment, utilization, processing, and/or final disposal of solid wastes occur control in C R. S. Article 11 of Title 25.

~~11-02-564~~11-02-577 **SOLID WASTE DISPOSAL SITE AND FACILITY**

The location and/or facility at which the deposit and final treatment of solid wastes occur.

~~11-02-565~~11-02-578 **SPECIAL DISTRICT**

A special service district organized under and existing by virtue of, the provisions of C. R. S. Title 32.

~~11-02-566~~11-02-579 **SPECIAL SIGN**

Any sign incidental to the development or promotion of real estate properties and subdivisions.

~~11-02-567~~11-02-580 **SPECIAL USE**

A non-permanent exception from these standards and regulations for use of land, structures, or both approved by the Board of Adjustment.

~~11-02-568~~11-02-581 **SPECIFIED ANATOMICAL AREAS**

As used herein means and includes any of the following:

1. Less than completely and opaquely covered human genitals, pubic region, buttocks, anus, or female breasts below a point immediately above the top of the areola; or
2. Human male genitals in a discernibly turgid state even if completely and opaquely covered.

~~11-02-569~~11-02-582 **SPECIFIED SEXUAL ACTIVITIES**

As used herein means and includes any of the following:

1. The fondling or other intentional touching of human genitals, pubic region, buttocks, anus or female breasts;
2. Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, or sodomy;
3. Masturbation, actual or simulated;
4. Human genitals in a state of sexual stimulation, arousal or tumescence; or
5. Excretory functions as part of or in connection with any of the activities set forth in subdivisions (1) through (4) of this subsection.

~~11-02-570~~11-02-583 **STANDARDS, DEVELOPMENT**

Standards and regulations pertaining to the physical development of a site including requirements pertaining to yards, heights, lot area, fences, walls, landscaping area, access, parking, signs, setbacks, and other physical requirements.

11-02-57111-02-584 STANDARDS, PERFORMANCE

Regulations and criteria established to control the operation of a use, including noise, odor, smoke, toxic or noxious matter, vibration, fire and explosive hazards, dust, radio-activity, electrical disturbance, heat, glare, or other factors generated by or inherent in uses of land or structure.

11-02-57211-02-585 START OF CONSTRUCTION

This term is to be used for assistance in determination of 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 one-hundred-eighty (180) days following the permit date. The actual start means the first placement of permanent construction of a structure on a site, such as the pouring of slabs or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or, the placement of a mobile 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 structures, such as garages or sheds not occupied as dwelling units or as part of the main structure. This definition shall not imply permits are not required for grading or excavation work.

11-02-57311-02-586 STATE LICENSING AUTHORITY

The authority created for the purpose of regulating and controlling the licensing of the cultivation, manufacture, distribution, testing and sale of marijuana in this State pursuant to the Colorado Marijuana Code.

11-02-57411-02-587 STOCKYARD

An enclosure with pens and sheds connected to a slaughterhouse, railroad, or market for the temporary keeping of livestock.

11-02-57511-02-588 STORAGE

The keeping of machinery, equipment, vehicles, including recreational vehicles, parts, materials, or other goods at the same location for a period of time in excess of seventy-two (72) hours.

11-02-57611-02-589 **STORAGE AREA**

Any non-mobile facility used for keeping possessions, belongings, goods, materials or other items, including appurtenant facilities utilized to store fossil fuels, manufactured gas, or other petroleum derivatives for eventual distribution capacity.

1. Private: Items are stored by the owner on the owner's property.
2. Commercial: A fee is charged for the service of storing items for others.

11-02-57711-02-590 **STORAGE CAPACITY OF A FLOODPLAIN**

The volume of space above an area of floodplain land that can be occupied by floodwater of a given stage at a given time, regardless of whether the water is moving. Storage capacity tends to reduce downstream flood peaks.

11-02-57811-02-591 **STORAGE STRUCTURE**

An enclosed structure used for the keeping of possessions, belongings, goods, materials or other items.

1. Private: A structure is used for storing items by the owner on the owner's property.
2. Commercial: A fee is charged for the use of the structure for storing items for others.

11-02-57911-02-592 **STORAGE YARD**

An outdoor area used for the keeping of possessions, belongings, goods, materials or other items in which the items are screened from view in accordance with these standards and regulations.

11-02-58011-02-593 **STORMWATER**

Precipitation-induced surface runoff. Stormwater is any surface flow, runoff, or drainage occurring during or following any form of natural precipitation event and resulting there from and consisting entirely of water from natural precipitation events.

11-02-58111-02-594 **STORMWATER QUALITY (SWQ) PERMIT**

Permit issued by Adams County for the unincorporated portions of the County located within the County's MS4 Permitted Area. The SWQ Permit, when required by County Regulations, is in addition to, and does not replace the State CDPS Stormwater Discharge Permit for Construction Activities.

11-02-58211-02-595 **STORY**

That part of a structure between the surface of a floor and the ceiling immediately above.

11-02-58311-02-596 **STRIP CROPPING**

Growing crops in a systematic arrangement of strips or bands to reduce wind and water erosion. To counteract wind erosion, the rows of wind-resisting crops are arranged at angles to offset adverse wind effects. To counteract water erosion, the strips are on or near the contour of the land. The crops are arranged so that a strip of grass or a close-growing crop is alternated with a no-till, reduced-till, clean-till or fallow strip.

11-02-58411-02-597 **STRUCTURE**

Anything constructed, erected, located or placed on the ground, excepting mailboxes, ornamental light fixtures, flag and utility poles, railroad trackage, or ground covering not more than six (6) inches above ground level.

11-02-58511-02-598 **STRUCTURE HEIGHT**

The vertical distance from the established grade elevation to the highest point of the coping of a flat roof or the deck line of a mansard roof or the mean height level between eaves and ridges for gable, hip, or gambrel roofs. Chimneys, spires, towers, elevator penthouses, tanks, and similar accessory projections shall not be included in calculating the height unless specifically referred to, and shall be considered unoccupied structure features that must meet the standards found within the definition for unoccupied structure features.

11-02-58611-02-599 **STRUCTURE, PERMANENT**

Any structure resting on and attached to its footings or foundation, excluding mobile homes.

11-02-58711-02-600 **SUBDIVIDER**

Any person, firm, partnership, joint venture, association, corporation, or other entity who participates as owner.

~~11-02-588~~11-02-601 **SUBDIVISION**

The division of a lot, tract, or parcel of land into two (2) or more lots, tracts, parcels or other divisions of land for sale or development. The terms "subdivision" or "subdivided land" shall not apply to any division, or any parcel, or interest in land which:

1. Creates cemetery lots;
2. Is created or which could be created by any court in this state pursuant to the law of eminent domain, or by operation of law;
3. Is created by a lien, mortgage, deed of trust, or any other security instrument;
4. Is created by a security unit of interest in any investment trust regulated under the laws of this state or any other interest in an individual entity;
5. Creates an interest in oil, gas, coal, gravel, sand, minerals, or water, which is severed from the surface ownership of real property;
6. Creates or conveys only easements and rights-of-way;
7. Is created by a lease agreement for a base period of less than twenty-five (25) years or which is created by a lease agreement for a structure or a portion of a structure only. This provision applies only to commercial, industrial, and multifamily zoned properties;
8. Creates parcels of land each of which comprise thirty-five (35) or more acres of land;
9. Is granted to or from the United States; the State of Colorado, county, municipality, or quasi-municipality; or
10. The Board of County Commissioners, pursuant to rules and regulations or resolution, exempts from the definition of the terms "subdivision" and "subdivided land" in accordance with state law.

~~11-02-589~~11-02-602 **SUBDIVISION IMPROVEMENT AGREEMENT**

Security arrangements which may be accepted by the County to secure the construction of such public improvements as are required by the County, which shall include collateral, such as, but not limited to, performance or property bonds, private or public escrow agreements, loan commitments, assignments of receivables, liens on property, deposits of certified funds, letters of credit, or other similar financial guarantees. Such collateral shall guarantee one-hundred twenty percent (120%) of the cost of the improvements adjusted for inflationary increases. The expiration date of the collateral shall be a date at least eighteen (18) months beyond the estimated completion or acceptance date, whichever is later, as established by the Department of Public Works.

11-02-59011-02-603 SUBJECT PROPERTY

Property for which a Conservation Plan Permit is sought.

11-02-59111-02-604 SUBSTANTIAL DAMAGE

Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty percent (50%) of the market value of the structure before the damage occurred.

11-02-59211-02-605 SUBSTANTIAL IMPROVEMENT

Any rehabilitation addition, or other improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure before the start of construction of the improvement. This term includes structures that have incurred “substantial damage” regardless of the actual repair work performed. The term does not however include either:

1. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are 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.

11-02-59311-02-606 SUBSTATION

Any facility designed to provide switching, voltage transformation or voltage control required for the transmission of electricity at 115 kilovolts or more, and any addition thereto increasing the existing design capacity.

11-02-59411-02-607 SUFFICIENT SERVICE (SPECIAL DISTRICT SERVICE PLAN REVIEW)

Service adequate in terms of technical, mechanical, organizational, and operational criteria, to meet the public need as proposed in the Special District service plan under review.

11-02-59511-02-608 SUSPENDED SIGN

A sign suspended from the underside of a horizontal plane surface and is supported by such surface.

~~11-02-596~~11-02-609 **SYNAGOGUE**

See "Place of Worship".

~~11-02-597~~11-02-610 **TEMPLE**

See "Place of Worship".

~~11-02-598~~11-02-611 **TEMPORARY DISPLAY STRUCTURE**

Any structure used only for display of retail sales items and does not require a building permit.

~~11-02-599~~11-02-612 **TEMPORARY SIGN**

Any sign used only temporarily and is not permanently mounted.

~~11-02-600~~11-02-613 **TEMPORARY STANDS**

Those structures permitted by these standards and regulations for the sale or dispensing of fireworks and will be referred to as "Stands".

~~11-02-601~~11-02-614 **TEMPORARY USE**

Use for a maximum ninety (90) day period by a permit from the Community and Economic Development Department or a maximum of one (1) year by the Board of Adjustment.

~~11-02-602~~11-02-615 **TERRACING**

An earth embankment, channel, or combination ridge and channel constructed across the slope.

~~11-02-603~~11-02-616 **TEXTILE OR CLOTH MANUFACTURE**

An establishment or area for the purpose of manufacturing textiles or cloth.

~~11-02-604~~11-02-617 **THEATER**

A structure, room, or outdoor area for the presentation of plays, motion pictures, or other dramatic performances.

1. Indoor: A theater entirely contained within a structure.
2. Outdoor/Drive-in: A theater located partially or entirely outdoors, within a roofed structure having sides open to the outdoors, or within a tent.

11-02-60511-02-618 TILLAGE

The practice of plowing or disking or any other mechanical or chemical preparation of the land for the purpose of producing a crop for harvest by any means other than grazing of animals.

11-02-60611-02-619 TIMBERING AND LOGGING

The growth and harvest of forest tree species on a production cycle of ten years or more.

11-02-620 TINY HOME

A tiny home is a permanent structure that is constructed on or off site and placed on a foundation (as defined in Section 4-08-02-08) for one or more persons' year-round living with a floor area between 100 and 400 square feet, excluding any lofts.

11-02-621 TINY HOME VILLAGE

Residential occupancy of multiple relocatable temporary buildings containing only sleeping units, combined with one or more separate buildings containing eating, bathing, toilet and gathering facilities for common use, all located on the same zone lot. Tenancy is typically 30 days or longer.

11-02-60711-02-622 TRADE SCHOOLS

This use category includes: educational facilities which are publicly or privately operated and provide training for trades, such as welding, automobile mechanic, dog grooming, barbers, etc.

11-02-60811-02-623 TOPOGRAPHY

Configuration of the land surface elevation; the graphic delineation or portrayal of that configuration in map form, as by lines of constant elevation called contour lines.

11-02-60911-02-624 TOTAL MAXIMUM DAILY LOAD (TMDL)

Calculation of the maximum amount of a pollutant that a water body can receive and still meet water quality standards, and an allocation of that amount to the pollutant's sources. A TMDL includes Waste Load Allocations (WLAs), Load Allocations (LAs), Margin of Safety (MOS), and

accounts for seasonal variations. (Refer to Section 303(d) of the Clean Water Act and 40 C.F.R. 130.2 and 130.7).

~~11-02-610~~11-02-625 **TRADITIONAL FARMING**

See "Tillage"

~~11-02-611~~11-02-626 **TRAFFIC-GENERATING DEVELOPMENT**

Land development designed or intended to permit a use of the land containing more dwelling units or floor space than the most intensive use of the land within the twelve (12) months prior to the Commencement of Traffic-Generating Development in a manner, which increases the generation of vehicular traffic. The land development will be in accordance with the application and permitting procedures outlined in these regulations. Commencement of a traffic generating development occurs upon the issuance of a building permit following approval of a development permit as defined by these regulations.

~~11-02-612~~11-02-627 **TRAILER, TRUCK SALES AND SERVICE**

An establishment or area for the purpose of trailer and truck sales, service, and repair.

~~11-02-613~~11-02-628 **TRANSFER STATION**

A facility at which waste material is stored on an interim basis (less than ninety (90) days) while awaiting transportation to a final disposal or treatment site. The waste is generally brought in on one type of collection vehicle and transferred to a larger vehicle at such a site.

~~11-02-614~~11-02-629 **TRANSMISSION LINES**

Any electric transmission lines and appurtenant facilities which transmits electricity at 115 kilovolts or more and addition thereto, increasing the existing design capacity.

~~11-02-615~~11-02-630 **TRANSMISSION SHOP**

An establishment or area for the purpose of sales, service, repair, or replacement of motor vehicle transmissions.

11-02-61611-02-631 TREE FARM

Land used to raise or harvest trees for wood products, such as lumber, posts and poles, fuel wood, and Christmas trees where forest products are sold on-site or transported to market. Tree farms typically operate on a production cycle of ten years or less.

11-02-61711-02-632 TRIP

A one-way movement of vehicular travel from an origin (one trip end) to a destination (the other trip end).

11-02-61811-02-633 TRIP, DIVERTED

A trip already on a particular route for a different purpose, diverting travel to a particular land use.

11-02-61911-02-634 TRIP GENERATION

The attraction or production of trips caused by a certain type of land development.

11-02-62011-02-635 TRIP, PASS-BY

A trip already on a particular route for a different purpose which simply stops at another particular land use.

11-02-62111-02-636 TRUCK STOP

A structure or land intended to be used primarily for the sale of fuel for trucks and usually incidental service or repair of trucks. This includes a group of facilities consisting of those uses and attendant eating, sleeping, or truck parking facilities. As used in this definition, the term "truck" includes any vehicle whose maximum gross weight is more than 10,000 pounds.

11-02-62211-02-637 UNDERGROUND FUEL STORAGE FOR USE ON THE PROPERTY

A container located below ground level and designed to hold fuel for vehicles or equipment used on the property where the container is located.

~~11-02-623~~11-02-638 **UNIVERSITIES**

This use category includes universities, colleges, and other institutions of higher learning.

~~11-02-624~~11-02-639 **UNOCCUPIED STRUCTURE FEATURE**

Unoccupied structure features shall only be as large as necessary to achieve the intended function of the feature and shall not exceed the minimum required dimensions as defined in the Adams County Building Code. These features shall not include space for living, sleeping, eating, cooking, bathrooms, storage or similar space. The unoccupied structure feature may exceed the maximum height by no more than twenty (20) feet. The feature shall also be set back from the perimeter of the building at least five (5) feet.

~~11-02-625~~11-02-640 **UPHOLSTERY SERVICE**

An establishment or area for the purpose of sales, service, cleaning, or repair of upholstery.

~~11-02-626~~11-02-641 **URBAN ADAMS COUNTY**

For purposes of these standards and regulations, Urban Adams County shall mean those areas west of the Airport Environs Plan, and including the urban uses identified in the Airport Environs Plan. Separated by a line as follows: I-76 from the Weld County line to 152nd Avenue, then east to Watkins Road, then south to 124th Avenue, then east to Quail Run Road, then south to 80th Avenue, then east to Manila Road, then south to 74th Avenue, then east to Schumaker Road, then south to the Arapahoe County line.

~~11-02-627~~11-02-642 **USE**

Use of property allowed to carry on under these standards and regulations in a particular district.

~~11-02-628~~11-02-643 **USE BY RIGHT**

Use of land, structures, or both, which is authorized by the zone district classification.

~~11-02-629~~11-02-644 **UTILITY PRODUCTION OR PROCESSING FACILITY**

See “Major Energy Facilities”.

11-02-63011-02-645 VACATION CAMPGROUND

An outdoor area providing space for vacationers to live on a temporary basis in either tents, tent trailers, or recreational vehicles. A campground may also include an area with rental cabins, but its primary function is to accommodate visitors providing their own shelter.

11-02-63111-02-646 VACATION RENTAL

A dwelling where the primary use is for the leasing of lodging accommodations for periods of thirty (30) days or fewer. Vacation rentals are not occupied by the same residents for more than one-hundred eighty (180) calendar days per year.

11-02-63211-02-647 VACATION OF A PLAT, RIGHT-OF-WAY, OR PUBLIC EASEMENT

Recorded plats, rights-of-way, or public easements made null and void by action of the Board of County Commissioners pursuant to these standards and regulations.

11-02-63311-02-648 VARIANCE

An exception in the application of the specific physical requirements, not use, of these standards and regulations to a specific piece of property which, because of special circumstances applicable to it, is deprived of privileges commonly enjoyed by other properties in the same vicinity and district, and which adjustment remedies disparity in privileges.

11-02-63411-02-649 VEHICLE

A device capable of moving itself, or of being moved, from place-to-place upon wheels or tracks.

11-02-63511-02-650 VEHICLE-MILES OF TRAVEL

The combination of the numbers of vehicles traveling during a given time period and the distance (in miles) traveled.

11-02-63611-02-651 VENDING / PRODUCE STAND

A concession stand, vending stand, cart service, or other facility at which food, drinks, or other products or related items are sold. Farmer's market also falls under the same category.

*Adopted by the BOCC on December 13, 2010.

~~11-02-637~~11-02-652 **WALL SIGN**

Any sign attached parallel to, but within eighteen (18) inches of a wall, painted on the wall surface of, or erected and confined within the limits of an outside wall of any structure, which is supported by such wall or structure, and which displays only one (1) sign surface.

~~11-02-638~~11-02-653 **WAREHOUSING**

Terminal facilities for handling freight with or without maintenance facilities.

~~11-02-639~~11-02-654 **WASTE DISPOSAL SITE**

See “Waste Impoundment”.

~~11-02-640~~11-02-655 **WASTE IMPOUNDMENT**

Any pit, pond, lagoon, trench, or basin used for the storage, treatment, or disposal of solid waste.

~~11-02-641~~11-02-656 **WASTE PROCESSING FACILITY**

A site or structure in which waste materials are collected, stored on a temporary basis, separated by material, compacted and/or treated in preparation for some use or for shipment to a final disposal or additional treatment site. Such facilities may include, but are not limited to, transfer stations; operations where sorting, crushing, grinding, chipping, and baling occur; and sterilizers, incinerators, and composting operations. Disposal, intentional or not, is not permitted at such a facility unless the disposal activity is separately addressed in a permit. In addition, all of the definitions listed in C. R. S. 30-20-101 and the regulations promulgated pursuant to the Solid Waste Disposal Sites and Facilities Act, and C. R. S. 25-15-101, and the Colorado Hazardous Waste Regulations as promulgated by the Colorado Department of Public Health and Environment are hereby incorporated in these standards and regulations.

~~11-02-642~~11-02-657 **WATER BODIES**

Water Bodies means Waters of the State of Colorado as defined in Section 11-02-600.

11-02-64311-02-658 WATER AND SEWER TREATMENT PLANT

A facility for the treatment of water to ensure health standards are met prior to its distribution for human use which complies with state and federal standards.

11-02-64411-02-659 WATER QUALITY CONTROL VOLUME (WQCV)

The volume equivalent to the runoff from an 80th percentile storm; meaning that 80% of the most frequently occurring storms are fully captured and treated while larger events are partially treated.

11-02-64511-02-660 WATER STORAGE

A closed facility for the storage of water.

11-02-64611-02-661 WATER SURFACE ELEVATION

The height, in relation to the North American Vertical Datum (NAVD) of 1988, (or other datum, where specified) of floods of various magnitudes and frequencies in the flood plains of coastal or riverine areas.

11-02-64711-02-662 WATER SURFACE PROFILE

A water surface profile is a graph that shows the relationship between the vertical elevation of the top of the floodwater and of the streambed with the horizontal distance along the stream channel or other watercourse.

11-02-64811-02-663 WATERCOURSE

A channel, natural depression, slough, artificial channel, gulch, arroyo, stream, creek, pond, reservoir, or lake in which storm runoff and flood water flows either regularly or infrequently. This includes major drainageways for carrying urban storm runoff.

11-02-64911-02-664 WATERS OF THE STATE OF COLORADO

Any and all surface waters which are contained in or flow in or through the State of Colorado, including, but not limited to, streams, lakes, rivers, ponds, wells, impounding reservoirs, watercourses, watercourses that are usually dry, springs, drainage systems, and irrigation systems, all sources of water such as snow, ice, and glaciers; and all other bodies or accumulations of water, surface and underground, natural or artificial, public or private, located wholly or partially within or bordering upon this state and within the jurisdiction of this state. This does not include waters

in sewerage systems, waters in treatment works of disposal systems, waters in potable water distribution systems, and all water withdrawn for use until use and treatment have been completed. This definition includes water courses that are usually dry.

[11-02-650](#)[11-02-665](#) **WELDING SHOP**

An establishment or area for the purpose of welding.

[11-02-651](#)[11-02-666](#) **WHOLESALING**

An establishment or place of business primarily engaged in selling merchandise to retailers; to industrial, commercial, institutional, professional business users, or other wholesalers; or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals as companies.

[11-02-652](#)[11-02-667](#) **WINDOW SIGN**

Any sign, picture, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale, or service that is placed inside a window or upon the windowpane or glass and is visible from the exterior of the window.

[11-02-653](#)[11-02-668](#) **XERISCAPE**

A reduced water usage landscape achieved through the use of good planning and design, limited turf areas, soil improvements, efficient irrigation, mulching, low water use plants, and appropriate turf material.

[11-02-654](#)[11-02-669](#) **YARD SALE**

See “Garage Sale”.

[11-02-655](#)[11-02-670](#) **ZONING REVIEW**

A review performed by planners in the Development Review Section of the Community and Economic Development as part of the building permit or change in use review process to determine conformity with the requirements of these standards and regulations. This review is under the authority of the Director of Community and Economic Development and the approval of building permits requires a positive zoning review approval.

11-02-671 ZOO

A facility with indoor and outdoor settings where living, typically wild, animals are kept especially for public exhibition.

From: [Carla Gutierrez](#)
To: [Layla Bajelan](#)
Cc: [Jen Rutter](#)
Subject: RE: PLN2021-00012; : 2021 Phase III Code Amendments- Request for Comments/Public Hearing Notice/Notice of 3rd Public Outreach Meeting PLN2021-00012; : 2021 Phase III Code Amendments
Date: Wednesday, October 20, 2021 2:37:35 PM
Attachments: [E5090130E057499F9B0C52C37A2A1534F232456551.png](#)

Please be cautious: This email was sent from outside Adams County

Good afternoon Layla,

At this time, the Fire District has no questions or concerns regarding the code amendments.

Thank you!

Carla Gutierrez
Deputy Fire Marshal
Adams County Fire Rescue
7980 Elmwood Lane
Denver, Colorado 80221



Sent from [Mail](#) for Windows 10

From: [Layla Bajelan](#)
Sent: Tuesday, September 28, 2021 5:45 PM
To: [Layla Bajelan](#)
Cc: [Jen Rutter](#)
Subject: PLN2021-00012; : 2021 Phase III Code Amendments- Request for Comments/Public Hearing Notice/Notice of 3rd Public Outreach Meeting PLN2021-00012; : 2021 Phase III Code Amendments

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

***Request for Comments/Public Hearing Notice/Notice
of 3rd Public Outreach Meeting***

Thank you for the opportunity to review and comment on the proposed amendments to the Adams County Development Standards and Regulations. We have focused our comments on items where Arapahoe County is also considering changes. With that focus, our comments are either seeking clarification of the change or noting our interest in a particular topic.

Of most interest to us is the proposed language linking various permit reviews to the county's comprehensive plan. We noted the requirement for general conformity with the plan and any applicable area plans in the sections dealing with permits for administrative review, conditional use, special use, temporary use, and biosolids application permits, as well as for certificates of designation for solid waste facilities. This is an important linkage and we will be interested in the public comments you receive on these changes as well as the county's final action on these changes.

We observed that new zone districts are being proposed for parks designated as neighborhood, regional and natural. What concerns generated the need for such details? Did a more general "open space" or "park" district have problems?

We are also considering the creation of a mixed-use zone. How do you anticipate that this zone will differ from areas using the planned unit development process? The requirement that all parcels front on a Collector street or higher would seem to make these MU zones very highway focused. Is that the intent?

Tiny homes are new forms of housing. The proposed creation of tiny home villages seems like one way to accommodate this trend. If not read carefully, the draft purpose statement limits villages to serving those experiencing homelessness. It might be better to put the attainable housing phrase before the homelessness phrase. That would make it clearer that these villages may serve more than one type of residents.

The concept of "safe parking" needs some additional clarification. What is the difference between safe parking sites and other parking at a commercial or institutional use?

Again, thank you for the opportunity to review the amendments. If you would like to discuss our comments, please contact Larry Mugler at lmugler@arapahoegov.com or 720.874.6577.

Proposed Code Amendments include, but are not limited to:

- Zoning Overlays to implement the visions of the following adopted subarea plans: Welby Subarea Plan, Federal Blvd. Framework Plan, TOD and Rail Station Area Planning Guidelines (1/2 buffer from Stations)
- Use-by-right allowances of outdoor storage in the Industrial-2 and Industrial-3 zone districts
- Creation of a Mixed-Use Zone District **The requirement that all parcels front on a Collector street or higher would seem to make these MU zones very highway focused. Is that the intent?**
- Tiny Home Villages **page 4-100, if not read carefully, the purpose statement limits villages to serving those experiencing homelessness. It might be better to put the attainable housing phrase before the homelessness phrase.**
- Safe Parking regulations **What is the difference between safe parking sites and other parking at a commercial or institutional use?**
- Empowering Comprehensive Plan in criteria of approval for land use cases –

Proposed language for administrative review, conditional use, special use, temporary use, and biosolids application permits, certificate of designation for a solid waste disposal facility : The use and site plan are in general conformity with the Adams County Comprehensive Plan and any applicable area plans.

The changes include the creation of zone districts for different park designations (neighborhood, regional and natural). What concerns generated the need for such details for open space areas?



Public Works and Development

6924 South Lima Street
Centennial, CO 80112-3853
Phone: 720-874-6500
Fax: 720-874-6611
Relay Colorado: 711
www.arapahoegov.com

BRYAN D. WEIMER, PWLF
Director

October 15, 2021

Layla Bajelan
4430 S. Adams County Parkway
Brighton, Colorado 80601

Re: 2021 PHASE III CODE AMENDMENTS TO ADAMSCO DEV STDS AND REGS

Arapahoe County Engineering thanks you for giving us the opportunity to review the 2021 PHASE III CODE AMENDMENTS TO ADAMSCO DEVELOPMENT STANDARDS AND REGULATIONS. The Engineering Division has no comments regarding the referral at this time based on the information submitted.

Please know that other Divisions in the Arapahoe County Public Works Department may submit comments as well.

If you have any questions, please feel free to contact our offices at 720-874-6500.

Sincerely,

Joseph Boateng

Engineering Services

MEMMO

To: Layla Bajelan, Long Range Planner II

From: Omar Yusuf, City Planner

Subject: 2021 Code Amendments, Phase III

Date: October 20, 2021

To the Adams County Planning Commission and Board of County Commissioners

Thank you for allowing Commerce City to comment on the 2021 Phase III Code Amendments to the Adams County Development Standards and Regulations that may have an impact on our jurisdiction. The city has no comments.

If you have any questions, please contact me at oyusuf@c3gov.com or (303) 227-7187



From: [Warren Rivera](#)
To: [Layla Bajelan](#)
Cc: [Warren Rivera](#)
Subject: Adams County Phase 3 Code Amendments
Date: Tuesday, October 19, 2021 2:17:00 PM

Please be cautious: This email was sent from outside Adams County

Good afternoon,

City of Thornton does not have any comments on the proposed Code Amendments. Thank you for reaching out.

Best,

Walt/ Walter (Warren) Rivera

Planner I

9500 Civic Center Drive, Thornton, CO 80229

P: 303-538-7596 | Email: warren.rivera@thorntonco.gov



From: [Williams - DNR, Joanna](#)
To: [Layla Bajelan](#)
Subject: Re: PLN2021-00012; : 2021 Phase III Code Amendments- Request for Comments/Public Hearing Notice/Notice of 3rd Public Outreach Meeting PLN2021-00012; : 2021 Phase III Code Amendments
Date: Tuesday, October 12, 2021 6:41:27 AM

Please be cautious: This email was sent from outside Adams County

Good Morning Layla,
Thank you for the response. Our office has no comments on the Code Amendments. If your office has any specific questions for us please contact me.
Regards,
Joanna Williams, P.E.
Water Resource Engineer



P 303.866.3581 x 8265
1313 Sherman Street, Room 821, Denver, CO 80203
Joanna.Williams@state.co.us | www.colorado.gov/water

On Mon, Oct 11, 2021 at 6:47 PM Layla Bajelan <LBajelan@adcogov.org> wrote:

Hi Joanna,

I am not sure if I responded back to this email, if not my apologies, however everything should be up on the current land use cases website now.

Thanks,



[Layla Bajelan](#)

Long Range Planner II, *Community and Economic Development*

ADAMS COUNTY, COLORADO

4430 S. Adams County Parkway, 1st Floor, Suite W2000A

Brighton, CO 80601

South Adams County Water & Sanitation District

Distribution & Collection

10200 E 102nd Ave. · Henderson, CO 80640 · (720) 206 – 0595 · www.sacwsd.org



Re:	PLN2021-00012
Date:	10/13/2021
Review Type:	Development Plans
Applicant Name:	ADCO Community & Economic Development Department
Applicant Address:	4430 S. Adams County Parkway, Brighton, CO 80601
Project Name:	2021 Phase III Code Amendments to ADCO Development Standards & Regulations
Project Location:	County-Wide
Reviewer:	Jeff Nelson, Development Review Supervisor

SACWSD Rules & Regulations can be found here:

<https://www.sacwsd.org/DocumentCenter/View/776/Rules-and-Regulations?bidId=>

SACWSD Design & Construction Standards can be found here:

<https://www.sacwsd.org/DocumentCenter/View/773/SACWSD-Design-Standards-and-Specifications?bidId=>

SACWSD Service Application can be found here:

<https://www.sacwsd.org/DocumentCenter/View/912/Development-Service-Application-2021?bidId=>

SACWSD Developer Checklist can be found here:

<https://www.sacwsd.org/DocumentCenter/View/774/General-DevelopmentChecklist?bidId=>

Comments specific to the referenced review can be found below. Any response from the applicant must be sent to SACWSD Development by emailing Development@sacwsd.org.

General Comments:

1. Determine whether the parcel is included in the District. If not, initiate the inclusion process and become included within the District’s service area. This process typically takes between 90-180 days to complete. If the parcel is not included, offsite utility construction may be required to provide adequate fire flow’s to this site.
2. Identify the source and amount of water owned in order to serve the entire development as envisioned and present evidence to support ownership of adequate Equivalent Residential Units (ERUs).
3. Complete the District’s service application with corresponding design plans including site, potable water, irrigation water, and wastewater utility plans, plumbing plans, and District standard details.
4. Design and construct the District’s water and sewer infrastructure in accordance with current approved Design Standards and Construction Specifications.
5. Per SACWSD rules and regulations each building will be required to have individual water meters and sanitary sewer service lines.
6. Pay appropriate connection fees and pass all required inspections.

Project Special Conditions:

1. **SACWSD requires all projects submit directly to the district for review separately of the ADCO planning and review process. See WWW.SACWSD.ORG for submittal procedures related to all development projects.**

If you have any questions about the comments given, please contact the SACWSD Development department at (720) 206 – 0595 or email Development@sacwsd.org.

Sincerely,
Jeff Nelson
Development Review Supervisor



October 20, 2021

Layla Bajelan
Adams County Community and Economic Development
4430 South Adams County Parkway, Suite W2000A
Brighton, CO 80601

RE: Tiny Home Village and Safe Parking Sites Text Amendment
TCHD Case No. 7282

Dear Ms. Bajelan,

Thank you for the opportunity to review and comment on the County's Development Standards and Regulations for two new uses - Tiny Home Villages and Safe Parking Sites. Tri-County Health Department (TCHD) staff has reviewed the application for compliance with applicable environmental and public health regulations and principles of healthy community design. After reviewing the application, TCHD has the following comments.

Health, Housing, and Homelessness

The relationship between housing and homelessness presents a complex and nuanced public health issue. The health of people experiencing homelessness (PEH) are greatly impacted due to their housing situation and barriers to access health care, which leads to increased cases of mental illnesses, chronic health conditions, and early mortality. Studies have shown that those who are homeless are at higher risk of being exposed to diseases and other illnesses. Safe, stable and affordable housing can increase healthy outcomes and one's ability to access jobs, food, and other essentials that are vital to well-being. Additionally, homelessness can cost municipalities millions of dollars in health care expenses related to emergency room visits, and stays at the hospital and respite care. Without intervention or assistance programs to address the challenges of housing instability, many are at risk of facing homelessness. Providing permanent supportive housing is an integral element of promoting health in our communities.

Health Equity

Health equity is achieved when everyone has the opportunity to reach their highest level of health despite their race, gender, socio-economic level and ability. Access to housing options play a significant role in determining the health of individuals and communities. The most important housing characteristics contributing to health outcomes are affordability, quality and safety, stability, and neighborhoods. Unfortunately, historical housing policies and practices have disproportionately left out Black, Indigenous, and People of Color (BIPOC) and low-income communities from obtaining healthy housing opportunities, resulting in greater mental and physical health issues and greater risk of being homelessness or at-risk of becoming homeless. The impact can have a lasting

effect on future generations by limiting their ability to become homeowners and widening the wealth gap between groups. TCHD commends the County for the proposed additions of Tiny Home Villages and Safe Parking Sites in the Development Standards and Regulations that will address the immediate housing need for those experiencing homelessness, at-risk of becoming homeless, and facing unsheltered situations.

Tiny Home Villages

Parking

TCHD has no objections to the proposed parking requirements of a minimum of one space for every three homes and a minimum of one space for every employee. TCHD recommends that proposed Tiny Home sites consider the significance of connection to transit for the population being served by Tiny Homes. Transit-friendly developments can make it easier to access services and to maintain connections within the community, which can also have health benefits.

Open Space

The way communities are designed can influence mental health and social connections. By providing community amenities, social interaction is supported and residents can build social capital which has known positive health effects. The incorporation of features like landscaping and green space can also reduce stress and promote positive psychological benefits. Because of this, TCHD commends the County for including in its design requirements that Tiny Home Villages must provide at least 200 square feet of open space per unit, of which, 60 square feet may be private and the remainder must be provided as common open space.

Trash and Disposal and Collection

Because solid waste can create nuisance, odors, and pest attraction, TCHD commends the regulation standards for requiring Tiny Home Villages to provide a trash disposal and collection plan.

Common Facilities

The proposed regulations indicate that all Tiny Home Village sites must have access to public water and sewer. TCHD recommends that the regulation states that Tiny Home Villages must have access to central water and sewer. Additionally, we recommend that the water and sanitation plans be referred to TCHD for review.

Animals

TCHD has no objections to the proposed pet policy of a maximum of one cat or one dog per unit. However, proper management of animal wastes such as dog feces and other solid wastes associated with the kennels (hair, food, soils, gravels, etc.) is essential to prevent nuisance conditions (odors) and vectors (insects and rodents). We strongly recommend that pet waste be regularly picked up, bagged and disposed in a sanitary

landfill. We recommend that all the proposed Tiny Home Village applications provide a Waste Management Plan to TCHD that indicates how animal waste will be managed.

Onsite Storage Facilities

Where items are stored on the floor, tightly packed, and rarely moved, it can provide potential harborage for rodents. Any disease rodents carry can be spread to humans through contact with rodents, rodent feces, urine, or saliva, or through rodent bites. Because of this, TCHD recommends that all Tiny Home Villages with approved onsite storage facilities create a plan for regular pest control. Information on rodent control can be found at <http://www.tchd.org/400/Rodent-Control>

Additional considerations

Radon

Radon is a naturally occurring radioactive gas that is present at high levels in all parts of Colorado due to the presence of uranium in the soil. Radon can enter homes and long-term exposure causes lung cancer. In order to prevent radon from infiltrating the home, TCHD recommends designing new homes so that they are radon resistant. This includes laying a barrier beneath the flooring system, installing a gas-tight venting pipe from the gravel level through the roof, and sealing and caulking the foundation thoroughly. More information regarding radon and radon-resistant construction techniques can be found here: <https://www.epa.gov/radon/building-new-home-have-you-considered-radon>.

Onsite Bicycle Amenities

Bicycle is a common mode of transportation for individuals experiencing homelessness or at-risk of being homeless. Additionally, onsite bicycle amenities promote more walkable and bike-friendly communities, and assist in reducing harmful pollutants that contribute to poor air quality and climate change. Because of its potential necessity, and the physical and mental health benefits, TCHD recommends that Tiny Home Villages regulations include bicycle parking for residents.

Safe Parking Sites

Operations Plan Required & Hours of Operation

Recent studies on existing Safe Parking Sites identified that providing services and security measures to participants are critical components to support the participants' well-being and hygiene, safety, and provide pathway to permanent housing. These services may include but are not limited to access to restroom and shower facilities, onsite security, trash receptacles, food distribution and additional social services such as housing placement assistance. Furthermore, the hours of operations can support security measures that promote safety for the participants, ease safety and noise concerns for nearby neighbors, and reduce the cost of security services during quiet hours. TCHD supports any service plans that promote health and well-being, safety, and connections to housing. TCHD commends the County for requiring that proposed

Safe Parking Sites submit operations plans and set hours of operations in their applications.

Water and Sanitation

Contaminated water is a potential source of illness for participants. Therefore, drinking water must be obtained from an approved source and provided in a manner that is protective of water quality. Providing bottled water would be acceptable.

Sewage has the potential to carry illness-causing organisms and must be handled properly to avoid spreading disease. TCHD has no objection to the use of portable toilets, provided the units are properly cleaned and maintained. TCHD recommends any Safe Parking Site plans indicating the use of portable toilets should provide an adequate amount to serve the anticipated occupancy limit. Additional information on recommended portable units per capacity can be found here:

<https://www.psai.org/renting-portable-units>. Arrangements shall be made for the contractor to empty/replace these on a regular basis. Hand washing units should be provided at each bank of portable toilets. Portable toilets should be cleaned and disinfected in a frequency and manner that prevents public health nuisances..

TCHD has no objections to being the referral agency to approve Safe Parking Sites' water and sanitation plans.

Trash Disposal and Collection

Because solid waste can create nuisance, odors, and pest attraction to the environment of the site, TCHD commends the regulation standards for requiring all Safe Parking areas to provide trash disposal and collection plan.

Additional considerations

Extreme Heat

Extreme and excessive heat events are expected to increase in the Denver Metro Area. Excessive heat events can lead to heat related illness, hospitalization, and even death. Built environment, sociodemographic, and behavioral factors influence one's vulnerability to excessive heat risk. Impervious surfaces, including parking lots, are more prone to hotter temperatures. While the threat from excessive heat events is most likely to occur during the daytime, hosts of safe parking operations should be familiar with the National Weather Service Heat Index and forecasting tools. Safe Parking Sites should develop Extreme Heat Response Plans that can be implemented when excessive heat conditions are anticipated. More information can be found in the Environmental Protection Agency's (EPA's) Excessive Heat Events Guidebook, which can be access here: https://www.epa.gov/sites/default/files/2016-03/documents/eheguide_final.pdf.

Please feel free to contact me at 720-200-1537 or pmoua@tchd.org if you have any questions about TCHD's comments.

Tiny Home Village and Safe Parking Sites Text Amendment
October 20, 2021
Page 5 of 5

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke extending to the right.

Sincerely,

Pang Moua, MPP
Land Use and Built Environment Specialist

cc: Sheila Lynch, Keith Homersham, TCHD

Original Draft

MIXED-USE DISTRICT (MU)

PURPOSE

The purpose of the mixed use (MU) zone district is to create a flexible approach to land uses and enhance the character of Adams County’s commercial corridors and centers by promoting development that:

1. Creates a balanced mix of land uses;
2. Facilitates quality mixed use development that is consistent with the goals and strategies of the Comprehensive Plan;
3. Supports a sustainable and resilient local economy;
4. Provides unique places for people to live, work, shop, and play;
5. Improves the public realm through high quality design;
6. Promotes use by pedestrians, bicyclists, and transit users, in addition to automobiles;
7. Encourages active lifestyles; and
8. Maintains the character and integrity of adjacent residential neighborhoods.

Where is this Chart? Or when will it be available for review?

PERMITTED PRINCIPAL AND CONDITIONAL USES

Refer to the Use Chart to determine which uses are permitted uses in a Mixed-Use District, subject to building permit review and approval, and which uses are permitted subject to the issuance of a Conditional Use Permit from the Board of County Commissioners and building permit review and approval. Only one (1) principal use shall be permitted per lot.

PERMITTED ACCESSORY USES

In association with a permitted principal use, the following accessory uses are permitted, subject to building permit review and approval:

1. Commercial Uses, Accessory.
2. Institutional Uses, Accessory.

PERMITTED SPECIAL/TEMPORARY USES

Special uses are permitted in a Mixed-Use Zone District, subject to the issuance of a Special Use Permit from the Board of Adjustment. Temporary uses are permitted in a Mixed-Use Zone District, subject to the issuance of a Temporary Use Permit from the Director of Community and Economic Development.

OIL AND GAS FACILITIES

Oil and Gas Facilities are permitted in a Mixed-Use Zone District, subject to the issuance of an Oil and Gas Facility Permit. Allowance in the zone district does not guarantee the issuance of an Oil and Gas Facility Permit.

Where is this Chart? Or when will it be available for review?

PROHIBITED USES

All uses: (1) not expressly identified as permitted uses in the Use Chart; or (2) determined to be permitted by the Director of Community and Economic Development pursuant to Section of these standards and regulations, are prohibited.

AREA AND HEIGHT STANDARDS

MINIMUM LOT SIZE REQUIREMENTS

There are no minimum lot size requirements in a Mixed-Use District.

MINIMUM LOT WIDTH REQUIREMENTS

The minimum lot width in a Mixed-Use District shall be seventy-five (75) feet.

MAXIMUM HEIGHT

PRINCIPAL STRUCTURE

The maximum height of a principal structure in a Mixed-Use District shall be sixty (60) feet.

ACCESSORY STRUCTURES

The maximum height of accessory structures in a Mixed-Use District shall be sixteen (16) feet.

~~HEIGHT INCENTIVES~~

~~Additional Height can be permitted through and approved Administrative Review Permit (ARP).~~

What are these incentives? Or when will they be available for review?

Why removed?

MINIMUM DENSITY

The minimum density in a Mixed-Use District shall be ten (10) dwelling units per acre.

MAXIMUM DENSITY

The maximum density in a Mixed-Use District shall be thirty-five (35) dwelling unit per acre.

~~DENSITY INCENTIVES~~

~~Additional Height can be permitted through and approved Administrative Review Permit (ARP).~~

What are these incentives? Or when will they be available for review?

Density?

Why removed?

SETBACK AND DIMENSIONAL REQUIREMENTS FOR A STRUCTURE

MINIMUM FRONT SETBACK

The minimum front setback for a structure in a Mixed-Use District shall be a minimum of five (5) feet. Structures must be located outside of the sight-distance triangle.

MAXIMUM FRONT SETBACK

The maximum front setback for a structure in a Mixed-Use District shall be a maximum of twenty (20) feet. **Added:** If the parcel fronts on a State Highway, the maximum side corner setback shall be twenty-five (25) feet.

MINIMUM SIDE CORNER SETBACK

The minimum front setback for a structure in a Mixed-Use District shall be a minimum of five (5) feet. Structures must be located outside of the sight-distance triangle.

MAXIMUM SIDE CORNER SETBACK

The maximum front setback for a structure in a Mixed-Use District shall be a maximum of twenty (20) feet.

Added: If the parcel fronts on a State Highway, the maximum side corner setback shall be twenty-five (25) feet.

MINIMUM SIDE SETBACK

The minimum side setback for a structure in a Mixed-Use District shall be five (5) feet. If the development is adjacent to a residential development, the minimum side setback for a structure shall be twenty (20) feet.

MINIMUM REAR SETBACK

The minimum rear setback for a structure in a Mixed-Use District shall be five (5) feet. If the development is adjacent to a residential development, the minimum rear setback for a structure shall be twenty (20) feet.

MINIMUM SETBACK FROM RESIDENTIALLY ZONED OR USED PROPERTY

Not applicable

HEIGHT RELATED SETBACKS

Additional structure setbacks are required at varying heights of the structure for side and/or rear property lines adjacent to Residential-1-C or Residential-2 zone districts. The structure at each height listed below shall conform to the corresponding setback:

- Upper stories above 35 feet in height shall be stepped down from its highest roofline at least one full story for a depth of at least 15 feet where adjacent to properties zoned R-1-C, or R-2.
- Upper stories above 51 feet in height shall be stepped down from its highest roofline at least one full story for a depth of 25 feet where adjacent to properties zoned R-1-C, or R-2

MINIMUM R.O.W SETBACK

The minimum setback for all structures in a Mixed-Use District from a State Highway shall be twenty-five (25) feet.

MINIMUM SETBACK FROM SECTION LINE

The minimum setback from a section line for all structures in a Mixed-Use District shall be one hundred (100) feet. Variations may be permitted if the Department of Public Works determines no additional right-of-way is required.

As the only Collector level streets in So. Welby are 78th & 77th; and none in East Welby; this should be allowed on other local streets

REQUIRED ROADWAY CLASSIFICATION

All parcels rezoned to Mixed-Use must front on a State Highway, Arterial, or Collector road.

3-23-08 RELATIONSHIP TO DESIGN REQUIREMENTS AND PERFORMANCE STANDARDS

All design requirements and performance standards for specific uses contained in Chapter 4 of these standards and regulations shall apply in a Mixed-Use District unless inconsistent with a provision contained in Section 3-23, in which case the specific standard or requirement contained in Section 3-23 shall apply.

Or 78th Ave. east of York Street should be designated as a collector street.

MINIMUM FLOOR AREA OF DWELLINGS

Also 74th Ave. west of York St. to Race St. to 73rd Ave. to Washington St. should be the designated east/west Collector Street through South Welby.

EFFICIENCY UNIT

The minimum floor area of an efficiency unit in a Mixed Use District shall be four-hundred-fifty (450) square feet.

ONE BEDROOM UNIT

The minimum floor area of a one-bedroom unit in a Residential-3 District shall be six hundred (600) square feet.

TWO BEDROOM UNIT

The minimum floor area of a two-bedroom unit in a Residential-3 District shall be seven-hundred-fifty (750) square feet.

THREE BEDROOM UNIT

The minimum floor area of a three-bedroom unit in a Residential-3 District shall be nine hundred (900) square feet.

FOUR BEDROOM UNIT

The minimum floor area of a four-bedroom unit in a Residential-3 District shall be one thousand (1,000) square feet.

concept level

A complete site plan with architectural drawings shall be submitted with a Mixed-Use Rezoning application. The proposed development site plan and architectural drawings must show conformance with the requirements outline in this Section and all performance standards outlined in Section 4-10. The Board of County Commissioners decision shall constitute a final decision. Any amendments to an approved site plan/architectural drawing must be approved through a minor amendment.

Revised Draft

MIXED-USE DISTRICT (MU)

PURPOSE

The purpose of the mixed use (MU) zone district is to create a flexible approach to land uses and enhance the character of Adams County's commercial corridors and centers by promoting development that:

1. Creates a balanced mix of land uses;
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3. Supports a sustainable and resilient local economy;
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The maximum height of accessory structures in a Mixed-Use District shall be sixteen (16) feet.

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The minimum density in a Mixed-Use District shall be ten (10) dwelling units per acre.

← Omitted "Height Incentives" {Why?}

MAXIMUM DENSITY

The maximum density in a Mixed-Use District shall be thirty-five (35) dwelling unit per acre.

← Omitted "Density Incentives" {Why?}

MINIMUM FAR

The minimum FAR in a Mixed-Use District shall be (.75).

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Not applicable

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The minimum floor area of a four-bedroom unit in a Residential-3 District shall be one thousand (1,000) square feet.

A complete site plan with architectural concept-level drawings shall be submitted with a Mixed-Use Rezoning application. The proposed development site plan and architectural drawings must show conformance with the requirements outline in this Section and all performance standards outlined in Section 4-10. The Board of County Commissioners decision shall constitute a final decision. Amendments to any approved site plan shall be processed in accordance with Section 2-01-10.

From: perditta@comcast.net
To: [Layla Bajelan](#)
Subject: Comments on PLN2021-00012-2021
Date: Thursday, September 30, 2021 12:39:08 PM

Please be cautious: This email was sent from outside Adams County

Good afternoon,

We will not be available for the zoom meeting on the 12th but wanted to send our comments. This is regarding the Tiny Home Villages and safe parking regulations. My concern in both cases is the ability of the responsible agent to adequately handle situations that may arise. In the regulations, it is stated "The responsible agent shall have access and authority to assume management of the Safe Parking site and take remedial measures."

With the homeless population growing in this area and an increase in the need for police involvement in many incidents, I am wondering how this "responsible agent" is going to handle potentially dangerous altercations?

I am in the Aloha Beach area and have seen the crime, unwanted persons and vandalism increase since the 7-11 was built on 64th and Federal. My concern is that unless the proposed sites are manned 24-7, they will become hot beds of crime and disorderly misconduct. I just think our police and fire are already short handed and overworked. Having a safe parking and tiny villages for transit families and individuals will be problematic. I would like to see these sites removed from any potential plans.

Thank you for your consideration.

Perditta Gillan
3124 W 62nd Ave.
Denver, CO 80221

From: [Heidi M. Miller](#)
To: [Layla Bajelan](#); [Jen Rutter](#); [Jenni Grafton](#)
Subject: FW: TEXT AMENDMENTS - FW: Proposed Comprehensive Plan Changes and Overlay Districts
Date: Monday, October 11, 2021 8:42:00 AM
Attachments: [image002.png](#)

Heidi M. Miller

County Attorney, *County Attorney's Office*

ADAMS COUNTY, COLORADO

4430 S. Adams County Parkway, Suite C5000B

Brighton, CO 80601

Office: 720.523.6329 | Direct: 720.523.6329

hmiller@adcogov.org www.adcogov.org

From: Lynn Baca <LBaca@adcogov.org>
Sent: Sunday, October 10, 2021 11:29 AM
To: Raymond H. Gonzales <RGonzales@adcogov.org>; Heidi M. Miller <HMiller@adcogov.org>
Subject: TEXT AMENDMENTS - FW: Proposed Comprehensive Plan Changes and Overlay Districts

From: Laurie Johnson <laurie.johnson@5280waste.com>
Sent: Thursday, October 7, 2021 2:54 PM
To: Lynn Baca <LBaca@adcogov.org>
Subject: Proposed Comprehensive Plan Changes and Overlay Districts

Please be cautious: This email was sent from outside Adams County

Dear Commissioner Baca

5280 Waste Solutions is the largest independently owned and operated roll-off hauler in Colorado, located in unincorporated Adams County at 605 W. 62nd Ave. We own an 8.7-acre parcel, have 85 employees, and contribute significantly to Adams County property and sales tax revenue. We have strong concerns about changes being proposed in Adams County that drastically affect our business. We request:

- **You delay the public hearings on the County's 2021 Phase 3 Text Amendments until you can incorporate language that addresses very serious and legitimate concerns.**
- **More robust and legitimate stakeholder communication and outreach with realistic notification.**
- **Impact studies and analysis of the areas being impacted.**
- **An in-depth stakeholder process regarding proposed changes to outdoor storage in the overlay districts, operational definitions of grandfathering, non-conforming legal use, and**

expanded use.

- **Code and policy established versus independent reviews of each property to determine case by case decisions.**

The uncertainties being created make it impossible to adequately run our business and serve the businesses and residents of Adams County. We also operate on a closed landfill that is not fit for any development that is outlined in the proposed Comprehensive Plan.

There has not been acceptable, and in some cases a lack of, communication, research, or stakeholder input. The County's actions appear to be in total disregard of Adams County businesses, employees, residents, and voters. Please act immediately to delay this decision for there to be time to appropriately address and communicate with stakeholders.

Laurie Johnson

Chief Operating Officer, 5280 Recycling

laurie.johnson@5280waste.com

M: 303-550-2591



Two Companies. One Solution



October 6, 2021

Adams County Board of County Commissioners (BOCC)
4430 S. Adams County Parkway
Brighton, CO 80601

Re: Proposed changes to Comprehensive Plan/Overlay Districts

Dear BOCC,

5280 Waste Solutions is the largest independently owned and operated roll-off hauler in Colorado, located in unincorporated Adams County at 605 W. 62nd Ave. We own an 8.7-acre parcel, have 85 employees, and contribute significantly to Adams County property and sales tax revenue. We have strong concerns about changes being proposed in Adams County that drastically affect our business. We request:

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- **An in-depth stakeholder process regarding proposed changes to outdoor storage in the overlay districts, operational definitions of grandfathering, non-conforming legal use, and expanded use.**
- **Code and policy established versus independent reviews of each property to determine case by case decisions.**

The uncertainties being created make it impossible to adequately run our business and serve the businesses and residents of Adams County. We also operate on a closed landfill that is not fit for any development that is outlined in the proposed Comprehensive Plan.

There has not been acceptable, and in some cases a lack of, communication, research, or stakeholder input. The County's actions appear to be in total disregard of Adams County businesses, employees, residents, and voters. Please act immediately to delay this decision for there to be time to appropriately address and communicate with stakeholders.

Sincerely,



Bill Bradley
Owner
5280 Waste Solutions
bill.bradley@5280waste.com
(303) 324-1966

From: [Heidi M. Miller](#)
To: [Jen Rutter](#); [Jenni Grafton](#); [Layla Bajelan](#)
Subject: FW: TEXT AMENDMENTS - FW: Proposed Changes to Industrial Zoning
Date: Tuesday, October 19, 2021 12:56:27 PM
Attachments: [Proposed Zoning Changes Letter to BOCC.pdf](#)

Heidi M. Miller

County Attorney, *County Attorney's Office*

ADAMS COUNTY, COLORADO

4430 S. Adams County Parkway, Suite C5000B

Brighton, CO 80601

Office: 720.523.6329 | Direct: 720.523.6329

hmiller@adcogov.org www.adcogov.org

From: Lynn Baca <LBaca@adcogov.org>
Sent: Thursday, October 14, 2021 3:32 PM
To: Raymond H. Gonzales <RGonzales@adcogov.org>; Heidi M. Miller <HMiller@adcogov.org>
Subject: TEXT AMENDMENTS - FW: Proposed Changes to Industrial Zoning

From: Paul Snyder <psnyder@trustawc.com>
Sent: Monday, October 11, 2021 1:30 PM
To: Eva Henry <EHenry@adcogov.org>; Chaz Tedesco <CTedesco@adcogov.org>; Emma Pinter <EPinter@adcogov.org>; Steve O'Dorisio <SODorisio@adcogov.org>; Lynn Baca <LBaca@adcogov.org>
Cc: adcoipoc@gmail.com; Jenni Grafton <JGrafton@adcogov.org>
Subject: Proposed Changes to Industrial Zoning

Please be cautious: This email was sent from outside Adams County

County Commissioners,

Please see the attached letter. I'm a vehemently **opposed** to the proposed changes and do **not** think this process has been performed adequately. Please slow this process down, so we can have a seat at this table!

Thanks,

Paul S. Snyder
President/Manager
American West Construction, LLC
(303) 455-0838 (office)

October 11, 2021

Adams County
Board of County Commissioners
4430 South Adams County Parkway
Brighton, CO 80601

Re: Proposed Changes to Industrial Zoning

Dear Commissioners,

I own an industrial property in the County that would be affected by the proposed changes to industrial zoning regulations. I am vehemently **opposed** to the proposed changes. Staff recently met with a group of us industrial business owners to discuss the proposed changes. Based upon that meeting as well as reading the proposed changes, I have the following comments:

1. Please slow down the process.

The proposed industrial zoning changes were commingled with proposed changes to overlay areas. I can only assume it wasn't staff's intention to slide these proposed changes into something bigger, but it sure had that feeling. We really haven't had the chance to engage with staff on what the intent is, what changes are, why the regulations are written the way they are, etc. Industrial property owners need to have a seat at the table and not be simply an after thought. Please slow down this process to allow adequate time for the most impacted parties to be involved in the process.

2. My Property, My Investment, My Business

I specifically purchased a property in Adams County with I-3 zoning for my business and have millions of dollars invested in it. As a heavy highway contractor, I need the unfettered ability to store equipment and materials at my yard to function. The idea that I would now need to obtain permission from the County to use **my** property as I deem necessary is inflammatory. A change that would require me to obtain a conditional use permit subjects my business to the arbitrary and capricious whims of others who suffer neither the consequences of their decision on a business nor the impact to a long term investment.

3. Cost – Benefit

From the meeting with staff, it is clear that staff hasn't considered the cost and benefit from the proposed changes. Staff readily admitted that it does even know the number of businesses that this would affect. Staff indicated that they didn't have the resources to conduct such a study. If that is in fact true, you should dedicate the resources to properly vet such a sweeping change. As a business owner, it would be irresponsible of me to run my business in such a way. Please perform a cost-benefit analysis which starts with determining who would be affected and how.

4. Unintended Consequences

Again, from our meeting with staff, it is clear that you and/or staff have (has) not considered the unintended consequences of this proposed change. This may drive business out of the County. If I lost my zoning, I would be forced to relocate. If businesses moved further east in the County to find I-3 zoning, how much more infrastructure would be needed? How much more driving would be required for my employees? You and/or staff did not consider this when looking at these proposed changes. There would be significant unintended consequences of such a change.

As a business owner who writes a 6-figure tax check to the County and employs 20 Adams County residents, I hope you will take to heart my concerns and **not** adapt the proposed change to I-3 zoning.

If you have any questions, please do not hesitate to contact me at (303) 455-0838 (office) or (303) 434-6933 (cell).

Sincerely,

A handwritten signature in blue ink, appearing to read "Paul S. Snyder", with a stylized flourish extending to the right.

Paul S. Snyder, P.E.
President/Manager



7627 Dahlia Street

Commerce city, CO 80022

720-656-5020

To Whom It May Concern,

Barrett Towing is a small family ran company that specializes in private property impounds, accidents, and roadside assistance to stranded motorists. We opened our doors, January 1st, 2020 based in Commerce City, and we currently have 8 full time employees that reside in the area. We have 3 tow trucks that are all registered in Adams County, with plans to increase our fleet soon. Our customers have become accustomed to our location and feel that it is a good centralized location. Our business takes pride in the fact that we are part of Commerce City and that we help keep it running with the tax revenue that we bring in. With building rent, 3 commercial vehicle registrations, locally sourced vehicle maintenance and our employees personal tax from living in the community, we feel that we should be able to continue to run our business here.

The changes related to the proposed zoning plan will most likely put our company out of business. We are required by Colorado State Law to store impounded vehicles at our facility for up to 60 days. The proposed 72 hours will put us in violation with the State Law.

Becoming a reputable towing company in this day and age is a difficult task. As stated before, we opened on January 1st, 2020. We were open for 3 months and COVID hit, we were able to keep our doors open because of the reputation we had already established.

Commerce City has always been known to Colorado as a predominantly commercial city, these zoning changes will make a lot of the businesses that have been here for years, move to other municipalities or even other states. This will make the city loose the revenue that these businesses used to create and give this revenue away. When these businesses leave, they will take their

employees with them. This will make the city loose more by the employees moving away to stay with their employer.

It is heartbreaking to think that the same city that we live in and love is now trying to pass something that will not only affect our business but us personally. We moved our family to be closer to of office and yard in March of 2020. We uprooted our children from their friends and schools. My husband's family has resided in the community for over 30 years, had it not been for his roots here, we would have never made such a drastic life change for our jobs. I understand that there are several different levels to this proposition, however, the community and the families it affects shows that the once, family first, community has changed. This is not a positive change.

From: [Rebecca Bean](#)
To: [Layla Bajelan](#)
Subject: Mixed Use Zone District Draft V09.2021
Date: Tuesday, October 5, 2021 12:58:05 PM

Please be cautious: This email was sent from outside Adams County

Hello Layla,

I live near NE Welby. I love the idea of adding mixed use zoning, especially in this area.

However, I do not think it's appropriate to allow use for Oil and Gas facilities in any capacity in mixed use communities. Welby is already badly impacted by a chemical spill flowing from South Thornton. Introducing more potential polluters to the area would significantly and negatively impact the quality of life for residents.

I have lived very near an oil and gas facility in Weld County. It was very unpleasant. When they injected fracking fluid it came up through the cracks in our garage floor and shook our home. I never want to live near an oil and had facility again. That's why I moved closer to Denver. I had hoped to be free of oil and gas development.

I request that Adams County removes the allowance for any kind of oil and gas facilities in the mixed use zoning. Furthermore, if it's currently allowed in Welby's zoning, I request that it be removed from the allowable zoning as a part of the zoning overlay.

Please let me know if you have any questions.

Thank you for your time and consideration!

Rebecca Bean
2090 Fir Dr, Thornton, CO 80229



Dear Commissioner Baca,

Brannan Companies is a long standing Adams County business dating back 115 years to 1906. Brannan Companies consists of Brannan Construction Company, Brannan Ready-Mix, Ready Mixed Concrete Company, and Brannan Sand and Gravel. These 4 companies provide important construction materials and services to the Denver area, such as concrete production and delivery, asphalt production and placement, aggregate supply and underground wet utility construction. Brannan Companies employs approximately 560 employees, about 55% of whom live in Adams County. In addition to providing good paying jobs to these employees, Brannan Companies owns and operates 7 large industrial properties, leases and operates 2 more industrial properties and has our headquarters in Adams County. Brannan is an Adams County business.

We are writing today to request that the Planning Commission and Board of County Commissioner's hearings regarding the Phase 3 Regulation Amendments be delayed, until more discussion between community members and Adams County can be had, and until Adams County can address our very serious concerns by modifying the proposed language and use table updates.

The county-wide proposed language regarding Outdoor Storage and the changes to the use table would cause many of our properties to become legal non-conforming uses, or would force us into the Conditional Use Permit process every 5 years. This would make investment in the properties impossible, due to the uncertainty that our operations would continue. For our properties to be a legal non-conforming use, would greatly increase uncertainty for the business, would limit any growth opportunities, would reduce our property value, and would prevent any investment to the property, including investments that mitigate offsite impacts, such as new emissions control equipment.

Due to the discretionary nature of the CUPs, all of our properties would be subject to conforming with the desires of the current Board of County Commissioners for generations to come. The removal of fleet vehicles and merchandise from the definition of Outdoor Storage also locks many of our operations into the constant discretionary permit process. Brannan Companies strives to be an excellent operator in Adams County, however the regulations as written would prevent the investment in our Adams County properties that ensures that operations run smoothly and affect Adams County positively.

The Overlay District regulations, as written, seem to cause many of the same issues to a higher degree at several of our sites. There has not been sufficient time to assess how these properties would be affected nor what the alternatives or resolutions are. If these provisions are passed as written, many long standing operations would be required to perform heavy permitting and constant rotating discretionary permit liabilities, therefore creating high levels of uncertainty for our business and employees.

Our employees and their families rely on Brannan to operate at our Adams County locations and to reduce or eliminate any facility in Adams County would be detrimental to their livelihood.



Brannan has been, and hopes to continue to be an important contributor to the development of Adams County.

Brannan is active in many Adams County Organizations, such as CASA, ACREP, Adams County Sheriff's Office Operation Free Bird, Children's Hospital and pay millions of dollars in taxes and fees to Adams County. We provide great paying jobs with exceptional benefits to our employees and have a long history of family ties to Adams County.

We are fully vested in Adams County and our continued success and therefore are requesting that you postpone any and all public hearings, actions or decisions until further discussions are heard and addressed.

Sincerely,

A handwritten signature in blue ink that reads "Fred Marvel". The signature is written in a cursive style with a period at the end.

Fred, Marvel, P.E.

Manager

Brannan Sand and Gravel CO.

From: [Craig Brown](#)
To: [Layla Bajelan](#)
Subject: overlay zoning postponement
Date: Thursday, October 21, 2021 8:48:07 AM

Please be cautious: This email was sent from outside Adams County

Hi Layla,

I participated in the first round of outreach but was traveling last week when you had some follow up discussions. I've been chatting with Max and others on your team for the past couple years so I was surprised that the TOD overlay zoning didn't make the cut. I own parcels on Lowell Blvd between 68th-69th so I've been monitoring the progress to encourage development of this area.

Can you provide insight regarding the concerns of stakeholders that resulted in this getting pulled and any kind of timeline whereby you think Adams Co can at least get the overlay in place. Ideally, I'd really like to see Adams Co develop a specific area plan for the Westminster Station so property owners and developers can get an idea if the vision of Adams Co is similar to the SAP created by Westminster.

I know you have a lot on your plate and I appreciate any feedback you can provide.

Thanks,
Craig Brown
303.910.5466



Tom Calabrese Trucking, Inc.
7480 York Street • Denver, 80229
PHONE (303) 487-8668 FAX (303) 487-8682

06 October 2021

To Adams County Commissioners and Staff:

This letter is submitted to voice the concerns of our company regarding the county's proposed economic Comprehensive Overlay Plan for businesses located within unincorporated Adams County and to support the efforts of the Industrial Property Owners Consortium (IPOC) which represents the existing businesses located within unincorporated Adams County, Colorado. The following items highlight some of the major concerns of our company and the negative impacts that this plan, if approved, will have on not only our company, but the county as well:

- 41% of our current employees live and pay taxes within Adams County and most are registered voters. If companies are forced to move out of Adams County, the taxes and votes go with them
- Loss of tax revenue from companies that are forced to move out of Adams County as a result of this plan will result in millions of dollars of lost property tax revenue. Our company paid over \$33,000 in taxes to Adams County in 2020
- Enclosing our existing fleet in a building is not feasible (practically or economically). Indoor storage is not an option for our company
- This plan has no exemptions for outdoor storage beyond a 5 year permit limitation. Our company would respectfully request a permanent storage exemption
- Future operational use as well as the resale value of our land would be in question
- Increased commute times & distances for employees to work in another location will cause more traffic congestion, fuel use, negative environmental impacts, etc.

Tom Calabrese Trucking, Inc. has been located in Adams County since its beginning in 1971. During the past 50 years, we have strived to be and succeeded in being a fiscally, environmentally, and ethically responsible member of our community. If implemented, this plan may force our company, along with all the benefits to Adams County it generates, to relocate to a more business friendly county. We do not desire to move from our home in Adams County. In summary, if Adams County's vision is to be the "the most innovative and inclusive county in America for all families and businesses", then this plan clearly goes against that vision.

Please feel free to contact any of us if you would like to discuss this matter further.

Respectfully,

A blue ink signature of Carol Calabrese, written in a cursive style.

Carol, Tom, & Angie Calabrese
Tom Calabrese Trucking, Inc.

A blue ink signature of Tom Calabrese, written in a cursive style.
A blue ink signature of Angie Calabrese, written in a cursive style.



Dear Commissioner's

My name is Hunter Hartman, and I am the President of CAM Services. We are a family-owned business that was founded in 1999. We specialize in commercial property maintenance, snow removal and temporary fence. For years we were located in the City and County of Denver. After years of fighting with Denver and their unreasonable request, regulations, and audits, we decided to relocate to Adams County because of their great reputation of being pro Industry. We spent millions of dollars buying land and building a state-of-the-art facility for CAM to call home. We moved our entire operation in 2016 and have been growing ever since. We have brought 100 full time jobs to the community and 600 more part time jobs during the winter months. I have huge concern in my company's future with the proposed County's 2021 Phase 3 Text Amendments. Specifically, the outdoor storage changes. My concern is not only my business and the decimating impact it would eventually lead to in forcing us to move our operations out of Adam's County as we try to grow and expand, but also our customer and vendor base. We work for many businesses in Adam's County to include Brannan Sand and gravel, Martin Marietta, Quikrete, Aggregate Industries, DTI, Marini Diesel, and LG Everist just to name a few. They will be in the same boat and eventually have to move locations, potentially sacrificing our business with them as well.

My request is to delay the public hearings on the County's 2021 Phase 3 Text Amendments until you can incorporate language that addresses very serious and legitimate concerns. I am a member of the Industrial Property Owners Consortium (IPOC) and we have a very large group that would like to work with the county in making changes that benefit everyone in the county. Adam's County has been built and become successful on the backs of Industry and I believe we should have a say in the future of our community and the livelihood of our families and employees. Delaying the hearing and committing to working with the industrial community in rewriting the verbiage, does not seem like a very big ask. Please consider this before it's too late.

The proposed amendment broadly expands the definition of outdoor storage county-wide to include anything stored outside for more than 72 hours. There are no exceptions for fleet, merchandise, equipment, or time constraints. In one way or another, this will negatively affect every commercial property owner in the county. I would like to discuss changing this regulation to exclude fleets, equipment, and merchandise. Let's work together to make the requirement about keeping clean property lines and having nice landscape and fences block any unwanted visual issues. Let's work together to keep industry in Adam's County by cleaning the facilities up and not making them move. The proposed amendments will limit the amount of property that can be used for "outdoor storage" for nearly all industrially zoned properties to as little as 25% in overlay zones. This decrease in the allowable outdoor storage area, coupled with the expansion of what now counts toward "outdoor storage" could be devastating.

The argument I have heard time and time again from Adam's County is "you will be grandfathered in". Grandfathering or creating a non-conforming legal use provides no protection for business. I have no assurance to grow and expand my business. The law disfavors non-conforming uses and can be terminated by the County upon any expansion of the use, which under Colorado law includes actions as minor as the addition of basic equipment. Not only does this affect the direct operations of my company, but it also affects our investment we made in our facility. A non-conforming use is not transferable to new owners. If I wanted to sell my business, our property would be utterly useless to them; therefore, devaluing my business drastically. Again, I please ask you to delay the hearing and meet with IPOC to help make this a positive experience for all parties involved.

Thank you for the consideration,

Hunter Hartman
CAM Services

From: [Heidi M. Miller](#)
To: [Layla Bajelan](#); [Jenni Grafton](#); [Jen Rutter](#)
Subject: FW: TEXT AMENDMENTS - FW: CEI Code Changes Letter to Adams County BOCC
Date: Monday, October 11, 2021 8:41:46 AM
Attachments: [CEI Code Changes Letter to Adams County BOCC 10-7-2021.pdf](#)
[image002.png](#)

Heidi M. Miller

County Attorney, *County Attorney's Office*

ADAMS COUNTY, COLORADO

4430 S. Adams County Parkway, Suite C5000B

Brighton, CO 80601

Office: 720.523.6329 | Direct: 720.523.6329

hmillers@adcogov.org www.adcogov.org

From: Lynn Baca <LBaca@adcogov.org>
Sent: Sunday, October 10, 2021 11:23 AM
To: Raymond H. Gonzales <RGonzales@adcogov.org>; Heidi M. Miller <HMiller@adcogov.org>
Subject: TEXT AMENDMENTS - FW: CEI Code Changes Letter to Adams County BOCC

From: Andrew Blackford <ablackford@ceiconstructors.com>
Sent: Thursday, October 7, 2021 5:10 PM
To: Eva Henry <EHenry@adcogov.org>; Chaz Tedesco <CTedesco@adcogov.org>; Emma Pinter <EPinter@adcogov.org>; Steve O'Dorisio <SODorisio@adcogov.org>; Lynn Baca <LBaca@adcogov.org>
Cc: Jenni Grafton <JGrafton@adcogov.org>
Subject: CEI Code Changes Letter to Adams County BOCC

Please be cautious: This email was sent from outside Adams County

Commissioners,

Please find my letter regarding the proposed changes to the Adams County Code.

If you have specific questions for me, the best place to catch me is my mobile.

Thanks,
Andy



Andrew Blackford

Project Manager / **CEI**

P: [303.562.2000](tel:303.562.2000) **M:** [303.472.4978](tel:303.472.4978) **F:** [303.893.1949](tel:303.893.1949)

E: ablackford@ceiconstructors.com **W:** www.ceiconstructors.com

We are an EEO Employer



October 7, 2021

Via Email: ehenry@adcogov.org; ctedesco@adcogov.org; epinter@adcogov.org;
sodorisio@adcogov.org; lbaca@adcogov.org

BOARD OF COUNTY COMMISSIONERS
4430 S. Adams County Pkwy.
5th Floor, Suite C5000A
Brighton, CO 80601

Re: 2021 Code Amendments, Phase III

Dear Commissioners,

We are Concrete Express, Inc., a heavy civil construction contractor doing business out of property currently leased in Adams County. We have approximately 250 employees, all in Colorado, and of those, approximately 20 percent are Adams County residents. Additionally, in our business we interact with numerous contractors and suppliers based in Adams County. Our presence in Adams County is significant as we pay approximately \$254,000 in vehicle and equipment registration annually and approximately \$102,000 in sales and use tax annually for our operations.

Recently, for the first time, we learned of the proposed 2021 Phase III Code Amendments to the Adams County Development Standards and Regulations. This, as you have heard from countless others, also took us by surprise. As we delved into the details of the proposed amendments, we immediately realized that the amendments needed significant consideration, discussion, and revisions to facilitate careful and thoughtful economic stability and growth in Adams County. We also understand that the hearing date on which the proposed Amendments are to be voted on by the BOCC is currently slated for November 9th of this year.

Therefore, we strongly request that the BOCC postpone the November 9th hearing for consideration of this amendment to a later date which would accommodate an appropriate level of community and stakeholder input necessary for the passage of a comprehensive code amendment as contemplated here.

Regards,

Andrew Blackford

Andrew Blackford
Treasurer

Cc via email: jgrafton@adcogov.org



Denver's Leader in Recycled Auto Parts

Adams County Planning Commission
4430 South Adams County Parkway
1st Floor, Suite W2000B
Brighton, CO 80601-8218

October 7th, 2021

To Whom It May Concern:

As a business and property owner in Unincorporated Adams County. I have some concerns with comprehensive plan that has been put forward, especially the Clear Creek TOD and Federal TOD plans. My business is automotive recycling. We're a highly effective recycler of complete wrecked vehicles into components and recyclable metals. We're a "green" forward thinking company that has grown consistently since our move to Adams County. There is no way to operate a business like ours without outdoor storage. **There are components of the overlay zoning changes that would threaten our business should they be adopted. Given this fact, I need to express my opposition to these plans and ask that you create plans that won't put businesses in Adams County out of business.**

Here are some of the main points that won't work for a business like ours.

- **Merchandise cannot be stored outdoors for more than 72 hours.** When you are dismantling and recycling vehicles for automotive parts, you must hold the vehicle for months while parts are sold and removed from the vehicles if you are to turn a profit. This regulation would make profitable business impossible for a business like ours. Automotive recycling is critical to the automotive repair supply chain and local availability is critical. Pushing companies like ours out of Adams County would negatively affect our customers like dealerships, garages, and body shops as well.
- **Only 25% of property space can be used for outdoor storage, reduced from 80%.** Recyclers are almost guaranteed to use 50% 80% of their properties for outside storage. There is no way around this. It is not cost effective to house vehicles inside of a building, so companies wouldn't be able to make money and maintain their business with this type of regulation.

Many businesses and property owners are just finding out about the real impact of this comprehensive plan. **So, I would also like to plead with you to delay your vote no November 9th, so we can work towards solutions that won't hurt business in Adams County.**

Respectfully,

Ben Silver, CEO/Owner

From: [Ben Silver](#)
To: [Layla Bajelan](#)
Subject: Questions on Industrial Property Overlays and Proposed Changes
Date: Thursday, October 7, 2021 1:56:55 PM

Please be cautious: This email was sent from outside Adams County

Layla -

I recently received a letter from you, and I do plan to attend the continued outreach meetings. For my info now, can you help me understand how this overlay plan and changes to outdoor storage on I-3 land will affect my property and business?

I own parcel 0182509311006 at 2150 W 60th Ave. We're .7 miles from the light rail station but I am not confident that this means that we won't be affected by the counties plans. Do you have a map of the overlays near my parcel?

Will the outdoor storage changes and permitting requirements only be for properties and businesses inside the overlays or are these changes for all of Unincorporated Adams? My business is in automotive recycling, and we have a thriving business in Adams County and we're hopeful that this plan won't push us out or make business more difficult for us.

Thanks,

Ben Silver

303.295.2277 x 102

<http://usedautopartsdenver.co>



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October 11, 2021

Adams County Board of County Commissioners
4430 S. Adams County Pkwy.
5th Floor, Suite C5000A
Brighton, CO 80601

**Re: Request for Postponement of Hearings
on the County's 2021 Phase 3 Amendments**

Dear Commissioners,

We are writing to express our significant concern related to proposed changes to industrial zoning that are being considered by Adams County. Many of our companies are very worried about the impact that those changes may have on their ability to operate today as well as in the future. They also are concerned about the implications for the value of their properties and their businesses. Many of these businesses have expended millions on their properties and businesses basing their return on investment of being at that location for many years to come.

A great number of these affected companies and businesses have resided in Adams County for many years. Many of these companies were actually recruited or encouraged by the county to locate there as the county sought greater economic development and job creation. We appreciate the relationship that we have had with the county and believe that it has been mutually beneficial to both our companies and the county.

Let us note that our companies have sought to be good corporate citizens. They have contributed to the community in numerous ways and supported the county on various efforts. Our companies have paid millions of dollars in taxes and fees to the county and support numerous charitable causes within the county. These companies also have provided thousands of good paying jobs with great benefits that easily exceed the median in our state. The vast majority of those employees including the owners and senior managers of those businesses live in Adams County. To say the least our companies and businesses are very invested in Adams County and are committed to making the county an even better place for its citizens and businesses.

In regard to the planning process and the proposed changes, we are particularly troubled that many of our member companies who would or could be affected were not even aware of the proposed changes and only became so recently. The lack of communication or possible breakdown of it, in reaching people in these key industries, is disconcerting and reflects a possible problem in the outreach and planning process in engaging these types of businesses and industries. This fact was illustrated at a recent meeting when the staff acknowledged that they did not have an inventory of the businesses in the overlay areas or

those companies in the overall county that could be affected by the change of use definition for outdoor storage.

While we understand the need for a comprehensive plan and the importance of the planning process, it is important that all voices be heard, especially those who are current businesses and land owners. **Based on the above-noted concerns, we believe that it is critical that public hearings on the County's 2021 Phase 3 Text Amendments be postponed.** We believe that there is a need for the county to engage the businesses and industries that may be affected by those changes before proceeding further in the process. It is also important to recognize the overall impacts to the county and its citizens in regard to these changes. The proposed changes may have adverse impacts, not only on the affected businesses, but also on the county related to safety, air quality, infrastructure, employment, and its tax base. Those issues should be fully considered, evaluated, and understood as part of this process.

The past couple of years have given the general public and elected officials a better appreciation of our industries and the people working in them. Our companies and their employees were deemed "essential workers" by the state and federal government during the pandemic. While others could work from home, our people could not. They were out there during the height of the pandemic ensuring that the public's needs were addressed. This allowed critical projects to be continued, supplies to be delivered and key products needed during the pandemic to be manufactured.

In closing on behalf of our member companies and the essential workers within them that would be affected by the proposed changes to the comprehensive plan, we sincerely request that you postpone any public hearings or action on it until the concerns of our companies and industries may be discussed and addressed.

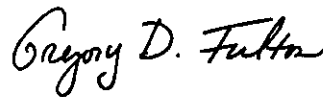
Thank you.

Sincerely,

Colorado Contractors Association



Colorado Motor Carriers Association



Colorado Stone, Sand, and Gravel Assoc.



Colorado Asphalt Paving Association



Colorado Ready Mixed Concrete Association



From: [Tony Milo](#)
To: [Adams County Commissioners Mailbox](#); [Raymond H. Gonzales](#); [Heidi M. Miller](#); [Alisha Reis](#); [Jenni Grafton](#); [Ryan M. Nalty](#); [Jen Rutter](#); [Layla Bajelan](#)
Cc: [David Foster](#); [Kristin A. Sullivan](#); mmarchun@capstonegroupllc.com; [Randy Drennen](#); [Moses Alvarez](#)
Subject: CCA Concerns regarding Proposed Zoning Amendments
Date: Monday, October 11, 2021 10:25:51 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[Letter to Adams County Regarding Zoning Amendments.pdf](#)
Importance: High

Please be cautious: This email was sent from outside Adams County

Dear Board Adams County Commissioners and Staff

Attached please find a letter authored by Foster Graham Milstein & Calisher, LLP (FGMC). FGMC represents Colorado Contractors Association (CCA) regarding various issues of importance to CCA members. CCA is monitoring the Adams County proposed text amendments to the County's Development Standards and Regulations. This letter expresses CCA's request to slow down the text amendment process to further evaluate impacts, improve outreach and collaboration with stakeholders, and improve the draft regulations for greater predictability, equity, and clarity for existing businesses operating in the County.

As discussed in greater detail within the attached letter, CCA expresses the following concerns: (I) the proposed definition of outdoor storage is vague, creates conflicts with other terms in the Code, applies County-wide, and will create significant uncertainty regarding the legal non-conforming status for hundreds of properties; (II) the public process to date has been insufficient to effectively gather stakeholder input and analyze the impacts on existing businesses; (III) the draft regulations lack detail, specificity and consistency with the current Code, which will create difficulties in administering the text amendments and hinder the County's desired outcomes; and (IV) the inclusion of use modifications and prohibitions in the draft overlay districts is akin to a rezoning of the underlying properties which raises additional due process concerns.

Your work is important and we appreciate that you have many significant stakeholders to consider in this process. We trust that you value the input of the business community and construction industry on these critical issues for Adams County. I look forward to working with you to find a resolution to these issues and look forward to your reply.

Sincerely,

Tony Milo

Tony Milo

EXECUTIVE DIRECTOR



6880 South Yosemite Court, Suite 200
Centennial, Colorado 80112
Tel 303 290 6611 x20 Fax 303 290 9141
Cell 303 921 4650 Email tmilo@ccainfo.org
ColoradoContractors.org





360 South Garfield Street
6th Floor Denver, CO 80209
T 303-333-9810 F 303-333-9786

DENVER – BOULDER
fostergraham.com

October 11, 2021

Via Electronic Mail to: Commissioners@adcogov.org

Board of County Commissioners
Adams County
4430 South Adams County Parkway
Brighton, Colorado 80601

Re: Adams County Proposed Text Amendments

Dear Commissioners:

Foster Graham Milstein & Calisher, LLP (“FGMC”) represents Colorado Contractors Association (“CCA”) regarding various issues of importance to CCA members. CCA is monitoring the Adams County (“County”) proposed text amendments to the County’s Development Standards and Regulations (“Code”). This letter expresses CCA’s request to slow down the text amendment process to further evaluate impacts, improve outreach and collaboration with stakeholders, and improve the draft regulations for greater predictability, equity, and clarity for existing businesses operating in the County.

As discussed in greater detail below, CCA expresses the following concerns: (I) the proposed definition of outdoor storage is vague, creates conflicts with other terms in the Code, applies County-wide, and will create significant uncertainty regarding the legal non-conforming status for hundreds of properties; (II) the public process to date has been insufficient to effectively gather stakeholder input and analyze the impacts on existing businesses; (III) the draft regulations lack detail, specificity and consistency with the current Code, which will create difficulties in administering the text amendments and hinder the County’s desired outcomes; and (IV) the inclusion of use modifications and prohibitions in the draft overlay districts is akin to a rezoning of the underlying properties which raises additional due process concerns.

I. Outdoor Storage Definition

CCA opposes the proposed change to the definition of outdoor storage within the Code and urges the County to reconsider this element of the text amendments. The impact of this change has not been adequately analyzed and it has the potential to create numerous consequences for long-standing businesses in the County that serve essential functions within the community. The County has stated that the intent of some of these changes to the Code is to

implement land use planning goals for Southwest Adams County as articulated in the Federal Boulevard Framework Plan (“Federal Blvd. Plan”), the Clear Creek Valley Transit Oriented Development Plan (“TOD Plan”), both of which are focused on Southwest Adams County. However, the proposal to significantly expand the definition of outdoor storage would apply to all properties in unincorporated Adams County. In addition, the proposed definition creates numerous conflicts with other uses listed within the Code. Any modifications to the definition should be carefully considered, especially given the parallel proposal to change the triggers for requiring a conditional use permit for outdoor storage. If adopted, these regulations will push hundreds of properties into a legal non-conforming status while simultaneously expanding the definition of outdoor storage as a primary use. The County has not done enough work to analyze the impact of these two changes, and it appears the County is unprepared to handle the administration of these Code changes, especially as they related to existing uses.

II. Process

The public outreach process that has been utilized for the proposed text amendments to the Code lacks the rigor and comprehensive approach that represents best practices for implementing such significant changes to zoning codes. A more robust public engagement process is necessary to adequately inform and engage stakeholders. This is particularly true based upon the significance of the proposed changes, the vast number of properties that would likely become legal non-conforming, and the complexity of adding overlay zone districts to base zoning. In addition, there has been a significant lapse in time since the adoption of planning documents referenced as the impetus for these changes. The Federal Blvd. Plan was adopted in 2014 and the TOD Plan and the Transit-Oriented and Rail Station Area Planning Guidelines were adopted in 2009. The public engagement that occurred to develop these plans has long since passed and current property owners and other stakeholders likely have a low level of awareness of these plans since it has been more than a decade since the TOD Plan was approved and seven years since the Federal Blvd. Plan was approved.

There has simply not been enough public outreach considering the impact of the proposed amendments to the Code. The County staff held two virtual meetings on June 22nd and July 27th, 2021 to present the regulation amendments. During these meetings, the staff provided a brief presentation and took a few questions. At the meetings, drafts of regulations were not yet available, and the presentation provided general statements and aspirations to explain the nature of the various amendments to the Code. The lack of detail available during these virtual meetings made it difficult for the few stakeholders in attendance to provide meaningful feedback. The virtual meetings were sparsely attended, perhaps because most stakeholders remain unaware of the proposed changes to the Code that governs the use of their properties. It appears that no mailed notices have been provided to the impacted properties and a single page on the Adams County web site is the primary place to learn about this process.

CCA represents over 400 member firms in Colorado, many of which own or lease property and have long-standing and active operations in the County. CCA has not been consulted or engaged to facilitate outreach with its members. We recommend that the County adjust the schedule for this effort to develop a public outreach plan that is commensurate with the scope and potential impact of these proposed text amendments to the Code.

III. Draft Code Language

While the lack of robust public outreach is concerning for a number of reasons, a more pressing concern is the drafts that are available for public review do not appear to be in a form that is ready for adoption and certainly not on the publicly stated timeline. The drafts do not yet contain the type of language typically used to create zoning code. Zoning code is intentionally written with precision so that the application of the Code will be fair, consistent, defensible, and understandable to all parties, including the decision-making bodies such as the Board of County Commissioners. As an example, within the current draft of the Federal Boulevard Overlay, the proposed regulations state, “No large signs should be permitted along Federal Boulevard, Lowell Boulevard, and Zuni Street within the Overlay boundaries.”¹ This is not supplemented with a definition of a large sign, nor does it include a method of measurement to provide guidance in interpreting the term “along” as it relates to the specific placement of a sign. As another example, the current draft of the Federal Boulevard Overlay states, “street-level development along Federal Boulevard must incorporate typical commercial shopfront dimensions to allow conversion to more active uses.”² Again, there is no definition for “street-level development,” nor is there a definition provided for “typical commercial shopfront dimensions.” Most importantly, this proposed regulation includes the word “must” without any method for considering alternatives or a waiver from creating shopfronts on all street level developments for the hundreds of properties this regulation would affect. It does not contemplate the very real possibility that there may be economic, physical, or technical barriers to creating typical shopfronts within all new development that occurs on the properties that will be subject to this new overlay. When developing language that will be used to regulate development, it is important to anticipate the necessary tools for administration of the rule.

IV. Constitutional Due Process Implications from the Use Modifications and Prohibitions

The draft text amendments for both the Federal Blvd Overlay and the TOD Overlay contain use modifications. Most significantly, both the draft Federal Blvd Overlay and the draft

¹ Federal Boulevard Overlay Draft, Large Signs. [Federal-Blvd-Overlay-Draft_v09.2021.pdf \(adcogov.org\)](#)

² Federal Boulevard Overlay Draft, Character and Image. [Federal-Blvd-Overlay-Draft_v09.2021.pdf \(adcogov.org\)](#)

TOD Overlay modify certain otherwise permitted uses in the underlying zone districts to either only permitted with a conditional use permit or prohibited all together.

The Code grants the Adams County Board of County Commissioners (“BOCC”) authority to adopt zoning standards.³ However, the BOCC’s authority to adopt zoning standards, which includes overlay districts, is also limited by state and federal constitutional due process requirements.⁴

As a general note, Colorado courts have held that certain zoning code amendments, specifically the adoption of an overlay district that contains use prohibitions, may have heightened notice and procedural requirements due to the impact such overlay districts may have on property rights.⁵ “[T]he question raised in a procedural due process challenge is whether the level of process afforded . . . passed constitutional muster, not whether [the agency] followed statutes or regulations.”⁶ If an overlay district will eliminate permitted uses, the notice of such zoning code amendments should contain specific language indicating the same.⁷ Furthermore, when a zoning code amendment affects only a relatively small number of property owners, personal mailed notice to such property owners is an appropriate due process protection and would not impose a significant fiscal or administrative burden on the governing body.⁸

Here, while the County has published the draft text amendments online and is hosting a series of virtual public outreach meetings, this amount of notice and public involved may not be adequate to provide constitutional due process protections to affected property owners. Specifically, the draft TOD Overlay and draft Federal Blvd Overlay prohibit certain uses that may otherwise be permitted in the underlying zone district and change other uses to only permitted with an approved conditional use permit. Such use changes have a greater impact to property rights than other less substantial Code changes might, such as building form requirements or the adoption of design guidelines and therefore, require heightened notice and procedural requirements. Specifically, adopting an overlay district with use modifications and prohibitions is akin to rezoning specific properties into a more restrictive zone district. Additionally, the draft overlay districts impact an identifiable number of property owners because they are focused on very specific geographical areas within the County. Therefore, a personalized mailed notice to such impact property owners would not impose a significant fiscal or administrative burden on the County but would provide far greater notification and opportunity to provide input on the proposed text amendments.

³ Code § 1-02-01-02-01.

⁴ See *City of Colorado Springs v. Securcare Self Storage, Inc.*, 10 P.3d 1244, 1247 (Colo. 2000).

⁵ See *Moreland Properties, LLC v. City of Thornton*, 559 F. Supp.2d 1133 (2008).

⁶ *Securcare*, 10 P.3d at 1247.

⁷ *Moreland*, 559 F. Supp. 2d at 1159.

⁸ *Moreland*, 559 F. Supp. 2d at 1160; See also *Mennonite Bd. of Missions v. Adams*, 462 U.S. 791, 800 (1983).

V. Conclusion

For the foregoing reasons, CCA respectfully requests that the County further develop the proposed amendments to the Code, working more closely and collaboratively with more property owners and key stakeholders like CCA. The County might also consider engaging an experienced professional or firm that regularly writes zoning code to implement certain community goals while also balancing the need to address the impact on existing uses. Completing significant changes to your zoning code is a challenging task that takes time, community engagement, experienced professionals, and frequent, clear communication. We recommend that they County take time to reconsider the timeline, scope, and approach to this effort in consideration of these comments.

Thank you for your attention to this matter. Please do not hesitate to contact me if you have questions or would like to further discuss.

Sincerely,

FOSTER, GRAHAM, MILSTEIN & CALISHER LLP



David Wm. Foster

cc: Raymond Gonzales, County Manager
Heidi Miller, County Attorney
Alisha Reis, Deputy County Manager
Jenni Grafton, Director of Community & Economic Development
Ryan Nalty, Deputy Director of Community & Economic Development
Jen Rutter, Development Services Manager
Layla Bajelan, Long Range Planner II



Complete Container Services

6515 Delaware St.
Denver, CO 80221
303-428-6800
303-428-1054

October 6th, 2021

From: Complete Container Services, Division of BVD INC
To: Adams County Board of Commissioners
4430 S. Adams County Parkway,
Brighton, Colorado, 80601

Subject: REQUEST TO DELAY NOVEMBER 9TH HEARING TO ALLOW FOR GREATER INMPACT STUDIES TO BE COMPLETED

We are writing to you today to address our concerns regarding the upcoming November 9th, 2021, hearing. Specifically with regards to changes with industrial use zoning and the redefining of outside storage. Which would adversely effect our company. Possibly to the point of closure.

Our company has been in business in this location since 1980. During the past four plus decades we have been operating here, we have spent considerable money and resources to fill, surface, pave and improve this land and be responsible community members. This includes bringing in 1000's of tons of aggregate to fill and level unusable wetlands. Our property demographics went from mostly unusable land, to now, all usable land with a considerable amount being paved. These improvements which were very expensive, resulted in increased property value and as a result highly increased property taxes.

As part of our conditional use permit, we have landscaped and are in total compliance. The portion along the highway has had to be done several times due to vehicle accidents and the states use of magnesium chloride killing the vegetation and trees.

We have 40+ full time employees. Many of whom live in Adams County. Several have been employed here over 30 years. We feel an obligation to these employees to continue to provide a stable workplace for them and their families.

We just recently became aware of these proposed changes. We do not feel that an adequate information release was distributed as we still have not been told anything from Adams County. We were contacted by a concerned group of fellow business owners. Additionally, after meeting with the Adams County planning commission on September 30th, 2021. By the County's own admission, there have not been enough impact studies conducted to grasp the fullness of who and how business will be effected. They agreed that they do not have the needed statistics and facts to answer our questions.

We greatly appreciated their attendance and willingness to discuss and move forward together. We also valued their willingness to recommend a delay in the hearing or portions of the hearing that are discussed above. Thank you for your consideration here.

William G. Vetos
President

From: [Heidi M. Miller](#)
To: [Layla Bajelan](#); [Jenni Grafton](#); [Jen Rutter](#)
Subject: Fwd: Proposed Outside Storage Changes
Date: Friday, October 8, 2021 2:11:43 PM

Heidi Miller - sent from ipad

Begin forwarded message:

From: Steve O'Dorisio <SODorisio@adcogov.org>
Date: October 8, 2021 at 1:48:20 PM MDT
To: "Raymond H. Gonzales" <RGonzales@adcogov.org>, "Heidi M. Miller" <HMiller@adcogov.org>
Subject: Fwd: Proposed Outside Storage Changes

From: Jack Hagaman <jack@ateccolorado.com>
Sent: Friday, October 8, 2021, 2:32 PM
To: Steve O'Dorisio
Cc: Rich Jeffrey; Jack Lewis
Subject: Proposed Outside Storage Changes

Please be cautious: This email was sent from outside Adams County

Hi Steve,

Thanks for getting back to me.

I'm sure that you have heard by now that on Thursday, September the 30th, there was a meeting held at the Brannan Sand and Gravel office on Lipan Street with 100 plus stakeholders who have businesses located in the county, along with some staff from the county Economic Development Department, the Planning Department, the Zoning Department, plus the County Manager and the County Attorney. All were there to discuss the proposed zoning changes for outside storage.

By the looks of things, your staff was a little shell shocked to

see how many stakeholders were there. Come to find out 75 to 90 percent of the stakeholders at that meeting had no idea that the county had started the rezoning and outside storage process last year during the pandemic.

Members of the audience asked the county staff why there were not made aware of this process when it was started. The staff's reply was that they did not know how to contact most of them. There were other questions asked by the audience that you could tell that the county staff was not prepared to answer.

The County Manager was asked by an individual if it would be possible for a restart of the process because of the pandemic, and was told that that probably would not happen. Then when the same individual asked to have the Commissioners table the zoning revisions that is supposed to be on the November Commissioners meeting agenda, the County Manager reluctantly agreed to present his request to the Commissioners for you to consider.

Your planning departments proposed changes are going to not only effect our business, but many others that have been doing business in the county for years. These changes will definitely change property values in the wrong direction for years to come. Our companies both deal with large, outdoor-type equipment. It would be difficult to store our new and used inventory indoors, or behind a screen. If this regulation is passed we would seriously consider moving out of Adams County.

Steve, it is my opinion that that this whole process looks very flawed, and shady considering when the process began, at the start of the pandemic. I believe that most businesses, and the county had to send people home for weeks at a time, which would have made it almost impossible for any stakeholders to

contact anyone from the county had they been properly notified of the proposed changes.

Representing a company that that has done business in Adams County for over twenty years, I am asking you to schedule a hearing on the proposed changes to the outside storage until all stakeholders with concerns about the changes can express their opinions.

Regards,

Jack Hagaman
CWS Colorado, LLC.
Office: 303-287-6655
Cell Phone: 303-356-9647

10/07/2021

Adams County Board of Commissioners
4430 South Adams County Pkwy
Brighton, CO 80601

Dear Board of Commissioners,

We have been business and landowners in Adams County for over 30 years, first operating a wood manufacturing business with multiple industrial sites in Adams County. At one time we employed over 350 people. In the 1990's we were recognized by the Adams County Economic Development Council for revitalizing a long time Denver area business and moving it to Adams County. We still own several industrial properties in the county and are greatly concerned with the proposed zoning changes. Currently, we have six tenants, employing approximately 500 people most of which reside in the county. Their operations rely heavily on outdoor storage. These catastrophic changes could ultimately lead them to leaving Adams County.

For over 30 years we have paid millions of dollars in taxes to Adams County, and we were never notified of these proposed changes. We respectfully request that the county move back the vote so we can hear from everyone that would be affected by these changes.

Sincerely,



Jerry Berglund

DNPk Pecos LLLP
JBTK LLLP
DNPk Franklin LLLP



Tom Kostelecky

JBTK LLLP
DNPk Franklin LLLP
2035 St. Holdings LLC
1530 St. Holdings LLC

From: [Heidi M. Miller](#)
To: [Layla Bajelan](#); [Jen Rutter](#); [Jenni Grafton](#)
Subject: FW: TEXT AMENDMENTS - FW: Meeting Request Re; Overlays
Date: Monday, October 11, 2021 8:42:39 AM
Attachments: [image002.png](#)

Heidi M. Miller

County Attorney, *County Attorney's Office*

ADAMS COUNTY, COLORADO

4430 S. Adams County Parkway, Suite C5000B

Brighton, CO 80601

Office: 720.523.6329 | Direct: 720.523.6329

hmiller@adcogov.org www.adcogov.org

From: Lynn Baca <LBaca@adcogov.org>
Sent: Sunday, October 10, 2021 8:13 PM
To: Raymond H. Gonzales <RGonzales@adcogov.org>; Heidi M. Miller <HMiller@adcogov.org>
Subject: TEXT AMENDMENTS - FW: Meeting Request Re; Overlays

From: Sarah Laverty <sarah@efgdenver.com>
Sent: Monday, October 4, 2021 9:51 AM
To: Lynn Baca <LBaca@adcogov.org>
Cc: Cameron Bertron <cameron@efgdenver.com>
Subject: Meeting Request Re; Overlays

Please be cautious: This email was sent from outside Adams County

Dear Commissioner Baca,

I am hoping you might have time to meet with myself and Cameron related to the Overlays in the coming weeks. As property owners adjacent to the 60th & Federal rail station, we support what these overlays are trying to accomplish, but are nervous that (as currently drafted) the attempt to prevent certain types of development activity may in fact impede the type of development we believe the County is hoping to encourage. No one seems to be talking about this and we see it as a significant risk to economic development within the County.

We have thoughts on how this risk could be overcome, as well as some creative approaches that might help bring about the desired development at the 60th & Federal rail station and other similarly challenged areas of the County.

Please let me know if you have availability in October ahead of the 10/28 Planning Commission

Public Hearing.



Sarah Laverty

Director of Development
EFG-Denver, LLC (dba EnviroFinance Group)

1035 N Osage St. #824
Denver, CO 80204
C. 970-319-1997

sarah@efgdenver.com

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From: [Sarah Laverty](#)
To: [Layla Bajelan](#)
Cc: [Jen Rutter](#); [Jenni Grafton](#); [Ryan M. Nalty](#); [Alisha Reis](#); [Raymond H. Gonzales](#); [Cameron Bertron](#); [alex@armos.com](#); [ken@armos.com](#); [jon@armos.com](#); [Kristin A. Sullivan](#); [Erik N. Carlson](#); [David Foster](#)
Subject: RE: PLN2021-00012; : 2021 Phase III Code Amendments- Request for Comments/Public Hearing Notice/Notice of 3rd Public Outreach Meeting PLN2021-00012; : 2021 Phase III Code Amendments
Date: Thursday, October 7, 2021 5:23:32 PM
Attachments: [image003.png](#)
[FGMC Letter to BOCC Regarding Adams County Proposed Text Amendments Creating Zoning Overlays \(4842-2228-2746.1\).pdf](#)

Please be cautious: This email was sent from outside Adams County

Good evening Layla,

In response to your request for comments, please see attached. Further to those specific comments, more generally, as property owners adjacent to the 60th & Federal Clear Creek rail station, we support what we believe Adams County is trying to accomplish with the proposed overlays. However, we are very concerned that as currently drafted, the attempt to prevent certain types of development activity in these areas may in fact impede the very type of development we believe the County is hoping to encourage. No one seems to be talking about this and we see it as a significant risk to advancing the County's vision for these areas and for economic development within the County more broadly.

We have thoughts on how this risk could be overcome, as well as some creative approaches that might help bring about the desired development at the 60th & Federal rail station and other similarly challenged areas of the County. As you may be aware, we have been trying to schedule a meeting with staff and/or commissioners to discuss our concerns and ideas, but the pace of the County's approval process doesn't appear to allow feedback from such meetings to work its way into the final product. We have now secured a meeting with staff on the 13th, but that only allows 2 weeks between that meeting and the Planning Commission hearing

In terms of process, our strong desire is to slow this process down so there is time to adequately engage property owners that will be impacted by these regulations, and work with staff on getting the text right so it can be meaningfully implemented and not dissuade investment in these areas. We've been told that at the September 30th IPOC meeting staff indicated that they had not gotten many specific comments in writing about the proposed regulation changes and that they would need that to support the request to delay or slow down the process. We are surprised to hear this given we submitted the attached letter on September 10th and again on September 14th, so to be clear, this is us providing specific comments and requesting more time to vet the process and content of the Overlays.

To that end, please confirm receipt of this email, and the comments attached and included in this email are being shared with staff and commissioners. Given the specificity of our comments, we would expect / hope to see them addressed as part of the public comment process prior to approving the overlays.

The proposed will overlays have significant impact on the future of the areas affected by them (more

so in many ways than the Comp Plan and its significantly more robust process), and while we support the intent, if pushed through as drafted on the current timeline we think there is great risk they could impede the very thing they are trying to accomplish.

We look forward to working with the County on these Overlays and text amendments.
Thanks.

On behalf of Clear Creek Station Development LLLP, owner of 2300, 2400 and 2860 W. 60th Avenue



Sarah Laverty

Director of Development
EFG-Denver, LLC (dba EnviroFinance Group)

1035 N Osage St. #824
Denver, CO 80204
C. 970-319-1997

sarah@efgdenver.com

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From: Layla Bajelan <LBajelan@adcogov.org>

Sent: Tuesday, September 28, 2021 5:45 PM

To: Layla Bajelan <LBajelan@adcogov.org>

Cc: Jen Rutter <JRutter@adcogov.org>

Subject: PLN2021-00012; : 2021 Phase III Code Amendments- Request for Comments/Public Hearing Notice/Notice of 3rd Public Outreach Meeting PLN2021-00012; : 2021 Phase III Code Amendments

***Request for Comments/Public Hearing Notice/Notice
of 3rd Public Outreach Meeting***

Please see attached document for all notices

Good afternoon,

The Adams County Planning Commission is requesting comments on the following application: 2021 Phase III Code Amendments to the Adams County Development Standards and Regulations. The

proposed Amendments are County-Wide and applicable to only unincorporated Adams County.

Applicant Information: Adams County Community and Economic Development Department
4430 S. Adams County Parkway
Brighton, Colorado 80601

Please forward any written comments on this application to the Community and Economic Development Department at 4430 South Adams County Parkway, Suite W2000A Brighton, CO 80601-8216 or call (720) 523-6800 by 10/20/2021 in order that your comments may be taken into consideration in the review of this case. If you would like your comments included verbatim please send your response by way of e-mail to LBajelan@adcogov.org.

Once comments have been received and the staff report written, the staff report and notice of public hearing dates may be forwarded to you upon request. The full text of the proposed request and additional colored maps can be obtained by contacting this office or by accessing the Adams County web site at www.adcogov.org/planning/currentcases.

Thank you for your review of this case.



Layla Bajelan, Long Range Planner II
Case Manager

[Layla Bajelan](#)

Long Range Planner II, *Community and Economic Development*
ADAMS COUNTY, COLORADO
4430 S. Adams County Parkway, 1st Floor, Suite W2000A
Brighton, CO 80601
720.523.6863 | LBajelan@adcogov.org | www.adcogov.org

** New Schedule: Tuesday-Friday 7 a.m. to 5:30 p.m.**

County operating hours: Tuesday through Friday, 7 a.m. to 5:30 p.m.



FOSTER GRAHAM MILSTEIN & CALISHER, LLP
ATTORNEYS AT LAW

360 South Garfield Street
6th Floor Denver, CO 80209
T 303-333-9810 F 303-333-9786

DENVER – BOULDER
fostergraham.com

September 10, 2021

Via Electronic Mail to: BOCC@adcogov.org

Board of County Commissioners
Adams County
4430 South Adams County Parkway
Brighton, Colorado 80601

Re: Adams County Proposed Text Amendments Creating Zoning Overlays

Dear Commissioners:

Foster Graham Milstein & Calisher, LLP (“FGMC”) represents Clear Creek Station Development LLLP (“Clear Creek Station”) regarding real property it owns in unincorporated Adams County located at 2300, 2400 and 2860 W. 60th Avenue (the “Property”). FGMC and Clear Creek are monitoring the Adams County (“County”) proposed text amendments to the County’s Development Standards and Regulations (“Code”) regarding the creation of the Federal Blvd. Overlay and the TOD Overlay. This letter expresses FGMC and Clear Creek Station’s request to slow down the text amendment process to further evaluate and implement proper process and planning principles into these amendments.

As discussed in greater detail below, FGMC and Clear Creek Station express the following concerns: (I) the public process to date has been insufficient to effectively gather stakeholder input and analyze the impacts on future development; (II) the draft overlays lack detail, specificity and commitment to standard planning principles that will create difficulties in administering the text amendments and hinder the County’s desired outcomes; and (III) the inclusion of use modifications and prohibitions in the draft overlay districts is akin to a rezoning of the underlying properties which raises additional due process concerns.

I. Process

The public outreach process that has been utilized for the proposed text amendments to the Code lacks the rigor and comprehensive approach that represents best practices for implementing such significant changes to zoning codes. A more robust public engagement process is necessary to adequately inform and engage stakeholders. This is particularly true based upon the significance of the proposed changes, the significant, yet identifiable number of properties that would be impacted, the complexity of adding an overlay zone district to base

zoning, and the time that has lapsed since the adoption of planning documents referenced as the impetus for these changes. The Federal Boulevard Framework Plan (“Federal Blvd. Plan”) was adopted in 2014 and the Clear Creek Valley Transit Oriented Development Plan (“TOD Plan”) and the Transit-Oriented and Rail Station Area Planning Guidelines were adopted in 2009. The public engagement that occurred to develop these plans has long since passed and current property owners and other stakeholders likely have a low level of awareness of these plans since it has been more than a decade since the TOD Plan was approved and seven years since the Federal Blvd. Plan was approved, not to mention the delay in momentum of opening the G Line.

Certainly, the approach to public outreach is challenging as a result of the COVID-19 pandemic and the related difficulties with hosting in-person meetings. However, the Code amendment process has not employed the creative approaches to public engagement being used by the same staff to update the County’s comprehensive plan. There has simply not been enough public outreach considering the impact of the proposed amendments to the Code. The County staff held virtual meetings on June 22nd and July 27th, 2021 to present the text amendments. During these meetings, the staff provided a brief presentation and took a few questions. At the meetings, drafts of regulations were not yet available, and the presentation provided general statements and aspirations to explain the nature of the various amendments to the Code. The lack of detail available during these virtual meetings made it difficult for the few stakeholders in attendance to provide meaningful feedback. The meetings were sparsely attended, perhaps because most stakeholders remain unaware of the proposed changes to the Code that governs the development of their properties. It appears that no mailed notices have been provided to the impacted properties and a single page on the Adams County website is the primary place to learn about this process. However, as of today, no updates have been posted to the website subsequent to the summaries from the July 27th meetings. During the July 27th meeting, the staff explained that the project schedule involved adoption of the regulation amendments in November 2021, which is a mere 60 days away.

FGMC and Clear Creek Station recommend that the County develop a public outreach plan for this process that is commensurate with the scope and potential impact of these proposed text amendments to the Code. It is likely that many stakeholders, if they were aware of this process, would be willing to support the ideals behind this project and collaborate with the County staff to work toward the stated goals behind this effort.

II. Planning Principles

While the lack of robust public outreach is concerning for a number of reasons, a more pressing concern is the drafts that are available for public review do not appear to be in a form that is ready for adoption and certainly not on the publicly stated timeline. The overlay drafts do not yet contain the type of language typically used to create a zoning code. A zoning code is

intentionally written with precision so that the application of the Code will be fair, consistent, defensible, and understandable to all parties, including the decision-making bodies such as the Board of County Commissioners. As an example, within the current draft of the Federal Boulevard Overlay, the proposed regulations state, “No large signs should be permitted along Federal Boulevard, Lowell Boulevard, and Zuni Street within the Overlay boundaries.”¹ This is not supplemented with a definition of a large sign, nor does it include a method of measurement to provide guidance in interpreting the term “along” as it relates to the specific placement of a sign. As another example, the current draft of the Federal Boulevard Overlay states, “street-level development along Federal Boulevard must incorporate typical commercial shopfront dimensions to allow conversion to more active uses.”² Again, there is no definition for “street-level development,” nor is there a definition provided for “typical commercial shopfront dimensions.” Most importantly, this proposed regulation includes the word “must” without any method for considering alternatives or a waiver from creating shopfronts on all street level developments for the hundreds of properties this regulation would affect. It does not contemplate the very real possibility that there may be economic, physical, or technical barriers to creating typical shopfronts within all new development that occurs on the vast number of properties that will be subject to this new overlay.

The Federal Boulevard Overlay draft also contains statements related to building orientation, locations of building entrances, and location of parking as it relates to the street and buildings. These statements are not yet fully developed, but they can serve as a starting point for crafting a form-based code that focuses on building form and design rather than the conventional approach to regulating use. The County could also use these goals to develop a hybrid code that combines the regulation of uses and form of development. We suggest that the available drafts currently represent an outline for desired development outcomes, but that significant work lies ahead to further develop these into overlay zoning that represents a well-crafted form-based zoning code. When developing language that will be used to regulate development, it is important to anticipate the necessary tools for administration of the rule. We offer these suggestions in the spirit of assisting the County with creating an effective tool to attract and shape development that meets your vision.

III. Constitutional Due Process Implications from the Use Modifications and Prohibitions

The draft text amendments for both the Federal Blvd Overlay and the TOD Overlay contain use modifications. Most significantly, both the draft Federal Blvd Overlay and the draft

¹ Federal Boulevard Overlay Draft, Large Signs. [Federal-Blvd-Overlay-Draft_v09.2021.pdf \(adco.gov.org\)](#)

² Federal Boulevard Overlay Draft, Character and Image. [Federal-Blvd-Overlay-Draft_v09.2021.pdf \(adco.gov.org\)](#)

TOD Overlay modify certain otherwise permitted uses in the underlying zone districts to either only permitted with a conditional use permit or prohibited all together, as shown in **Exhibit A**.

The Code grants the Adams County Board of County Commissioners (“BOCC”) authority to adopt zoning standards.³ However, the BOCC’s authority to adopt zoning standards, which includes overlay districts, is also limited by state and federal constitutional due process requirements.⁴

As a general note, Colorado courts have held that certain zoning code amendments, specifically the adoption of an overlay district that contains use prohibitions, may have heightened notice and procedural requirements due to the impact such overlay districts may have on property rights.⁵ “[T]he question raised in a procedural due process challenge is whether the level of process afforded . . . passed constitutional muster, not whether [the agency] followed statutes or regulations.”⁶ If an overlay district will eliminate permitted uses, the notice of such zoning code amendments should contain specific language indicating the same.⁷ Furthermore, when a zoning code amendment affects only a relatively small number of property owners, personal mailed notice to such property owners is an appropriate due process protection and would not impose a significant fiscal or administrative burden on the governing body.⁸

Here, while the County has published the draft text amendments online and is hosting a series of virtual public outreach meetings, this amount of notice and public involvement may not be adequate to provide constitutional due process protections to affected property owners. Specifically, the draft TOD Overlay and draft Federal Blvd Overlay prohibit certain uses that may otherwise be permitted in the underlying zone district and change other uses to only permitted with an approved conditional use permit. Such use changes have a greater impact to property rights than other less substantial Code changes might, such as building form requirements or the adoption of design guidelines and therefore, require heightened notice and procedural requirements. Specifically, adopting an overlay district with use modifications and prohibitions is akin to rezoning specific properties into a more restrictive zone district. Additionally, the draft overlay districts impact an identifiable number of property owners because they are focused on very specific geographical areas within the County. Therefore, a personalized mailed notice to such impacted property owners would not impose a significant fiscal or administrative burden on the County but would provide far greater notification and opportunity to provide input on the proposed text amendments.

³ Code § 1-02-01-02-01.

⁴ See *City of Colorado Springs v. Securcare Self Storage, Inc.*, 10 P.3d 1244, 1247 (Colo. 2000).

⁵ See *Moreland Properties, LLC v. City of Thornton*, 559 F. Supp.2d 1133 (2008).

⁶ *Securcare*, 10 P.3d at 1247.

⁷ *Moreland*, 559 F. Supp. 2d at 1159.

⁸ *Moreland*, 559 F. Supp. 2d at 1160; See also *Mennonite Bd. of Missions v. Adams*, 462 U.S. 791, 800 (1983).

The County has not provided personalized notice of the proposed text amendments, the information available has not clearly identified the significant impact the proposed text amendments will have to property rights, and many impacted property owners are entirely unaware of the proposed text amendments and have not been invited to meaningfully participate in the process. Therefore, the County may have significant due process inadequacies and/or liability if it proceeds with adopting the text amendments without additional, and personal, notice to the impacted property owners and more opportunities to provide input on the draft text amendments.

IV. Conclusion

For the foregoing reasons, FGMC and Clear Creek Station respectfully request that the County further develop the proposed amendments to the Code, working more closely and collaboratively with more property owners and stakeholders. The County might also consider engaging an experienced professional or firm that regularly writes zoning code to implement community goals while also balancing the need to address code administration and clarity. It is a worthwhile endeavor to craft zoning regulations that will attract and shape development in a way that implements the vision within your adopted plans. However, it is always a challenging task that takes time, community engagement, experienced professionals, and frequent, clear communication. We recommend that the County take time to reconsider the timeline, scope, and approach to this effort in consideration of these comments.

Thank you for your attention to this matter. Please do not hesitate to contact me if you have questions or would like to further discuss.

Sincerely,

FOSTER, GRAHAM, MILSTEIN & CALISHER LLP



David Wm. Foster

cc:

Jenni Grafton: jgrafton@adcogov.org

Ryan Nalty: rnalty@adcogov.org

Jen Rutter: jrutter@adcogov.org

Layla Bajelan: lbajelan@adcogov.org

Sarah Laverty: sarah@efgdenver.com

Cameron Bertron: cameron@efgdenver.com

Alex Moskovitz: alex@armos.com

Jon Arnold: jon@armos.com

Ken Arnold: ken@armos.com

Erik Carlson: ecarlson@fostergraham.com

Exhibit A

Draft TOD Overlay Use Modifications:

Use Modifications

Mixed-Use Development. Mixed use shall be allowed as a permitted use in all zone districts within the Transit Oriented Development Overlay (TODO), if (1) the parcel has a minimum of seventy-five (75) feet of lot width and (2) fronts along an arterial, collector or State Highway. Mixed Use in a zone district other than Mixed-Use (MU) must be approved through an Administrative Review Permit and must meet all other performance standards outlined in Section 4-10.

Large Scale Commercial Retail. Commercial Retail developments in excess of 20,000 square feet shall provide a minimum of 10% of the lot in public open space for the enjoyment of pedestrians, customers, and employees. To the maximum extent feasible, required Open Spaces shall be located along the pedestrian street.

Incentives. Incentives will be available within the TOD Overlay

Conditional Use Permit Required. To achieve compatibility with the vision outlined in the TOD and Rail Station Area Guidelines, the following uses require an approved Conditional Use Permit in all underlying zone districts in which it is a permitted use:

Dry Cleaners
Heavy Retail and Heavy Services
Heavy Industry
Moderate Manufacturing or Processing

Light Industry
Light Manufacturing or Processing
Outdoor Storage in excess of 25% of the building area
Commercial Parking Lot

Prohibited Uses. The following uses are prohibited in all zone districts in the Transit Oriented Development (TODO) boundaries:

Agricultural Businesses and Farm Operations
Agriculture Support Businesses and Services
Nurseries
Forestry and Siviculture
Airports, Landing Strips, and Heliports
New Mobile Home Parks
Jails and Prisons
Landscape Storage Yards
Sexually Oriented Businesses
Heavy Manufacturing or Processing uses

Draft Federal Blvd Overlay Use Modifications:

Use Modifications

Mixed-Use Development. Mixed use shall be allowed as a permitted use in all zone districts within the Federal Boulevard Framework Plan Overlay, if (1) the parcel is a minimum of seventy-five (75) feet of lot width and (2) fronts along an arterial, collector or State Highway. Mixed Use in a zone district other than Mixed-Use (MU) must be approved through an Administrative Review Permit and must meet all other performance standards outlined in Section 4-10.

Incentives. Incentives will be available within the Overlay Boundaries.

Conditional Use Permit Required. To achieve the vision outlined in the Federal Boulevard Framework Plan, the following uses require an approved Conditional Use Permit in all underlying zone districts in which it is a permitted use:

Agricultural Businesses and Farm Operations

Agriculture Support Businesses and Services

Nurseries

Forestry and Siviculture

Airports, Landing Strips, and Heliports

Dry Cleaners

Heavy Retail and Heavy Services

Heavy Industry

Landscape Storage Yards

Moderate Manufacturing or Processing

Light Industry

Light Manufacturing or Processing

Outdoor Storage in excess of 25% of the building area

Prohibited Uses. The following uses are prohibited in all zone districts in the Federal Boulevard Framework Plan boundaries:

New Mobile Home Parks

Jails and Prisons

Forestry and Siviculture

Airports, Landing Strips, and Heliports

Sexually Oriented Businesses

Heavy Manufacturing or Processing uses



Jessica Alizadeh
(303) 894-4456
jalizadeh@fwlaw.com

October 18, 2021

VIA EMAIL

Layla Bajelan
Long Range Planner II
Community and Economic Development Department
Adams County, CO

Dear Ms. Bajelan:

Fairfield and Woods, P.C. represents the Industrial Property Owners Consortium (“IPOC”) as well as a number of other clients affected by this matter. Thank you for the opportunity to comment on Phase III of the proposed amendments to the County’s Development Standards and Regulations, and thanks to the Community and Economic Development Department staff (“Staff”) for recommending to the Board of County Commissioners (“BoCC”) the necessary delay of the adoption of some of its provisions.

Unfortunately, because of the limited information available on the exact provisions and language that remain for public hearing by the Planning Commission on October 28, 2021 and the BoCC on November 9, 2021, we are unable to effectively comment on the remaining amendments.

We understand that last Tuesday, portions of the Phase III amendments related to outdoor storage have been separated from the process. However, as of today, we are unable to locate any redlines or a current complete copy of the proposed amendments that are scheduled for public hearing. They do not appear to be available on either the code amendments page at <https://www.adcogov.org/regulation-amendments>, or on the page you referenced during the IPOC meeting, <https://www.adcogov.org/planning/currentcases>.

If the proposed overlays remain largely intact, we have serious concerns about the uniform applicability and legal enforceability of the last version of the overlay language made available. For example, there is a lack of continuity and/or absence of defined terms that could create ambiguities for all parties. I am happy to provide a detailed list of our concerns with the



October 18, 2021

Page 2

proposed text once you provide the revised text for review. Accordingly, please provide a redline as soon as possible.

I would note that even if redlines are provided and/or posted immediately, it gives the many interested respondents only nine days to analyze the language and provide adequate comments to the Planning Commission for their consideration.

In my many positive experiences working with Staff, clear and unambiguous Code provisions are preferable. They provide certainty for all parties and clear expectations for the applicant, making for a more effective and efficient use of Staff time, and County and applicant resources. For these reasons, I strongly encourage that you to delay forwarding the overlay zones for approval until the stakeholders have a full and fair opportunity to receive and review the proposal moving forward.

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jessica M. Alizadeh'.

Jessica M. Alizadeh
FAIRFIELD AND WOODS, P.C.



October 4, 2021

To: ADAMS COUNTY PLANNING

Attn: Layla Bajelan

Re: Proposed Industrial Zoning changes

Greetings,

My name is Mike Fiore and I'm a fifth-generation resident of Adams County and owner of Fiore & Sons, Inc. My family immigrated to the Denver area in 1894 to the Clear Creek valley which at the time was Arapahoe County. They worked and farmed the valley into the 1950's until gravel producers started purchasing mining rights. As mining took over, our family as well as others evolved into trucking, construction and other industrial businesses.

For numerous reasons this area was and continues to be a great location for industrial use. The main reason is availability of railroads to serve distribution of lumber, grain, and a long list of other supplies to the Denver metro area. In addition to railroads, we are at the hub of numerous interstate highways. Most of the major highways in Colorado converge within 1 mile of the western edge of Adams County. For these same reasons the area is not very desirable for residential use. I, along with hundreds of other people relocated their residences to the suburbs due to noisy trains, highways, odors from sewer plants, refineries, animal rendering plants, electric generating plants, wood treating plants and numerous other uses. This infrastructure is very unlikely to move within the next 50 years. I appreciate the vision that is attempted but I think it needs more time and a more gradual approach.

I understand that industrial uses are not the most pleasing sites to look at when not managed well. I do think that an effort to get industry involved in meeting current performance standards, improving on long term performance standards, improved public perception from industrial users and increased enforcement may achieve more benefits for everyone.

Fiore & Sons, Inc. currently employs 350 full time jobs with an average income exceeding \$70,000 annually. We anticipate 10% growth every year moving forward. Due to the amount of capital expenditures needed we contribute hundreds of thousands of dollars annually to Adams County in sales tax, personal property tax and property taxes.

If proposed zoning changes cause heavy industrial use to require a conditional use permit for any improvement or violation reported it makes it very difficult for us to commit to investing in the current locations. In essence, industrial zoning is no longer industrial zoning, and cannot be relied on as such. I understand that current uses will be allowed to operate under legal non-conforming use but what happens if a current use moves on? At that point, the land (and owner) is stripped of industrial designation. How does the land owner represent his industrial zoned site? The current proposal makes it very difficult if not impossible to



market that site to another user. The net result could be that most industrial uses move 20-30 miles further east. This causes tens of thousands of jobs to move further from the metro area which adds to traffic volume and congestion. Additionally, the associated industrial services or deliveries contribute to increased traffic over greater distance as well.

I think the current proposal is too aggressive for industry and ultimately for public economic health. I ask those involved in this process to consider more thought about how the eventual loss of industrial uses will impact the costs to consumers and employees in the industry. While we support greater enforcement of zoning regulations, and increased curb appeal for the County, this proposal comes across as an attack on industry and an unnecessary burden on commerce.

Thank you for your consideration

Michael Fiore

Co Owner Fiore & Sons, Inc.

October 5, 2021

Carolynne C. White
Attorney at Law
303.223.1197 tel
cwhite@bhfs.com

VIA ELECTRONIC MAIL

Adams County Board of County Commissioners
Adams County Planning Commission
4430 S. Adams County Parkway
5th Floor, Suite C5000A
Brighton, CO 80601

RE: Adams County Development Standards & Regulations Proposed Text Amendment: Outdoor Storage

Dear Board of County Commissioners and Planning Commission:

On behalf of our clients, Fiore & Sons, Inc. ("**Fiore**") and A-One Chipseal ("**A-One**"), we request that you delay consideration of the changes to the Adams County Zoning Regulation related to outdoor storage (the "**Storage Regulation**"). We understand that the Adams County (the "**County**") Planning Commission (the "**Commission**") currently intends to discuss the Storage Regulation at its meeting on October 28, 2021, and the Board of County Commissioners (the "**Board**") at its meeting on November 9, 2021.

As you know, both Fiore and A-One are longstanding businesses, property owners, and residents in Adams County. These businesses rely heavily on the use of outdoor storage for equipment and materials. Our clients understand the County's desire to make revisions to its regulations from time to time, to address changing community needs, and want to work with the County to ensure that any such changes do not inadvertently create negative impacts to the existing and potential future operation of critical business within the County.

A recently created coalition of industry owners, the Industrial Property Owners Consortium ("**IPOC**") convened a meeting of its members and County staff on September 30, 2021 (the "**IPOC Meeting**"). At that meeting, it became evident that, for a variety of understandable reasons, many property and business owners had not received much information about the proposed changes; some were learning about the proposal for the first time at the meeting. Also, County Staff indicated that they had not received much specific input or feedback about the Storage Regulation as of that time. Additionally, attendees asked questions regarding several areas in which the draft regulation confusing or unclear, and in which potential alternative interpretations would have serious negative impact on businesses and property owners. Finally, County Staff noted at least one critical revision to the Storage Regulation at the IPOC Meeting related to the applicability of the Storage Regulation to outdoor storage as an

accessory use. Together with our clients, we have identified several additional revisions that we believe are necessary and that would strengthen the Storage Regulation and clarify its effect on businesses, and will submit an additional letter to the County detailing those revisions.

County Staff and the IPOC group both expressed a willingness to work through specifics of the proposed Storage Regulation in order to clarify issues, minimize disruption and hardship to existing businesses, while achieving the County's goals of raising standards Countywide in this area. Additionally, attendees at the IPOC Meeting suggested various methods of data collection regarding the impact of the regulations which might aid the County in making a sound policy decision on this issue, which is clearly of great importance to many County businesses and property owners.

However, more time is needed in order for the business owners to provide specific feedback and suggestions, and for the County Staff to collect and review data around the issue.

For these reasons, we request that the County delay consideration and adoption of the Storage Regulation to provide the affected stakeholders the opportunity to analyze impacts and submit specific comments and suggestions, and for County Staff to review this input, as well as additional data relevant to the issue.

Such postponement will undoubtedly allow for a more thoughtful Storage Regulation that benefits the entire County without unduly impacting stakeholder property owners and businesses. We look forward to working with the County to craft such a regulation. Thank you for your consideration.

Sincerely,



Carolynne C. White

Cc: Heidi Miller, County Attorney
Jenni Grafton, Director
Ryan Nalty, Deputy Director

"WOD" = Welby Overlay District

Purpose: The purpose of this section is to modify the underlying zone districts to encourage land uses, density, and design standards that enhance the Welby Subarea. A combination of landscape and architectural standards and provisions for pedestrian and vehicle access will provide for attractive and functional development, while allowing mixed use, commercial, and residential growth within the distinct areas of the subarea.

Applicability: These standards apply to new applications for development and expansions/redevelopment of existing uses within the boundary of the Welby Subarea Plan. The Welby Subarea Plan breaks the area into three distinct subareas. The three (3) distinct areas within the Welby Plan are as follows:

This is important to consider and allow to continue (and possibly grow) in this existing exurban area

1. **North Welby** - North Welby is predominantly residential with some neighborhood commercial along Washington Street. The boundaries of North Welby are generally described as north of W. 78th Avenue and west of Welby Road/Devonshire Boulevard.
2. **South Welby** - The south area of Welby is primarily comprised of industrial and agricultural properties with some residential homes scattered throughout. The boundaries of South Welby are generally described as south of W. 78th Avenue and west of York Street. In order to provide compatibility between the existing residential and agricultural uses and the increasing number of industrial developments within South Welby, additional site planning requirements must be established.
3. **East Welby** - East Welby is comprised of many underutilized parcels (primarily agricultural and some industrial zoned properties). This area is expected to see the most redevelopment activity. The boundaries of East Welby are generally described as east of Devonshire Boulevard, Welby Road, and York Street.

plus some residential

Relationship to underlying zoning district- The provisions of the Welby Overlay District (WOD) are in addition to the requirements of the underlying zoning district for a subject property and may supersede the zoning district requirements.

Relationship to other Zoning Overlays- The provisions of the Welby Overlay District (WOD) are in addition to the requirements of other applicable zoning overlays. Properties within a half (1/2) mile buffer from RTD Stations are required to follow the TOD and Rail Station Area Planning Guidelines Overlay regulations.

Sense of Place: Applicable to multifamily development, commercial, mixed-use, and industrial development. Enhanced landscaping and open space is required between public sidewalks and the front façade of the structure. A minimum of two (2) elements demonstrating a sense of place are required. A minimum of one (1) of the elements that honors the agricultural history of the Welby area or displays local art is required. The Community and Economic Development Department may accept any of the following examples for:

- Gateways to the site at pedestrian entrances that can be enhanced by special plantings or decorative fencing
- Accents, such as brick pavers or other material changes that can enhance the pedestrian experience
- Lighting effects, such as decorative fixtures, pole types, lamp color, and style
- Patios with seating
- Plazas with benches
- Promenades

- Terraces
- Water features
- Clock Towers
- Murals
- Pocket parks
- Local Artwork Displays
- Additional elements that are not listed may be accepted and approved by the Director with written justification as part of the building permit application.

Added Alternative location provision 9/1/21

Multiple Permitted Uses. The Welby area has a rich history as a strong business community. The Welby Plan encourages the “beehive” concept where businesses can be self-sufficient on one property and thrive within the Welby area. Currently, many of the Adams County zone districts restrict uses to only one (1) principally permitted use per parcel, however in certain areas in Welby, it may be appropriate to allow several associated uses on one property. An Administrative Review Permit must be approved to allow for the beehive concept, as outline in Section 2-02-02. In addition to the submittal requirements for the Administrative Review Permit the applicant must provide the following information:

Site plan that demonstrates:

- The parcel fronts on a State Highway, Arterial, or Collector Road.
- All setbacks, landscape requirements, and applicable performance standards for the use are being met.

A written explanation that demonstrates:

- All uses are associated with one (1) district.
- The uses are compatible and will not be mutually exclusive.
- The principal use is not industrial.

As the only Collector level streets in So. Welby are 78th & 77th; and none in East Welby; this should be allowed on other local streets

Or 78th Ave. east of York Street should be designated as a collector street.

Also 74th Ave. west of York St. to Race St. to 73rd Ave. to Washington St. should be the designated east/west Collector Street through South Welby.

Omitted all 9/1/21

The Director of the Community and Economic Development may deny a permit if it is determined that the proposed uses are not compatible or associated with one (1) business.

Building Orientation. Primary commercial or multifamily residential building entrances shall face streets, connecting walkaways, plazas, parks or similar outdoor spaces. Primary commercial or multifamily residential building entrances are prohibited from facing parking lots. Single-family and duplex lots are exempt from this requirement. Main entrances shall be provided with a direct pedestrian connection to the street without requiring pedestrians to walk through parking lots or to cross driveways.

Off-Street Parking. Off-street parking should be located behind, above, within, or below street-facing buildings to the maximum extent feasible. No parking will be allowed between the street and the front or side of a building. Single-family and duplex lots are exempt from this requirement.

Industrial Development.

All of So. Welby / Portion of East Welby

New industrial development within Welby should be restricted to those parcels with a Mixed-Use Employment Future Land Use. To provide compatibility with the existing uses, new Industrial Uses should be clean, indoor uses. For properties zoned Industrial-2 and Industrial-3, outdoor storage limitations are restricted to the allowances in the Industrial-1 zone district.

Industrial Encroachment.

Side Note: For future Comp. Plan Amendment, MU Employment designation should be revised to allow certain residential uses within this existing exurban area of Adams County. (i.e. new and existing residential on Res & Ag zoned land; and new Live-Work residential on existing Ag zoning, or a new Live-Work Zone district).

New industrial development shall not be permitted in the North Welby area.

Mixed Use. Mixed-Use development is encouraged throughout North and East Welby and should meet the performance standards outlined in Section 4-10.

Why not in South Welby?? See above

~~**Height and Density Incentives.** Higher density residential along key corridors, such as, Washington St., York St., and E. 78th Avenue are encouraged in North and East Welby. Such properties are eligible for height and density incentives subject to approval of an Administrative Review Permit (ARP).~~

Omitted 9/1/21 {Why?}

What are these? When will they be presented?

~~**Hours of Operation:** 7:00 a.m. to 12:00 a.m. when industrial development abuts residentially zoned or used property. Additional hours of operation may be permitted through an approved Conditional Use Permit. The applicant must demonstrate that the proposed use would not have negative impacts on the surrounding residential uses or that all negative impacts can be mitigated.~~

Special

6:00 am to 10:00 pm

Additional Landscaping Buffers to achieve compatibility:

- a. New Commercial uses adjacent to existing residential uses and agriculture uses are required to provide a Type-C buffer as outlined in Section 4-17, plus an additional five (5) foot bufferyard and two (2) additional trees per eighty (80) linear feet of lot line.

Bufferyard C: Fifteen (15) foot minimum bufferyard width with two (2) trees per eighty (80) linear feet of lot line and six (6) foot high sight obscuring fence or wall located on the interior line of the bufferyard.*

- b. New Industrial uses adjacent to existing residential uses and agriculture uses are required to provide a Type-D buffer as outlined in Section 4-17, plus an additional five (5) foot bufferyard and three (3) additional trees per sixty (60) linear feet of lot line.

Bufferyard D: Fifteen (15) foot minimum bufferyard width with three (3) trees per sixty (60) linear feet and six (6) foot sight obscuring fence or wall located on the interior line of the bufferyard.*

Confirm if accurate?

Res/Ag Use

Comm/Ind. Use

Use Modifications

Property Line

20' Bufferyard

6' Fence

~~**Mixed-Use Development.** Mixed use shall be allowed as a permitted use in all zone districts within the North and East Welby Subarea Overlay, if (1) the parcel is a minimum of 1/2 acre in size, (2) the parcel has a minimum of seventy-five (75) feet of lot width and (3) fronts along an arterial, collector or State Highway. Mixed Use in a zone district other than Mixed Use (MU) must be approved through an Administrative Review Permit (ARP) and must meet all other performance standards outlined in Section 4-10.~~

As the only Collector level streets in So. Welby are 78th & 77th; and none in East Welby; this should be allowed on other local streets

~~**Incentives.** All height, parking, and density requirements must underlying zone district. Incentives for additional height, addit be approved through an Administrative Review Permit. Incentives must be approved prior to building permit approval for the site.~~

Replaced with "Incentives will be available along major corridors within Welby."

Added "Character and Image" section with "Architectural Design" and "Building Materials" requirements

What are these? When will they be presented?

Why not in So. Welby? See comments on previous page.

Conditional Use Permit Required. To achieve compatibility with the Welby Subarea Plan, the following uses require an approved Conditional Use Permit in all zone districts:

Airports, Landing Strips, and Heliports

Dry Cleaners

Heavy Retail and Heavy Services

Heavy Industry

Landscape Storage Yards

Moderate Manufacturing or Processing

Light Industry

Light Manufacturing or Processing

Outdoor Storage in excess of 25% of the building area

← Added "underlying"
"permitted use"

Prohibited Uses. The following uses are prohibited in the Welby Subarea Plan boundaries:

New Mobile Home Parks

Jails and Prisons

Airports, Landing Strips, and Heliports

Sexually Oriented Businesses

Heavy Manufacturing or Processing uses

Purpose: The purpose of this section is to modify the underlying zone districts to encourage land uses, density, and design standards that enhance the Welby Subarea. A combination of landscape and architectural standards and provisions for pedestrian and vehicle access will provide for attractive and functional development, while allowing mixed use, commercial, and residential growth within the distinct areas of the subarea.

Applicability: These standards apply to new applications for development and expansions/redevelopment of existing uses within the boundary of the Welby Subarea Plan. The Welby Subarea Plan breaks the area into three distinct subareas. The three (3) distinct areas within the Welby Plan are as follows:

1. North Welby - North Welby is predominantly residential with some neighborhood commercial along Washington Street. The boundaries of North Welby are generally described as north of W. 78th Avenue and west of Welby Road/Devonshire Boulevard.
2. South Welby - The south area of Welby is primarily comprised of industrial and agricultural properties with some residential homes scattered throughout. The boundaries of South Welby are generally described as south of W. 78th Avenue and west of York Street. In order to provide compatibility between the existing residential and agricultural uses and the increasing number of industrial developments within South Welby, additional site planning requirements must be established.
3. East Welby - East Welby is comprised of many underutilized parcels (primarily agricultural and some industrial zoned properties). This area is expected to see the most redevelopment activity. The boundaries of East Welby are generally described as east of Devonshire Boulevard, Welby Road, and York Street.

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Relationship to other Zoning Overlays- The provisions of the Welby Overlay District (WOD) are in addition to the requirements of other applicable zoning overlays. Properties within a half (1/2) mile buffer from RTD Stations are required to follow the TOD and Rail Station Area Planning Guidelines Overlay regulations.

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- Gateways to the site at pedestrian entrances that can be enhanced by special plantings or decorative fencing
- Accents, such as brick pavers or other material changes that can enhance the pedestrian experience
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- Patios with seating
- Plazas with benches
- Promenades

- Terraces
- Water features
- Clock Towers
- Murals
- Pocket parks
- Local Artwork Displays

Additional elements that are not listed may be accepted and approved by the Director with written justification as part of the building permit application. An alternative location for the elements can be approved by the Director with written justification.

Multiple Permitted Uses. The Welby area has a rich history as a strong business community. The Welby Plan encourages the “beehive” concept where businesses can be self-sufficient on one property and thrive within the Welby area. Currently, many of the Adams County zone districts restrict uses to only one (1) principally permitted use per parcel, however in certain areas in Welby, it may be appropriate to allow several associated uses on one property. An Administrative Review Permit must be approved to allow for the beehive concept, as outline in Section 2-02-02.

Omitted additional Ste Plan requirements {Why?}

Building Orientation. Primary commercial or multifamily residential building entrances shall face streets, connecting walkways, plazas, parks or similar outdoor spaces. Primary commercial or multifamily residential building entrances are prohibited from facing parking lots. Single-family and duplex lots are exempt from this requirement. Main entrances shall be provided with a direct pedestrian connection to the street without requiring pedestrians to walk through parking lots or to cross driveways.

Off-Street Parking. Off-street parking should be located behind, above, within, or below street-facing buildings to the maximum extent feasible. No parking will be allowed between the street and the front or side of a building. Single-family and duplex lots are exempt from this requirement.

Industrial Development.

New industrial development within Welby should be restricted to those parcels with a Mixed-Use Employment Future Land Use. To provide compatibility with the existing uses, new Industrial Uses should be clean, indoor uses. For properties zoned Industrial-2 and Industrial-3, outdoor storage limitations are restricted to the allowances in the Industrial-1 zone district.

Industrial Encroachment.

New industrial development shall not be permitted in the North Welby area.

Mixed Use. Mixed-Use development is encouraged throughout North and East Welby and should meet the performance standards outlined in Section 4-10.

Omitted Height and Density Incentives {Why?}

Hours of Operation: 6:00 a.m. to 10:00 p.m. when industrial development abuts residentially zoned or used property. Additional hours of operation may be permitted through an approved Special Use Permit. The applicant must demonstrate that the proposed use would not have negative impacts on the surrounding residential uses or that all negative impacts can be mitigated.

Additional Landscaping Buffers to achieve compatibility:

- a. New Commercial uses adjacent to existing residential uses and agriculture uses are required to provide a Type-C buffer as outlined in Section 4-17, plus an additional five (5) foot bufferyard and two (2) additional trees per eighty (80) linear feet of lot line.

Bufferyard C: Fifteen (15) foot minimum bufferyard width with two (2) trees per eighty (80) linear feet of lot line and six (6) foot high sight obscuring fence or wall located on the interior line of the bufferyard.*

- b. New Industrial uses adjacent to existing residential uses and agriculture uses are required to provide a Type-D buffer as outlined in Section 4-17, plus an additional five (5) foot bufferyard and three (3) additional trees per sixty (60) linear feet of lot line.

Bufferyard D: Fifteen (15) foot minimum bufferyard width with three (3) trees per sixty (60) linear feet and six (6) foot sight obscuring fence or wall located on the interior line of the bufferyard.*

Character and Image

Architectural Design.

1. Horizontal Articulation: Buildings greater than two stories or taller than 30 feet shall be designed to have a clearly identifiable base, body and top with horizontal elements separating these components. The component described as the body shall constitute a minimum of 50% of the total building height. (See Figure 4-10-A)
2. Building Articulation: For buildings with a façade longer than 50 feet on any street edge, building articulation will be required at every 50 feet along the façade facing that street edge. Building articulation may be achieved through such things as window recesses, vertical and horizontal projections/banding, vertical and horizontal recesses, window composition/design, balconies and other architectural elements to be substantial in depth, in order to create shadow and architectural relief. Use of different colors does not provide building articulation.
3. Composition: Elements within each segment of a building facade, defined by a different roof height, are required to be symmetrical. A symmetrical condition is achieved when facade elements and openings are repeated in the same positions on either side of a central vertical line for that segment.
4. Entrances: To the maximum extent feasible, primary facades and entries shall face the adjacent street. Main entrances shall be provided with a direct pedestrian connection to the street without requiring pedestrians to walk through parking lots or cross driveways.
5. Scale: Facades shall incorporate a minimum of two (2) continuous details refined to the scale of 12 inches or less within the first 10 feet of the building wall, measured vertically at street level.
6. Expression: All masonry elements designed to appear as load-bearing shall be visually supported by other masonry elements directly below. On masonry building walls, expressed or implied structural piers shall be evident as vertical alignments on the facade.

7. Color: A maximum of two (2) primary colors for each building segment may be used with a maximum of two (2) secondary accent colors. If accent colors are to be used, they too must be described and used throughout the development and complement the primary colors.

Building Material.

1. General: A minimum of 50% of the building walls shall incorporate brick, cast stone, stone, formed concrete, glass in combination with metal or other high quality, long-lasting masonry or stone material over a minimum percentage of surface area (excluding windows, doors and curtain walls). The remainder of wall area may incorporate other materials.
2. Glare: Building materials shall not create excessive glare. If highly reflective building materials are proposed, such as aluminum, unpainted metal or reflective glass, the potential for glare from such materials will be evaluated to determine whether the glare would create a significant adverse impact on the adjacent property owners, neighborhood or community in terms of traffic safety, outdoor activities and enjoyment of views. If so, such materials shall not be permitted.
3. Transparency:
 - a. Required Transparency: Facades shall incorporate transparent features (windows and doors) over a minimum percentage of the surface area of street fronting facades. Minimum percentages for ground level: 25% of surface area minimum; and upper levels of all uses: 15% surface area minimum. Transparency of the ground level shall be calculated within the first 15 feet of the building wall, measured vertically at street level. In cases where a building has more than two facades fronting a street or primary travel way, the transparency requirement shall only be required on one facade based on pedestrian traffic and vehicular visibility. All ground level windows shall provide direct views to the building's interior or to a lit display area extending a minimum of three (3) feet behind the window. Ground level windows shall extend above an eighteen (18) to twenty-four (24) inch base. Materials that restrict the ability of the public to view the inside of a structure from the outside are generally prohibited but may be allowed in limited locations in structures intended for financial or other uses with documentable safety concerns.
 - b. Glass: Mirrored glass with a reflectivity or opacity of greater than sixty percent (60%) is prohibited. Windows located along a sidewalk and/or a street on the first floor of a building shall use transparent glass with a maximum visible light reflectance of approximately 0.15 to allow pedestrians to view activity within the building.
 - c. Location and Details: Windows shall be individually defined with detail elements such as frames, sills, and lintels, and placed to visually establish and define the structure stories and establish human scale and proportion.

Use Modifications

Omitted min. parcel size.

Mixed-Use Development. Mixed use shall be allowed as a permitted use in all zone districts within the North and East Welby Subarea Overlay, if (1) the parcel has a minimum of seventy-five (75) feet of lot width and (2) fronts along an arterial, collector or State Highway. Mixed Use in a zone district other than Mixed-Use (MU) must be approved through an Administrative Review Permit (ARP) and must meet all other performance standards outlined in Section 4-10.

Incentives. Incentives will be available along major corridors within Welby.

Conditional Use Permit Required. To achieve compatibility with the Welby Subarea Plan, the following uses require an approved Conditional Use Permit in all underlying zone districts in which it is a permitted use:

Dry Cleaning Plants

Heavy Retail and Heavy Services

Heavy Industry

Landscape Storage Yards

Moderate Manufacturing or Processing

Light Industry

Light Manufacturing or Processing

Outdoor Storage in excess of 25% of the building area

Prohibited Uses. The following uses are prohibited in all zone districts within the Welby Subarea Plan boundaries:

New Mobile Home Parks

Jails and Prisons

Airports, Landing Strips, and Heliports

Sexually Oriented Businesses

Heavy Manufacturing or Processing uses

From: [Heidi M. Miller](#)
To: [Layla Bajelan](#); [Jen Rutter](#); [Jenni Grafton](#)
Subject: FW: TEXT AMENDMENT - FW: outdoor storage
Date: Monday, October 11, 2021 8:42:19 AM
Attachments: [Adams county outdoor storage.pdf](#)

Heidi M. Miller

County Attorney, *County Attorney's Office*

ADAMS COUNTY, COLORADO

4430 S. Adams County Parkway, Suite C5000B

Brighton, CO 80601

Office: 720.523.6329 | Direct: 720.523.6329

hmiller@adcogov.org www.adcogov.org

From: Lynn Baca <LBaca@adcogov.org>
Sent: Sunday, October 10, 2021 5:51 PM
To: Raymond H. Gonzales <RGonzales@adcogov.org>; Heidi M. Miller <HMiller@adcogov.org>
Subject: TEXT AMENDMENT - FW: outdoor storage

From: Ben Frei <BFrei@albertfreiansons.com>
Sent: Tuesday, October 5, 2021 3:46 PM
To: Eva Henry <EHenry@adcogov.org>; Chaz Tedesco <CTedesco@adcogov.org>; Emma Pinter <EPinter@adcogov.org>; Steve O'Dorisio <SODorisio@adcogov.org>; Lynn Baca <LBaca@adcogov.org>; Jenni Grafton <JGrafton@adcogov.org>; Layla Bajelan <LBajelan@adcogov.org>; adcoipoc@gmail.com
Cc: Joel Bolduc <JBolduc@albertfreiansons.com>; Becky Rigo <BRigo@albertfreiansons.com>; Al Frei Jr <AFreiJr@albertfreiansons.com>
Subject: outdoor storage

Please be cautious: This email was sent from outside Adams County

We are opposed the new regulation of outdoor storage both the time of longer than 72 hours and the size of more than 25% in the I2 and I3 zone districts.

Thanks

Ben Frei

Land development / CEO

Albert Frei & Sons, Inc.

7321 E. 88th Ave. Suite 100

Henderson, CO 80640

C: 303-913-6532

October 5, 2021

Via Email to:

Eva Henry, ehenry@adcogov.org
Charles Tedesco, ctedesco@adcogov.org
Emma Pinter, epinter@adcogov.org
Steve O'Dorisio, sodorisio@adcogov.org
Lynn Baca, lbaca@adcogov.org
Jenni Grafton, jgrafton@adcogov.org
Layla Bajelan, lbajelan@adco.gov
adcoipoc@gmail.com

Re: Proposed Zoning Changes to Industrial Property in Unincorporated Adams County

Albert Frei & Sons has operated sand & gravel operations in Adams County since 1962. We have approximately 30 employees that today work in Adams County. The company pays \$334,000 per year in property taxes.

I am writing today to express our opposition to the proposed zoning changes that affect outdoor storage. Our business like many others operates with equipment and material that are outside. It is impractical and cost-prohibitive to place all equipment and material inside of a building.

Businesses must operate with some assurance of regulatory certainty. Having to obtain a CUP for every outdoor storage for more than 72 hours is overly burdensome, costly, and creates uncertainty for business development and growth and will likely result in quelling new and existing businesses. For defunct businesses, having them clean up the site make sense. But for operating businesses, the proposed changes are troublesome, and we oppose them.

Sincerely,



Ben Frei,
CEO

From: [Tanner Fanello](#)
To: [Layla Bajelan](#)
Subject: Welby Station
Date: Monday, October 11, 2021 2:51:08 PM
Attachments: [Image001.png](#)
[9151 Welby Rd. Brochure.pdf](#)

Please be cautious: This email was sent from outside Adams County

Good afternoon,

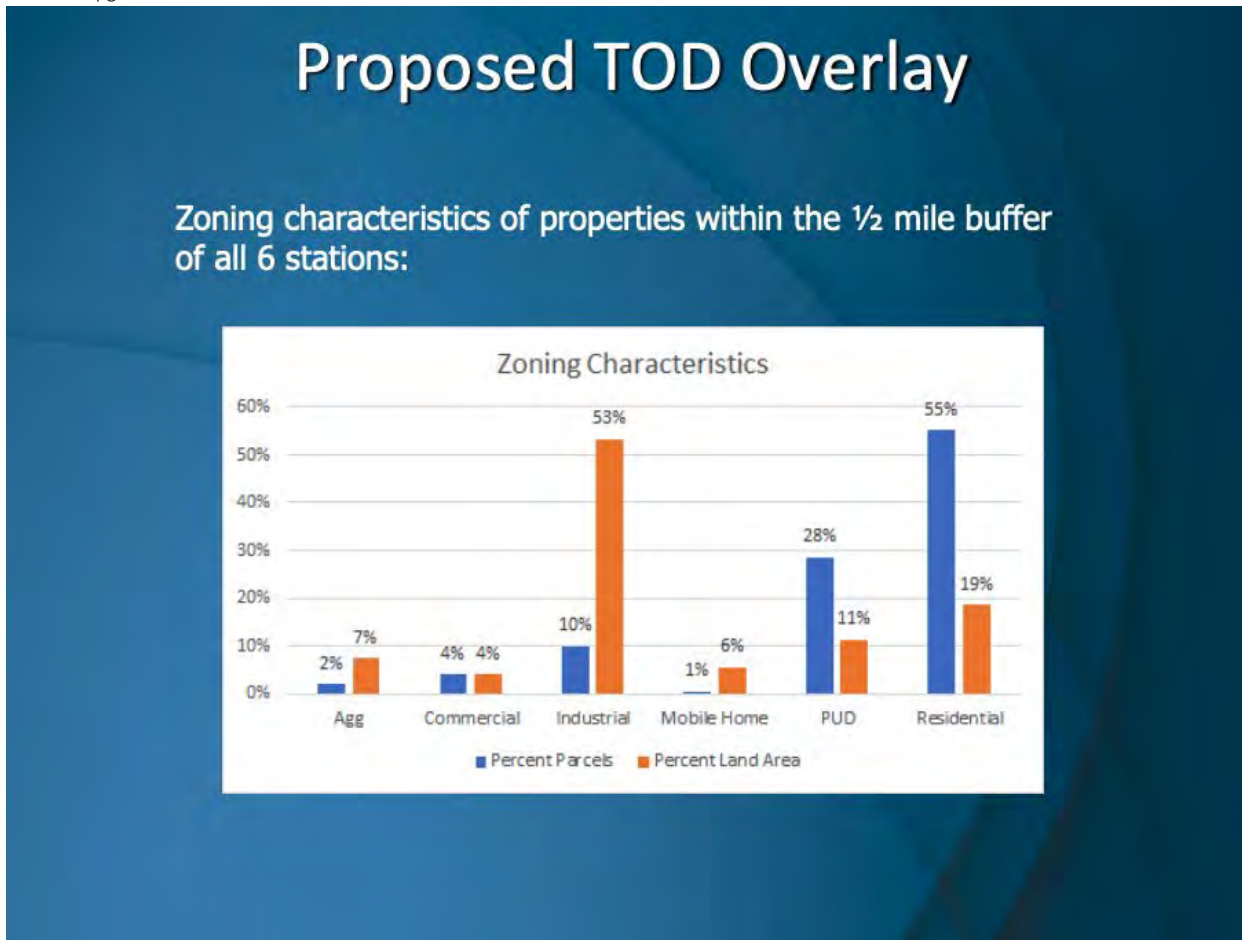
We represent the owner of 11 acres that is adjacent to the 88th station. How is Adams County involved with land that is annexed into Thornton. We have a able bodied developer ready to move on developing the attached site. We have received quite a bit of pushback from Thornton though. Does this figure below represent unincorporated land or all land surrounding TOD stations?

10% of the parcels, but 53% of the land is Industrial surrounds the 6 RTD stations in Adams County. Adams says in report, as does the Thornton Station plan, that TOD is "high density".

From Adams County - 2nd virtual meeting- Tuesday, July 27, 2021, 6-7 p.m.

[Welby Stakeholder Meeting Presentation](#)

Slide from pg 21



Tanner Fanello
President
Cell 303-945-1335

Fuller Real Estate
Office 303-534-4822
5300 DTC Parkway, #100
Greenwood Village, CO 80111

From: [Heidi M. Miller](#)
To: [Layla Bajelan](#); [Jen Rutter](#); [Jenni Grafton](#)
Subject: FW: TEXT AMENDMENTS - FW: Meeting w/ Adams County Commissioners Henry & Baca
Date: Monday, October 11, 2021 8:42:48 AM
Attachments: [image002.png](#)

Heidi M. Miller

County Attorney, *County Attorney's Office*

ADAMS COUNTY, COLORADO

4430 S. Adams County Parkway, Suite C5000B

Brighton, CO 80601

Office: 720.523.6329 | Direct: 720.523.6329

hmill@adcogov.org www.adcogov.org

From: Lynn Baca <LBaca@adcogov.org>
Sent: Sunday, October 10, 2021 8:33 PM
To: Raymond H. Gonzales <RGonzales@adcogov.org>; Heidi M. Miller <HMiller@adcogov.org>
Subject: TEXT AMENDMENTS - FW: Meeting w/ Adams County Commissioners Henry & Baca

From: Bruce Hamon <bhamon@hamoninfrastructure.com>
Sent: Thursday, September 30, 2021 9:30 AM
To: EHenry@adogov.org
Cc: Lynn Baca <LBaca@adcogov.org>
Subject: FW: Meeting w/ Adams County Commissioners Henry & Baca

Please be cautious: This email was sent from outside Adams County

Eva and Lynn,

I have attached a letter I received from Greg Fulton, Director of Colorado Motor Carriers Association. I thought it would be more concise and comprehensive to the issues Adams County should consider. The point I would emphasize is the "Conditional Use permit" in the future needs to be iron clad for those property owners who are considered to be grandfathered in, and should not have to worry about a future sophisticated taking of their property. Grandfathered definition should NOT be subject to conditional use evaluation every 5 years. "Grandfathered" in should be exactly that, defined as, without any "conditional use evaluation" ever.

I would strongly recommend the County to take a pause and truly have staff talk to everyone individually if necessary. That surely will take some time. I have not heard from any staff as of this date.

This County action has already affected our property value negatively not to mention our concern to hire or maintain employment levels at this time.

Thanks for taking the time to listen.

Hope this helps.

Good luck,

bh

HAMON
INFRASTRUCTURE



Bruce Hamon
President / CEO
t: (303) 297-0340 | e: bhamon@hamoninfrastructure.com
www.hamoninfrastructure.com

From: Greg Fulton <greg@cmca.com>

Sent: Monday, September 27, 2021 3:43 PM

To: Bruce Hamon <bhamon@hamoninfrastructure.com>

Subject: [EXTERNAL] Re: Meeting w/ Adams County Commissioners Henry & Baca

Bruce

Thanks for the note. I will try to attend. My schedule is somewhat jammed, but I am trying to rearrange it to accommodate the meeting. I spoke to two of the other commissioners last week on this matter and expressed our concerns and arguments in opposition to the changes. I also spoke to the County Manager for an hour on the issue and noted that we have over 300 member companies in Adams County and many of them have expressed concern over the proposed changes.

I think we are making headway on the issue. I don't believe that the county commissioners nor the county manager understand the full implications of the actions proposed. For that matter I'm not sure that the staff, themselves, understands what their proposed changes would do.

Our suggestion to them has been that the process should be stopped now and that they look at doing a reset. Before they restart the process, they need to rebuild trust with the business community that has been lost through this fiasco. They need to begin with the potential affected parties rather than ask for their input after the recommendations have been prepared. This situation will only get uglier for the county if it continues forward, so best to stop now and reconsider the entire process and concept.

I have indicated that the zoning change and redefinition of outside storage looks like a sophisticated "taking" where property holders would be forced to sell because they may not be able to continue the use of the property as it is today. A conditional use permit is exactly what

it says. There is no guarantee to property holders that five years from now that they would issue another one to them. Further. it adversely affects the value of existing businesses because buyers may shy away when they realize that their ability to operate the business as it is today could greatly be compromised in the future.

Thanks

Greg

From: Bruce Hamon <bhamon@hamoninfrastructure.com>

Sent: Monday, September 27, 2021 11:08 AM

To: LBaca@adcogov.org <LBaca@adcogov.org>; EHenry@adcogov.org <EHenry@adcogov.org>; MTempleton@adcogov.org <MTempleton@adcogov.org>; RMinore@adcogov.org <RMinore@adcogov.org>; Greg Fulton <greg@cmca.com>

Subject: Meeting w/ Adams County Commissioners Henry & Baca

Meeting w/ Adams County Commissioners Henry & Baca

Scheduled: Sep 29, 2021 at 9:30 AM to 10:30 AM, MDT

Location: 5670 Franklin St Denver, Colorado, United States

Invitees: Lynn Baca, Eva Henry, Michael B. Templeton, Rachael Minore, Greg Fulton

Sent from my iPhone

From: [Carol Hernandez](#)
To: [Layla Bajelan](#)
Subject: Fw: Property 7030 Colorado Blvd. Commerce City, CO
Date: Wednesday, October 13, 2021 4:38:53 PM

Please be cautious: This email was sent from outside Adams County

Sorry wrong email address. Please see below.

----- Forwarded Message -----

From: Carol Hernandez <flickers1954@yahoo.com>
To: LBajelan@adcogov.ord <lbajelan@adcogov.ord>
Sent: Wednesday, October 13, 2021, 04:10:06 PM MDT
Subject: Property 7030 Colorado Blvd. Commerce City, CO

Hello,

My name is Caroline Hernandez and I left you voice message regarding the above property. I have also been calling the number that is on the presentation about planning for various projects, # 720-523-6990 and no one is returning my calls. I have also call Melissa Scheere, 720523-6210, to get information about the above property and again no returned call.

I own the property at the above address and I am trying to find out if the plans for the 72nd Rail Station might impact my property and how? I have plans for that property but they might change if I the impact is negative.

I understand that the October 12th meeting was canceled. I would like to attend these meetings as I would like to understand the coming changes for this area of Commerce City. Can you please add me to the invitee list so that I receive notifications on these meetings.

Can you please call me as I am not getting any response from the people i have contacted.

Carol Hernandez
720-350-7466

From: [Heidi M. Miller](#)
To: [Jen Rutter](#); [Jenni Grafton](#); [Layla Bajelan](#)
Subject: FW: Comprehensive Overlay Plans
Date: Tuesday, October 19, 2021 12:58:52 PM

Heidi M. Miller

County Attorney, *County Attorney's Office*

ADAMS COUNTY, COLORADO

4430 S. Adams County Parkway, Suite C5000B

Brighton, CO 80601

Office: 720.523.6329 | Direct: 720.523.6329

hmiller@adcogov.org www.adcogov.org

From: toby hood <tobydhood@hotmail.com>

Sent: Thursday, October 14, 2021 9:32 PM

To: Rgonales@adcogov.org; Steve O'Dorisio <SODorisio@adcogov.org>; Heidi M. Miller <HMiller@adcogov.org>

Subject: Comprehensive Overlay Plans

Please be cautious: This email was sent from outside Adams County

Hello Mr Gonzales, Ms. Miller and Mr O`Dorisio,

My name is Toby Hood, I am a lifetime resident of Adams County and The owner of a couple of parcels within the county.

One of witch is an outdoor storage facility. Additionally I have been a firefighter for 26 years.

I would like to humbly request to be included in any opportunities to work with staff on the evolving Comprehensive Overlay Plans. Not just to share my concerns, but to offer insight as an owners and from my experience as a firefighter responding to these facilities.

Sincerely

Toby Hood

From: [Erin Hartman](#)
To: [Layla Bajelan](#)
Cc: [Jen Rutter](#)
Subject: Re: Zoning Prop
Date: Friday, October 15, 2021 1:32:32 PM
Attachments: [image002.jpg](#)
[image005.jpg](#)

Please be cautious: This email was sent from outside Adams County

Good Afternoon Ladies,
Layla,

Thank you so much for getting back to me. I appreciate the detailed information.

I am currently leasing this property and have been for the last six years. I am considering buying in Adams, because I love this community. Can you tell me a little more about the future transactions of zoned property?

I would love to schedule some time. I am currently traveling most weekends for my son's Senior Year of college football. Unfortunately makes my already jam packed schedule even crazier. Be a small business owner, they said:)

Please give me a call anytime. I really appreciate the opportunity to work together on this issue.

Have a wonderful weekend. It is supposed to be beautiful!!

Erin

On Fri, Oct 15, 2021 at 12:50 PM Layla Bajelan <LBajelan@adcogov.org> wrote:

Hi Erin,

I hope you are doing well. I took some time this week to look into your property and how you could be impacted by the proposed text amendments. That being said, I did want to let you know that on Tuesday we received direction from the Board of County Commissioners to put a pause on the outdoor storage definition, use modifications within the overlays, and the reductions in permitted outdoor storage in I-2 and I-3. This portion of the text amendments will go on a separate path forward in early 2022. In addition, Community and Economic Development will be holding an additional meeting for stakeholders and will make ourselves available for office hours to provide 1:1 help to anyone that has concerns or questions on their property and permitted uses. I have added your name to our contact list and you will receive all notifications moving forward.

The property associated with your business is located at 5351 Lincoln Street in unincorporated Adams County. Please correct me if that is the wrong address. This property is zoned as Industrial-1, and is not within any of the proposed overlays. We are not proposing any modifications to the I-1 zone district, as changes to outdoor storage were made in 2019, however we are proposing changing the definition of outdoor storage. The I-1 zone district allows for up to 25% of the building area in outdoor storage as a permitted use. A permit would be required to establish the use on the property and outdoor storage will need to be screened. Any amount of outdoor storage that exceeds 25% of the building area would require a conditional use permit (CUP). Based on the information provided below, the materials your business is storing outside would be considered outdoor storage with our

current definition and the proposed definition. Based on County records, the building on your property is 2,200 square feet in size, so you could be allowed 550 square feet of outdoor storage without a CUP.

Current definition of Outdoor Storage: The storage of materials or inventory naturally and normally incidental to the primary use of a property limited to the primary user of the property and located on the same lot with the primary use. Accessory storage shall not include vehicles, which can be driven off the property under their own power and are licensed to be driven on public rights-of-way. Merchandise for sale or lease shall not be considered accessory storage, except storage of gravel, rock, recycled asphalt, or other landscaping materials shall be considered outdoor storage.

Proposed definition: The storage of materials for a period greater than 72 hours, including items for sale, lease, processing, and repair (including vehicles) not in an enclosed building.

I did some additional research on the permits that have been issued by the County for your property. It appears that a permit was applied for in 2001 for an office and we have no other change-of-use permits on file. A change-in-use permit would be required to establish your use on the property. During this review, staff will ensure that the property is meeting the landscaping and parking requirements for the use, screening is in place for any outdoor storage, and that the use is permitted in the zone district.

I am happy to set up an in-person meeting with you to go over all of this information and help with providing a path forward. Please don't hesitate to reach out with any questions or concerns you may have.

Thanks,



Layla Bajelan

Long Range Planner II, *Community and Economic Development*

ADAMS COUNTY, COLORADO

4430 S. Adams County Parkway, 1st Floor, Suite W2000A

Brighton, CO 80601

**** New Schedule: Tuesday-Friday 7 a.m. to 5:30 p.m.****

County operating hours: Tuesday through Friday, 7 a.m. to 5:30 p.m.

From: Erin Hartman <erin@hotshotsupplyco.com>
Sent: Monday, October 11, 2021 5:48 PM
To: Layla Bajelan <LBajelan@adcogov.org>; Steve O'Dorisio <SODorisio@adcogov.org>
Subject: Re: Zoning Prop

Please be cautious: This email was sent from outside Adams County

Good Evening Layla,

I am currently finishing up my 6th year as a tenant in a commercial property, located in unincorporated Adams County. I own a business, Hot Shot Supply Co. established in 2010. We provide infrastructure material supply for horizontal concrete construction. As a small business, I have 6 full time employees and have been located in unincorporated Adams County, since 2013. We are located in a residential/ industrial neighborhood, just south of the Grizzly Rose. I am on the Board of Hispanic Contractors of Colorado and the Associate Chair for Colorado Contractors Association. I have been operating as an essential employer throughout this pandemic. I have also contributed to the ACED CoVid task force during this time.

I have built my business and have a vested interest in Adams County. Historically, Adams County has been an incredible advocate for small/ diverse/ woman owned businesses and up until this proposal, I had my sights set on making my permanent home within its confines.

The language in this proposal gravely concerns me.

I have next Monday -Thursday available to come see our operation and provide further clarification on what this proposal will mean for my, and many, legitimate businesses that have chosen Adams County, as home.

Please let me know your availability.

I appreciate you reaching out and look forward to your response.

On Mon, Oct 11, 2021 at 5:26 PM Layla Bajelan <LBajelan@adcogov.org> wrote:

Hi Erin,

I am a Planner with Adams County and the case manager on the proposed Code Amendments. I would be happy to take a look at your property and provide you with more information.

Thanks,



Layla Bajelan

Long Range Planner II, *Community and Economic Development*

ADAMS COUNTY, COLORADO

4430 S. Adams County Parkway, 1st Floor, Suite W2000A

Brighton, CO 80601

720.523.6863 | LBajelan@adcogov.org | www.adcogov.org

**** New Schedule: Tuesday-Friday 7 a.m. to 5:30 p.m.****

County operating hours: Tuesday through Friday, 7 a.m. to 5:30 p.m.

From: Erin Hartman <erin@hotshotsupplyco.com>

Sent: Wednesday, September 29, 2021 5:54 AM

To: Steve O'Dorisio <SODorisio@adcogov.org>

Cc: Ryan M. Nalty <RNalty@adcogov.org>; Jenni Grafton <JGrafton@adcogov.org>;

Alisha Reis <AREis@adcogov.org>; Raymond H. Gonzales <RGonzales@adcogov.org>

Subject: Re: Zoning Prop

Please be cautious: This email was sent from outside Adams County

Good Morning,

Thank you, Steve.

Will this proposal directly affect my ability to function as a business in unincorporated Adams County? In particular, outside fleet storage, material storage within our fenced area.....

While working through and providing essential function to our community, this proposal brings additional stressors and insecurity for the future of my business.

I would be interested in participating in further collaboration. Please let me know how, when and where I can assist in this process.

On Wed, Sep 29, 2021 at 5:47 AM Steve O'Dorisio <SODorisio@adcogov.org> wrote:

Erin,

Thank you for sharing your concerns and recognizing the need to clean up areas in our community.

By way of this email, I am introducing you to our staff who can gather input from you on how their proposed regulation changes could impact you. They can also answer questions you might have on the process.

Your involvement and input in this process is important. Please keep me updated regarding your conversations with our staff. And thank you again for your engagement.

Sincerely,

Steve O'Dorisio

From: Erin Hartman <erin@hotshotsupplyco.com>

Sent: Tuesday, September 28, 2021, 9:37 PM

To: Steve O'Dorisio

Subject: Zoning Prop

Please be cautious: This email was sent from outside Adams County

Good Evening Steve,

I am writing to you in concern of the new zoning proposal for unincorporated Adams County.

My infrastructure material supply company is located in unincorporated Adams County. I am gravely concerned with the language of this proposal. Specifically:

Amend definition of "Outdoor Storage" to remove exceptions for merchandise and vehicles stored outside, and broaden County regulated activity to now include anything stored outside of a covered building for more than 72 hours

We keep our yard stocked with material to build Colorados' infrastructure. Is there a different interpretation I should be aware of? Will there be an exemption for business?

That being said, our neighborhood could definitely use some clean up. We just need to include language that will protect legitimate, revenue building businesses. and prevent them from re-locatining.

Please contact me at your earliest convenience.

--

Many Thanks,

Erin Hartman
Owner~Hot Shot Supply
M/WBE/ DBE/ SBE Certified
720-352-1869 cell 720-319-1150 office

www.hotshotsupplyco.com



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Many Thanks,

Erin Hartman
Owner~Hot Shot Supply
M/WBE/ DBE/ SBE Certified
720-352-1869 cell 720-319-1150 office

www.hotshotsupplyco.com



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Many Thanks,

Erin Hartman
Owner~Hot Shot Supply
M/WBE/ DBE/ SBE Certified
720-352-1869 cell 720-319-1150 office

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--

Many Thanks,

Erin Hartman
Owner~Hot Shot Supply
M/WBE/ DBE/ SBE Certified
720-352-1869 cell 720-319-1150 office
www.hotshotsupplyco.com



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4565 E. 74th Avenue Commerce City, CO 80022 · 303 288 4040

Dear Adams County Commissioners,

This letter is regarding the changes in the definition of storage for businesses in Adams County. We have been doing business in Adams County for over 60 years and played a big part in the development and growth of the county. We employ 40 people who all but 6 live in Adams County. We are extremely discouraged over the proposed changes to zoning and how you will define storage and how we can conduct business.

We are a manufacturer and a dealer in semi-trailers. We provide an essential service to farming, roads, construction, and renewable energy markets. It is essential for us to store inventory on our yard. There is not a trailer dealer in the U.S. that stores their 32-57 ft trailers indoors.

The last several years we have beautified our property through new parking lot, outdoor remodel, landscape and weed control to give good curb appeal. We believe resources should be directed to our roads as they are in bad shape (2 examples 74th and Colorado. The asphalt is heaving several inches and has been that way for over 5 years. Dangerous when icy. 74th and Cherry traffic swerves into oncoming traffic constantly to miss the large divot in left lane. Streets have not been cleaned and weeds especially in road islands are out of control.) Efforts into our roads would be an immediately improvement to safety and beauty to Adams County.

We request you delay the vote to redefine zoning and storage until Adams County can meet the needs of its business which drive revenue for Adams County!

Regards,

A handwritten signature in blue ink that reads "Ryan Jones".

Ryan Jones
President
IMCO Trailers
4565 E 74th Ave
Commerce City, CO 80022
rjones@imcotrailers.com

From: [Heidi M. Miller](#)
To: [Jen Rutter](#); [Jenni Grafton](#); [Layla Bajelan](#)
Subject: FW: Changes to industrial zoning
Date: Tuesday, October 19, 2021 1:24:27 PM

Heidi M. Miller

County Attorney, *County Attorney's Office*

ADAMS COUNTY, COLORADO

4430 S. Adams County Parkway, Suite C5000B

Brighton, CO 80601

Office: 720.523.6329 | Direct: 720.523.6329

hmiller@adcogov.org www.adcogov.org

From: Steve O'Doriso <SODoriso@adcogov.org>
Sent: Saturday, October 16, 2021 10:04 AM
To: Raymond H. Gonzales <RGonzales@adcogov.org>; Heidi M. Miller <HMiller@adcogov.org>
Subject: Fwd: Changes to industrial zoning

From: Jim White <jim@jfwtrucking.com>
Sent: Wednesday, September 22, 2021, 5:55 PM
To: Eva Henry; Chaz Tedesco; Emma Pinter; Steve O'Doriso; Lynn Baca; Jenni Grafton
Cc: Adcoipoc@gmail.com; dave@jfwtrucking.com
Subject: Changes to industrial zoning

Please be cautious: This email was sent from outside Adams County

Adams County Board of Commissioners,

Myself Jim White and My Brother Dave White are 2nd generation Adams County Residents. We own and operate JFW Corporation which is a local aggregate transportation company. Our company has been located in Adams County since 1972

We currently employ 140 team members in 2 locations in Adams County.

We are asking that you delay the public hearing on the County's 2021 Phase 3 text amendments until you can incorporate language that will still allow our business to operate in Adams County, where we have called home for 49 years.

The proposed amendment expands the definition of outside storage County wide. For example there are no exceptions for Fleets. This one word, Fleet, will discount our company from doing business from any property location in Adams County, again, that we once called our home. Along with

stipulations to include no outside storage for more than 72 hours. Where will our Fleet of trucks go on a 3 day Holiday weekend or a Colorado snow storm that shuts down the County for more than 72 hours.

The proposed amendments will limit the amount of property that can be used for outside storage, so even if the County would allow the word Fleet, our trucks would need to be stored outside not meeting the proposed outside property use guide lines. For example in some cases as little as 25% in overlay zones. This decrease in allowable outdoor storage area would not allow us to have a large amount of trucks on any site.

Since the proposed amendments have such a broad brushstroke, like I have mentioned above, we cannot take the chance that we will be grandfathered or have non-conforming business protection. The law would sooner or later disfavor our Fleet or outside storage property use percentage, causing us to ask for some kind of discretionary permit that will be required every 5 years. This would not allow us to buy vehicles on any yearly cycle not knowing if something purchased in the 3rd year of the permit would not be allowed after 2 more years, because the board of commissioners find the permit non-complying.

If we cannot delay the public hearing, so that we can work with the County to create more acceptable language for the future of our business, then this would force us to sell or relocate, because of not being able to conform. Selling a business that has to move because of permit issues, makes it almost unsellable and devalued. Having to relocate is expensive. We would lose so many of our Adams County employees who enjoy a short commute to our locations in Adams county.

As some kind of reference for what the County is trying to accomplish with the proposed amendments at the public hearing, we referred to the Counties Goals voted on and excepted in 2012.

The 1st paragraph under GOALS is:

Education and Economic Vitality

Adams County supports economic prosperity by attracting new businesses, retaining existing businesses, and supporting the growth and development of small businesses. We do that by creating programs that facilitate a highly-skilled and well-educated workforce; support a positive image and brand for Adams County, and foster a viable economic environment for our business community.

The County with the new proposed amendments is not supporting economic prosperity, cannot attract new businesses, will not retain existing businesses, and by no way supports the growth of small business development.

How Can any of these proposed amendment's help Adams County meet these GOALS or support a positive image and brand for Adams County, and foster a viable economic environment for our business community.

The Counties words not ours, please help us reevaluate these proposed amendments for the good of

Adams County and its business community.

Thank you from all 140 team mates and their families that count on Adams county to be a great place to work and Live.

Sincerely,



Jim White, General Manager

303-888-9540 cell

jim@jfwtrucking.com

www.jfwtrucking.com



Adams County
4430 South Adams County Parkway
Brighton, Colorado 80601

October 7, 2021

To Whom It May Concern:

I am writing to express concern over the new 2021 Comprehensive Overlay Plan and how it will affect our operations 9251 E 104th Ave Henderson, CO 80640 and 9540 E 104th Ave, Henderson, CO 80640. Liberty has been a part of the Adams County community for over 5 years, and the proposed changes could devastate our current business operations.

We understand the new zoning regulations only apply to new projects, but our company has plans to continue growth and changes to zoning could impact that. It is our wish to continue this growth right here in Adams County. Currently, Liberty employs over 700 proud Coloradans, many who live in Adams County. We do not feel like there has been a proper stakeholder process in these proposed rule changes and urge you to push back the vote on the plan. If you wish to contact me you can do so at Audrey.barrios@libertyfrac.com or 303-589-5780.

Thank you for your consideration,

Audrey Barrios
External Affairs- Liberty Oilfield Services

LIBERTY



Phillip Courtney
Land Manager

October 7, 2021

Adams County Board of Commissioners
4430 S. Adams County Parkway, Suite C5000A
Brighton, CO 80601

By Hand Delivery

**RE: Text Amendments to County Development Standards and Regulations
Request to Delay Scheduled Vote**

Dear Commissioners:

Martin Marietta Materials is a leading provider of natural resource based building materials, providing the foundation upon which our communities improve and grow. Martin Marietta employs over 1,500 people in the Colorado Front Range. We operate at 4 locations in Adams County and paid over \$235,000 in property taxes to the county in 2020.

We have recently become aware of proposed changes to the County Development Standards and Regulations that could potentially have a negative effect on industrial property owners in the county. During a meeting on September 30, 2021 that included numerous industrial property owners and county staff, it was apparent that more time is required to understand the impacts of these code changes on industrial property owners and work with county staff on potential modifications to the proposed language that benefit all parties involved.

We understand the County Commissioners are currently scheduled to vote on the proposed changes on November 9. We request that the scheduled vote be delayed to allow industrial property owners and planning staff to more thoroughly analyze the changes and potentially work together on modifications to the proposed language.

Please let me know if you have any questions or need any additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Phillip J. Courtney".

Phillip J. Courtney
Land Manager

Dave White

From: Joshua Oliver <adcoipoc@gmail.com> on behalf of Joshua Oliver
Sent: Friday, October 08, 2021 8:32 AM
To: Dave White; laurie.johnson@5280recycle.com
Subject: Fwd: Proposed Industrial Zoning Changes

BoCC Letter

----- Forwarded message -----

From: **benb mditrucks.com** <benb@mditrucks.com>
Date: Thu, Sep 23, 2021 at 10:50 AM
Subject: Proposed Industrial Zoning Changes
To: ehenry@adcogov.org <ehenry@adcogov.org>, ctedesco@adcogov.org <ctedesco@adcogov.org>, epinter@adcogov.org <epinter@adcogov.org>, sodorisio@adcogov.org <sodorisio@adcogov.org>, lbaca@adcogov.org <lbaca@adcogov.org>, jgrifton@adcogov.org <jgrifton@adcogov.org>, adcoipoc@gmail.com <adcoipoc@gmail.com>
Cc: korryh@mditrucks.com <korryh@mditrucks.com>, igorb@mditrucks.com <igorb@mditrucks.com>, lorenb@mditrucks.com <lorenb@mditrucks.com>

Greetings Adams County Commissioners:

The proposed changes to industrial zoning in Adams County have the potential to cripple my industry and my customers and my fellow neighbors if they are adopted as written.

- I should probably introduce who I am – Ben Bandimere. I am the owner of Marini Diesel Inc.. We are a Truck Sales Dealership and Cummins Dealership and we have been a part of the Adams County community since April of 1969 for over 52 years! We have over 72 employees providing \$6.2mm annually in payroll wages to our employees, who in-turn live in and around Adams County. At Marini Diesel Inc. we provide product sales, support, and services to several 1000 different companies, municipalities, and industry's (Trucking, Transit, Construction, Oil Field, Utilities, Emergency Vehicles, Airport Services, etc..) in the surrounding Denver Metro Area including the following state, county and city services like: DIA, RTD, 95% of the Fire Departments on the Front Range, and County Support Fleets Across the Front Range. We also provide a large sales tax base on our sales to Colorado and Adams County. The proposed industrial zoning changes as they are written currently will drive us out of Adams County and all of our customers.
- My request is that you Delay the public hearings on the County's 2021 Phase 3 Text Amendments until you can incorporate language that addresses very serious and legitimate concerns
- a. The proposed amendment broadly expands the definition of outdoor storage county-wide to include anything stored outside for more than 72 hours.
 - There are no exceptions for fleet, merchandise, equipment, or time constraints
 - Previous uses-by-right essential to day-to-day operations will be subject to County discretionary approvals

- o All outdoor storage in the proposed overlay zones (including newly classified outdoor storage) will require a CUP and BOCC approval

- b. The proposed amendments will limit the amount of property that can be used for “outdoor storage” for nearly all industrially zoned properties and to as little as 25% in overlay zones. This decrease in the allowable outdoor storage area, coupled with the expansion of what now counts toward “outdoor storage” could be devastating.

- c. Grandfathering or creating a non-conforming legal use provides no protection.
 - o The law disfavors non-conforming uses
 - o A non-conforming use can be terminated by the County upon any expansion of the use, which under Colorado law includes actions as minor as the addition of basic equipment

- d. The amendments as proposed:
 - o Create uncertainty for future business operations, especially since a discretionary permit will be required every 5 years
 - o Impair my ability to sell my business because a legal non-conforming use is a significant deterrent to buyers
 - o Make it very difficult for me to improve or expand my business

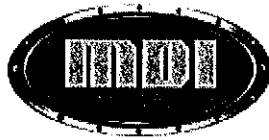
I appreciate your time in reading thru this and please let me know if you have any questions.

Thanks

Ben Bandimere

President

MDI Truck Parts and Service



www.mditrucks.com

303-944-8155 Mobile (available 24/7)

303-288-5361 Office

720-496-4961 E/Fax

7740 DAHLIA STREET

From: [Heidi M. Miller](#)
To: [Jen Rutter](#); [Jenni Grafton](#); [Layla Bajelan](#)
Subject: FW: TEXT AMENDMENTS - FW: Outdoor Storage Rule Change Proposal - Letter of Concern
Date: Tuesday, October 19, 2021 12:55:09 PM
Attachments: [2021-10-13 Adams County Letter.pdf](#)

Heidi M. Miller

County Attorney, *County Attorney's Office*

ADAMS COUNTY, COLORADO

4430 S. Adams County Parkway, Suite C5000B

Brighton, CO 80601

Office: 720.523.6329 | Direct: 720.523.6329

hmiller@adcogov.org www.adcogov.org

From: Lynn Baca <LBaca@adcogov.org>
Sent: Thursday, October 14, 2021 2:55 PM
To: Raymond H. Gonzales <RGonzales@adcogov.org>; Heidi M. Miller <HMiller@adcogov.org>
Subject: TEXT AMENDMENTS - FW: Outdoor Storage Rule Change Proposal - Letter of Concern

From: nicki.rahn@merrittcompanies.com <nicki.rahn@merrittcompanies.com> **On Behalf Of** Taylor Merritt
Sent: Wednesday, October 13, 2021 5:48 PM
To: Eva Henry <EHenry@adcogov.org>; Chaz Tedesco <CTedesco@adcogov.org>; Emma Pinter <EPinter@adcogov.org>; Steve O'Dorisio <SODorisio@adcogov.org>; Lynn Baca <LBaca@adcogov.org>; Jenni Grafton <JGrafton@adcogov.org>; adcoipoc@gmail.com
Subject: Outdoor Storage Rule Change Proposal - Letter of Concern

Please be cautious: This email was sent from outside Adams County

Dear Adams County Commissioners,

I write to you today to express concern related to the proposed rule change imposing outdoor storage limitations and fencing requirements for industrial-zoned properties in Adams County. The proposed changes would significantly hinder my company's ability to effectively conduct business. I respectfully request that you read the attached letter outlining the specifics of our concerns.

The Merritt Family has been conducting business in Adams County for over 30 years and we are grateful for your time and consideration in addressing our growing concerns over the proposed rule change. Please do not hesitate to contact me if you would like to discuss this topic further.

Sincerely,



October 11, 2021

Dear County Commissioner:

This letter is a short summary of why Merritt Trailers, Inc. is opposed to changing the regulations that cover outside storage within Adams County.

Merritt established its presence in Adams County in 1970 and has maintained its manufacturing, service and parts operations at 9339 Brighton Road for over 50 years. We currently employ 165 dedicated team members, many of whom have been with us for 10, 20, 30 and even 40+ years. Many of our team members not only work in Adams County, but they live, shop and pay taxes here also. Merritt Trailers has partnered with many schools in the Adams County School District over the years, providing internships and job opportunities to the burgeoning workforce. Additionally, the Merritt Family generously contributes to multiple educational programs and scholarships to offer the local students access to educational programs to support a career in the manufacturing industry.

Merritt Trailers and its affiliates pay significant taxes to Adams County on an annual basis. In 2020 alone, we paid nearly \$270,000 in real property, personal property and sales taxes.

100% of our finished goods are designed and manufactured for outdoor use and are never intended to be stored inside. During the COVID shutdown, Merritt Trailers was considered essential because our trailers are instrumental in transporting agricultural products and livestock from the farms, to the processing plants, and ultimately to the homes of our local communities. Our parts and service department service and repair numerous trailers that provide much-needed goods and supplies in the Denver metro and surrounding area. It would be impossible to be able to conceal and store these trailers in an efficient and effective manner, which ultimately would diminish our ability to get the trailers back on the road to help the struggling supply chain.

Our frontage on I-76 creates excellent visibility for our business and, if we were to fence off our frontage with solid fencing, it would certainly diminish our product visibility and business activities. Our business and the other businesses in Adams County like ours (who create and/or sell products and services) not only have meaningful payrolls, but as we buy and sell within Adams County, we create more jobs and business with every sale we make.

We believe requiring Merritt to obtain permits on all properties to continue to perform our normal business places an unreasonable burden on us and likely decreases the value of our properties by limiting the potential uses. In our experience, being grandfathered in our current use provides little to no protection since the law disfavors non-conforming uses. These proposed new regulations put us in a position where we have a great deal of uncertainty for our future business operations in Adams County, especially since a discretionary permit would be required every 5 years.

The bottom line is, these new regulations, in which Merritt Trailers' operations would be considered a "non-conforming use" is extremely problematic for our business, our valued team members and our family shareholders. These proposed changes would impose alterations not only to the physical property in which we have conducted business in Adams county for over 30 years, but could also become so financially burdensome that relocation of our facilities outside of Adams County would have to be strongly considered.

We respectfully ask that you refrain from changing current outside storage regulations. At the very least, we request a delay in the public hearings on the County's 2021 Phase 3 Text Amendments until you can incorporate language that addresses very serious and legitimate concerns.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Merritt', written over a white rectangular area.

Taylor L. Merritt
Chairman and CEO
Merritt Trailers, Inc.



October 4, 2021

Adams County Government
Attn: Community & Economic Development
4430 S. Adams County Parkway
Brighton, CO 80601

Re: Comprehensive Overlay Plan

Dear County Commissioners and Staff,

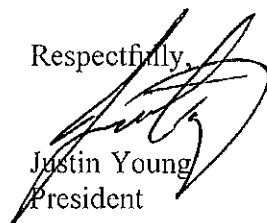
In just the last week we have become aware of the intentions to amend the definition of outdoor storage. This would drastically affect our business operations and future plans.

Our business has successfully operated in Unincorporated Adams County for the last 20 years. We are actively looking to purchase commercial real estate within Unincorporated Adams County, but this amended definition of outdoor storage has put our plans on hold.

We currently occupy an 8,000 sq. ft. office/warehouse space (zoned I-2) with outdoor storage that we use for spare work trucks, trailers, Skidsteers, and extra equipment that does not need to be stored inside. It is not feasible or economical to store these items inside. While most of the equipment is used often it is not moved every 72 hours. Our business, as with most in the area, is specialized and requires different equipment for different applications. If this new wording is approved we will not be able to function efficiently in our current location, and will be forced to start looking for a new location outside of Adams County.

We only heard about the rapidly approaching vote by a neighboring business not the County itself. Honestly, it's unbelievable that more effort wasn't made to notify the businesses that would be most affected by this change. The excuse county staff gave at the last meeting is that they didn't know what businesses resided in Unincorporated Adams County, this is ridiculous. I'm sure someone would remember we were here if we didn't pay our property taxes. Given the fact that so few of the businesses, that would be directly affected by this change, were unaware it was taking place. It seems only reasonable that the vote be postponed until more community voices can be heard. This change will have a huge impact on long standing businesses that have supported this community for generations. Your serious consideration is greatly appreciated.

Respectfully,



Justin Young
President

MILLER WALL Co.

Board of County Commissioners
Adams County
10/07/2021

To whomever it may concern,

We are writing to you today to express our serious concerns, as a company currently located in an I-2 zoned property, over requirements set out in the "Comprehensive Overlay Plan 2021". Several of the stipulations set in the plan make it impossible for us to continue our business, which has been loyally serving the community since 1984. Together along with several other business owners, and members of the Adams County IPOC we are asking you to push the vote of the plan, as is, until further changes can be made that accommodate the companies it will impact. The primary concerns we have are with the requirements briefly described as followed:

-No storage of materials for a period greater than 72 hours. Including items for sale, lease, processing, and repair (including vehicles) will be permitted if they are not in an enclosed building.

-Expand the requirements for outdoor storage to obtain a conditional use permit, requiring the approval of the board of county commissioners, and renewal of said permit every 5 years.

The stipulations mentioned above as part of the comprehensive plan would effectively render our current site and base of operation completely unusable for our business. They are inflexible and unreasonable to all the business owners effected. These restrictions on storage are an obvious issue for the size and scope of materials, and vehicles we are using on a day-to-day basis. For the county to ask for a complete restructuring of operations, and the size of investment it would require to keep our property within these new guidelines, is simply put, absurd. The expansion of requirements for outdoor storage to include permitting every 5 years is also a very serious hindrance to us. We, like other companies in the area like to forecast and plan several years in advance. It is the nature of the business, and one way that we maintain growth and productivity as a whole. Forcing the company to depend on the approval of an arbitrary permit, passed by a constantly changing Board of county commissioners, makes it unfeasible for us to continue planning in the manner that has kept our company viable and profitable all these years. We hope, along with our colleagues, that you come to see exactly just how much these new guidelines can negatively affect our business and welcome any further correspondence. Thank you for your time.

Sincerely,

Tom Miller

Owner, Miller Wall Co.

To: Adams County Commissioners
Adams County, Colorado
Re: Adams County's 2021 Phase 3 Text Amendments

New West Paving, Inc. has been conducting business in Adams County since January 1, 2001. We have 30 employees, affording each a dependable living to provide for their families. Our current tax liability to Adams County is approximately \$95,000 per year including property tax and fleet registration renewal. We currently own 13 property on West 62nd Ave., under affiliate name NWP Holdings, LLC. We are a small, independently owned business. This property and its current allowable uses are vital to the continued success of our business, and the sustainability of supporting those families.

The current proposed changes would seriously deter our ability to perform business as usual since we must stockpile recycled asphalt and other materials vital to completing our operations. We also store nearly 50 pieces of heavy equipment outside, and an outbuilding to house it would be cost prohibitive for us. Even if a permit was granted to us, it is our understanding that this permit would be discretionary and reviewed every five years. This would undermine confidence in our business operations going forward, providing a challenge for future expansion.

Furthermore, we feel that if we chose to sell our business in the future, these changes would be a considerable obstacle to a potential buyer.

The concerns to the viability of our business are substantial if the proposed changes in the 2021 Phase 3 Text Amendments are implemented.

We respectfully request that the County Commissioners consider the significant concerns raised by ours and other Adams County businesses. Please bear in mind that the current proposed language does not consider the economic impact to existing businesses and property owners.

We ask that you postpone the County's hearings on the 2021 Phase 3 Text Amendments, so that you may appreciate and understand the serious implications these changes would have for us and others and take input on and include language that takes our concerns into account.

Sincerely,

Dan Mikkelsen, President

<!--[if !vml]-->

<!--[endif]-->

New West Paving, Inc.
NWP Holdings, LLC
7100 N. Broadway, Suite 2PPH
Denver, CO 80221
Phone (303)427-0550



October 8, 2021

To: Adams County Commissioners
Adams County, Colorado
Re: Adams County's 2021 Phase 3 Text Amendments

New West Paving, Inc. has been conducting business in Adams County since January 1, 2001. We have 30 employees, affording each a dependable living to provide for their families. Our current tax liability to Adams County is approximately \$95,000 per year including property tax and fleet registration renewal. We currently own 13 property on West 62nd Ave., under affiliate name NWP Holdings, LLC. We are a small, independently owned business. This property and its current allowable uses are vital to the continued success of our business, and the sustainability of supporting those families.

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We ask that you postpone the County's hearings on the 2021 Phase 3 Text Amendments, so that you may appreciate and understand the serious implications these changes would have for us and others and take input on and include language that takes our concerns into account.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dan Mikkelson", is written over a light blue horizontal line.

Dan Mikkelson, President

Permagreen Products Company

Permagreen Products company is a family-owned company, packaging and distributing organic soil amendments and decorative mulches.

Permagreen was founded by Roxy Venden in 1947 at 5520 Harlan Street. Arvada, Co. Mr. Venden was active until 1973.

Roxy Venden, Jr. took over the operation at that time.

Today, Roxy and his son, Roxy III operate the business as partners.

Permagreen employs 30+ people.

The workforce includes Truck Drivers, packaging operators, forklift operators, skilled and unskilled workers. Most living within 5 miles of our plant.

The Permagreen product line includes:

Topsoil

Specialized blends

Potting Soils

Composts

Decorative Bark

Decorative Rock

Colored mulches

All in all, 35 different products.

Permagreen packages under various labels.

- PERMAGREEN
- MOUNTAIN COUNTRY
- COUNTRY PRIDE
- ASPEN MOUNTAIN AGGREGATES
- VIGORO
- LOWE'S PREMIUM
- WALMART'S YEAR LONG BRAND

Our customers include:

- THE HOME DEPOT, (65 stores)
- LOWE'S (30 stores)
- WALMART (250 stores)
- KROGERS (King Soopers) (157 stores)
- Virtually all the garden centers in Colorado

Permagreen's operation is spread among 3 locations:

- 10 acres: 5520 Harlan Street (packaging and Distribution)
- 4 acres: 5400 Harlan Street (warehousing and distribution)
- 11 acres approx. 5765 Tennyson (bulk storage, blending, screening)

Company owned tractor/trailers are used to transport these blends to our Harlan Street plant where the materials are packaged in one of our 4 totally automated packaging lines. Over 40,000+ bags (about 500+ pallets) are produced daily. Palletized product is then warehoused in the outside yards. Product is then delivered to customers by 12 company owned trucks and other owner operator trucks.

It is critical that our bulk materials remain in very close proximity to the packaging plant. We package 80 - 90 cubic yards per hour. Our trailers carry 38 cu yards. It takes 2 trucks running steadily all day long just to keep up with the lines. If we lose this Tennyson bulk yard, Depending on how far out a new location would be, our costs would probably rise to the point where we would lose our competitive pricing. Our products are in the "commodity" category, consequently they carry very low margins.

Your new changes were presented in December of 2020. I think information and public participation was limited because of the pandemic. We would like to have an opportunity to challenge your proposed definition of outdoor storage.

To modify the existing permitted industrial uses in the proposed overlays such as:

- Stockpiling and storage
- Processing and blending materials for sale
- Outdoor warehousing
- Truck and machine parking for less than 72 hours
- Limiting the usable area down to 25% of the property.

Adopting these proposals will be nothing short of a condemnation for our properties and businesses.

This will no doubt trigger multiple lawsuits by virtually all the affected businesses.

Legal non-conforming designations and Grandfathering gives us no chance of:

- Future growth
- Addition of any needed buildings
- Addition of updated or specialized equipment
- Total uncertainty of conducting business
- Every 5 years wondering if a "discretionary" permit will be issued.
- And making a sale of our businesses very difficult if not impossible.

The Phase 3 Text Amendments public hearings need to be delayed giving us time to employ council and present our oppositions to these amendments.

Roxy Vendena, Sr.
CEO, Permagreen Products Company

From: [Heidi M. Miller](#)
To: [Jen Rutter](#); [Jenni Grafton](#); [Layla Bajelan](#)
Subject: FW: PROPOSED INDUSTRIAL ZONING CHANGES IN ADAMS COUNTY CONCERNS
Date: Tuesday, October 19, 2021 1:24:41 PM

Heidi M. Miller

County Attorney, *County Attorney's Office*

ADAMS COUNTY, COLORADO

4430 S. Adams County Parkway, Suite C5000B

Brighton, CO 80601

Office: 720.523.6329 | Direct: 720.523.6329

hmiller@adcogov.org www.adcogov.org

From: Steve O'Doriso <SODoriso@adcogov.org>
Sent: Sunday, October 17, 2021 3:54 AM
To: Raymond H. Gonzales <RGonzales@adcogov.org>; Heidi M. Miller <HMiller@adcogov.org>
Subject: Fwd: PROPOSED INDUSTRIAL ZONING CHANGES IN ADAMS COUNTY CONCERNS

Sent from my Verizon, Samsung Galaxy smartphone

Get [Outlook for Android](#)

From: Jeff <jeff@richeyinc.net>
Sent: Thursday, October 14, 2021 1:42:08 PM
To: Eva Henry <EHenry@adcogov.org>; Chaz Tedesco <CTedesco@adcogov.org>; Emma Pinter <EPinter@adcogov.org>; Steve O'Doriso <SODoriso@adcogov.org>; jbaca@adcogov.org <jbaca@adcogov.org>; Jenni Grafton <JGrafton@adcogov.org>; adciopoc@gmail.com <adciopoc@gmail.com>
Subject: PROPOSED INDUSTRIAL ZONING CHANGES IN ADAMS COUNTY CONCERNS

Please be cautious: This email was sent from outside Adams County

A.C. Board Members.

My name is Jeff Richey. My business (Richey Inc.) and property are located at 7715, 7685, Dahlia Street. I lived in Adams County all my life. My brother and I bought this business in 1993 from our father who retired.

We perform repairs on box trucks, trailers and truck equipment. We have 13 employees at this time, 25 in past years. About 75% of our employees live in Adams County and 80% of them have worked there 10 years or longer. Our company has a great reputation up and down the front range. There are many companies who we perform repairs on their vehicles. Anywhere from hospital supplies, food, liquor to mobile weather radar. All of these companies are vital to our local Infrastructure and commerce.

With the proposed changes regarding outside storage our company cannot operate. We store needed parts and equipment outside. Many of the vehicles come in damaged and cannot be stored inside

until the needed repair parts arrive. We would have no place to perform repairs. These changes would devastate our business. We could not operate. The current value of the property would be diminished for some time. We would have to pay taxes on the property for years until the new development would bring the value back up or we would have to sell it at a loss.

We have no problem making some changes to make the pedestrian and community experience more appealing. Whatever changes are made would let us continue the business and not have to close down.

I watched the Adams County zoom meeting on 10/13/21 6:00 p.m. The planning people speaking said this change proposal notice was mailed out to all businesses and residents that would be affected by the Imagine Adams County coming changes. We received no notice. We received a flyer from an IPOC member on 09/28/21. This is the first notification we received. The way the wording is written, non-conforming uses can be terminated at any time by the county. This could cripple any growth. Any minor changes being made for growth would have to get approval from the county. A five year term for use will scare many future property buyers away because the use could be scaled back or changed. You would assume in a place called Commerce City, Industrial business would always be welcomed as long as they are kept safe for the community and environmentally friendly.

I have worked at Richey Inc most of my adult life (since 1987) My brother and I paid rent to run this business for 8 years and have been paying payments to purchase the property and grow the business since.

We have worked very hard since day one to keep this business going and hopefully one day be able to retire. If you look at these changes from my perspective it looks like all of these changes are being rammed through so the county can change the zoning and run the Industrial zoned business out quickly. That way, there will be less opposition. I don't know if this is the case but it is what it seems like. The government killing our American dream and we did absolutely nothing wrong.

Thanks for taking the time to read my concerns

Jeff Richey

From: [Layla Bajelan](#)
To: [Justin Goree](#)
Subject: RE: Rush Truck Center - Denver - Adams County Use Chart
Date: Tuesday, October 12, 2021 5:37:00 PM
Attachments: [image011.png](#)
[image012.png](#)

Hi Justin,

The address at 6955 E. 50th Avenue is within the City boundaries of Commerce City and the proposed regulation amendments would not be applicable to this property. Unincorporated Adams County is all the land that is not within City limits, so while your property is within Adams County, it is not within unincorporated Adams, as you are within the City of Commerce City. We only do zoning for unincorporated Adams. Commerce City has its own zoning regulations and zone districts.

Thanks,

[Layla Bajelan](#)

Long Range Planner II, *Community and Economic Development*
ADAMS COUNTY, COLORADO
4430 S. Adams County Parkway, 1st Floor, Suite W2000A
Brighton, CO 80601
720.523.6863 | LBajelan@adcogov.org | www.adcogov.org

** New Schedule: Tuesday-Friday 7 a.m. to 5:30 p.m.**

County operating hours: Tuesday through Friday, 7 a.m. to 5:30 p.m.

From: Justin Goree <GoreeJ@RushEnterprises.Com>
Sent: Tuesday, October 12, 2021 5:28 PM
To: Layla Bajelan <LBajelan@adcogov.org>
Cc: Justin Goree <GoreeJ@RushEnterprises.Com>
Subject: Rush Truck Center - Denver - Adams County Use Chart

Please be cautious: This email was sent from outside Adams County

Good evening Layla,

Below are the responses to your questions:

1. Are your dealership in unincorporated Adams County? **Rush Truck Center is a full service commercial Medium and Heavy Duty Truck dealership. New Sales, Used Sales, Parts, Service, and Collision. Talking to the Rush Corp. contacts, we do not know if we are in unincorporated Adams county or not. What is the difference?**
2. If so, what is the zone district on your property? If you are not sure, I'd be happy to look it up for you if provided addresses. **Zoning is I-S1. Address: 6955 E. 50th Ave. Commerce City, CO 80022**
3. Are you only sales, or is there a leasing/rental component to your use? **Answered in Question #1. No leasing at this location.**
4. By commercial truck, I am assuming you mean semis? Yes. Semis. **We are Denver's only Peterbilt dealership. We also operate a commercial Ford and Isuzu franchise at the same location.**

I've attach a number of references and some information in the email thread below.
Please let me know.

Thank you,

Justin Goree | Regional General Manager
Rush Truck Centers | 6955 E. 50th Ave | Commerce City, CO. | 80022
303-291-6301 direct | 832-385-5604 cell
goreej@rushenterprises.com

From: Joe Mc Quillen <McQuillenJ@RushEnterprises.com>
Sent: Tuesday, October 12, 2021 5:10 PM
To: Justin Goree <GoreeJ@RushEnterprises.Com>
Cc: Ben Crawford <CrawfordB@RushEnterprises.Com>; Cynthia Shedd <SheddC@rushenterprises.com>; Joe Mc Quillen <McQuillenJ@RushEnterprises.com>
Subject: RE: Rush Truck Center - Denver - Adams County Use Chart

Justin,

This is what was on the drawings when we developed the property. We are in Adams County but I don't know the difference between incorporated VS unincorporated. Zoning is I-S1. Per the attached documents, we submitted and were approved for our use by permit. Per the staff report, Rush satisfied all criteria of the Land Development Code and our application was approved. We are currently a legal and conforming use in the Stapleton Industrial Park.

Joe

CONSTRUCTION DOCUMENTS
RUSH TRUCK CENTERS OF COLORADO
LOCATED IN THE NORTH 1/2 SOUTHEAST 1/4 OF SECTION 17, TOWNSHIP 3 SOUTH, RANGE 67 WEST,
OF THE 6TH PRINCIPAL MERIDIAN, COMMERCE CITY, COUNTY OF ADAMS, STATE OF COLORADO

Legal Description

A PARCEL OF LAND LOCATED IN THE NORTH ¼, SOUTHEAST ¼ OF SECTION 17, TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE 6TH P.M., SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOTS 6 THOUGH 15, INCLUSIVE, BLOCK 8, STAPLETON FIELD INDUSTRIAL PARK—SECOND FILING.

EXCEPT THAT PART OF LOT 6 AND LOT 15, BLOCK 8, STAPLETON FIELD INDUSTRIAL PARK—SECOND FILING, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS,

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 15; THENCE NORTH ALONG THE WEST LINE OF SAID LOT 15, A DISTANCE OF 0.39 FEET; THENCE EAST, A DISTANCE OF 470.00 FEET TO A POINT ON THE EAST LINE OF SAID LOT 6, WITH POINT IS 0.80 FEET DISTANCE NORTHERLY FROM THE SOUTHEAST CORNER OF LOT 6;

THENCE SOUTH, ALONG THE EAST LINE OF SAID LOT 6, A DISTANCE OF 0.80 FEET TO THE SOUTHEAST CORNER OF SAID LOT 6; HENCE WEST, ALONG THE SOUTH LINE OF SAID LOT 6 AND 15, A DISTANCE OF 470.00 FEET TO THE POINT OF BEGINNING,

COUNTY OF ADAMS,
STATE OF COLORADO.

THE ABOVE DESCRIPTION IS THE SAME AS IN SCHEDULE A OF STEWART TITLE GUARANTY COMPANY'S COMMITMENT NO. 959612 EFFECTIVE DATE: NOVEMBER 5, 2012 AT 5:30 P.M.

PIN: 0182317404019

CODE ANALYSIS:

CITY OF COMMERCE CITY CODE OF ORDINANCES

2008 INTERNATIONAL BUILDING CODE
2008 INTERNATIONAL MECHANICAL CODE
2008 INTERNATIONAL PLUMBING CODE
2008 INTERNATIONAL FUEL GAS CODE
2008 INTERNATIONAL FIRE CODE
2008 INTERNATIONAL ENERGY CONSERVATION CODE
2011 NATIONAL ELECTRIC CODE
LOCAL AMENDMENTS TO BUILDING RELATED CODES
LOCAL AMENDMENTS TO FIRE CODE

BUILDING FOOTPRINT = (SERVICE BLDG. 15' 1ST STORY 46,736 SQFT, 2ND STORY 8,188 SQFT, (EXISTING BUILDING APPROX. 22,225 SQFT (TO REMAIN)) (EXISTING BUILDING TO BE REDUCED TO 9,300 SQFT (BODY SHOP BLDG. "B") 15' 1ST STORY 22,527 SQFT, 2ND STORY 1,888 SQFT)

TOTAL BUILDING FOOTPRINT AREA = 97,151 SQFT

BUILDING LIMITATIONS

SITE (LOT) COVERAGE 12.007 ACRES
FLOOR AREA RATIO (TOTAL BUILDING FOOTPRINT AS A PERCENTAGE OF TOTAL SITE AREA) 97,151 SF / 803,024 SF = 12%
OCCUPANCY CLASSIFICATION (SERVICE - SERVICE BAYS (S-1); EXISTING BUILDING - B-2 OFFICE / STORAGE (BODY SHOP) - SERVICE BAYS (S-1))
TYPE OF CONSTRUCTION 2B
ALLOWABLE HEIGHT (SERVICE (3) STORES, 30' HEIGHT)
ALLOWABLE AREA (SEC. TABLE 501) (SERVICE (1) 200 SQFT (SEE SEC. 501.4))
UNLIMITED AREA BUILDING (SEC. 501.4) (SERVICE IS ALLOWED)
* TWO STORY BUILDING, TYPE S
EQUIPPED WITH AUTOMATIC FIRE SPRINKLER AND SURROUNDED BY MIN. 60' OPEN SPACE.
ZONING I-15
FLOOD ZONE ZONE AE
CLIMATE ZONE 9B
SEISMIC ZONE ZONE 1
SEISMIC DESIGN CATEGORY B
REQUIRED SEPARATION IN BUILDING W/ MIXED OCCUPANCY (SEC. TABLE 508.3) NOT APPLICABLE
TYPE 3 OF CONSTRUCTION - FIRE RESISTIBLE REQ. (SEC. TABLE 601)
BUILDING ELEMENT HOURS
1. STRUCTURAL FRAME 0
2. EXTERIOR BEARING WALLS 0
3. INTERIOR BEARING WALLS 0
4. EXTERIOR NON-BEARING WALLS 0
5. INTERIOR NON-BEARING WALLS 0
6. FLOORS - CEILING / FLOOR 0
7. ROOFS 0
EXISTING BUILDING IS FULLY SPRINKLED
EMERGENCY LIGHTING ARE PROVIDED AS PER CODE.

time to serve the proposed use.

The use is in harmony with the general purposes, goals, objectives, and standards of the comprehensive plan or any other plan or program adopted by the city.



The proposed uses on the sites are in harmony with the general purposes and goals of the comprehensive plan. The Future Land Use Plan identifies the subject properties for future Industrial/Distribution use. The proposed uses are within this category and are requesting the use-by-permit to enhance the existings sites and become a legal and conforming use within the Stapleton Industrial Park.

From: Justin Goree <GoreeJ@RushEnterprises.Com>

Sent: Tuesday, October 12, 2021 6:47 PM

To: Joe Mc Quillen <McQuillenJ@RushEnterprises.com>

Cc: Justin Goree <GoreeJ@RushEnterprises.Com>

Subject: FW: Rush Truck Center - Denver - Adams County Use Chart

Can you answer the questions below?

Justin Goree | Regional General Manager
Rush Truck Centers | 6955 E. 50th Ave | Commerce City, CO. | 80022
303-291-6301 direct | 832-385-5604 cell
goreej@rushenterprises.com

From: Layla Bajelan <L.Bajelan@adcogov.org>

Sent: Friday, October 8, 2021 11:09 AM

To: Justin Goree <GoreeJ@RushEnterprises.Com>

Subject: RE: Rush Truck Center - Denver - Adams County Use Chart

CAUTION: This message was sent from an external email address. Please do not click on any link or open any attachment unless you know this content is safe. To report a suspicious email, click Report Message - Phishing in Outlook. On your mobile device forward to phishing@rushenterprises.com.

Hi Justin,

I would be happy to help you navigate our use chart. I have a couple questions for you before I can adequately respond to your email.

1. Are your dealership in unincorporated Adams County?
2. If so, what is the zone district on your property? If you are not sure, I'd be happy to look it up for you if provided addresses.
3. Are you only sales, or is there a leasing/rental component to your use?
4. By commercial truck, I am assuming you mean semis?

Answers to the above questions will help me to give you the best advice.

Thanks,

Layla Bajelan

Long Range Planner II, *Community and Economic Development*

ADAMS COUNTY, COLORADO

4430 S. Adams County Parkway, 1st Floor, Suite W2000A

Brighton, CO 80601

720.523.6863 | LBajelan@adcogov.org | www.adcogov.org

** New Schedule: Tuesday-Friday 7 a.m. to 5:30 p.m.**

County operating hours: Tuesday through Friday, 7 a.m. to 5:30 p.m.

From: Justin Goree <GoreeJ@RushEnterprises.Com>
Sent: Wednesday, October 6, 2021 12:13 PM
To: Jen Rutter <JRutter@adcogov.org>
Cc: Justin Goree <GoreeJ@RushEnterprises.Com>
Subject: Rush Truck Center - Denver - Adams County Use Chart

Please be cautious: This email was sent from outside Adams County

Good afternoon Jen,

I operate Commercial Truck Dealerships in CO and KS. Our Denver location is located in Commerce City, CO which is in Adams County. Can you or have someone contact me regarding what these new regulations will mean for our dealership? I left you a vm earlier today.

Thank you,

Justin Goree | Regional General Manager

Rush Truck Centers | 6955 E. 50th Ave | Commerce City, CO. | 80022

303-291-6301 direct | 832-385-5604 cell

goreej@rushenterprises.com

From: Jen Rutter <JRutter@adcogov.org>
Sent: Wednesday, October 6, 2021 11:54 AM
Cc: Jenni Grafton <JGrafton@adcogov.org>; Layla Bajelan <LBajelan@adcogov.org>; Ryan M. Nalty <RNalty@adcogov.org>; Christine Fitch <CFitch@adcogov.org>; Jonathon Lubrano <JLubrano@adcogov.org>
Subject: Adams County Use Chart

CAUTION: This message was sent from an external email address. Please do not click on any link or open any attachment unless you know this content is safe. To report a suspicious email, click Report Message - Phishing in Outlook. On your mobile device forward to phishing@rushenterprises.com.

Good morning, IPOC Members,

As promised, I am providing the County's Use Chart (attached), which is also found in Chapter 3 of the County's Development Standards and Regulations (<https://www.adcogov.org/development-standards-regulations>).

See Sections 4-25-03, 4-25-04, and 4-25-05 for the County's regulations regarding non-conforming situations:

- No increase in nonconformity (4-25-03-01)
- Nonconforming use may not be expanded to cover more land (4-25-03-03)
- Nonconforming use may be increased in intensity (4-25-03-04)
- Abandonment of Use and Discontinuance of Nonconforming Situation (4-25-05)

See Section 4-02-01 for the regulations regarding Change In Use Permits.

Again, as we mentioned in the meeting, please reach out to us if you have property-specific or use-specific questions and we'll be happy to answer them.

Thank you,

Jen

Jen Rutter

Development Services Manager, *Community & Economic Development*

ADAMS COUNTY, COLORADO

4430 South Adams County Parkway, 1st Floor, Suite W2000A

Brighton, CO 80601

o: 720.523.6841 | jrutter@adcogov.org

www.adcogov.org

County operating hours: Tuesday through Friday, 7 a.m. to 5:30 p.m.

From: [Parker Samelson](#)
To: [Layla Bajelan](#)
Subject: Comments on Phase III Zoning Change
Date: Wednesday, September 29, 2021 11:07:48 AM

Please be cautious: This email was sent from outside Adams County

Hello,

My business partner and I are both young entrepreneurs in our 20s. We own an outdoor storage property in the Square Lakes subarea. We have 600 tenants most of which live in Adams County. We believe the proposed legislation affecting outdoor storage in this area has a high potential of ruining our business and also our lives. I will explain why below:

- We have signed a personally guaranteed bank loan to purchase this business.
- Our business model assumed that we could sell our business to another user.
- This legislation means that we will not be able to sell our business to another owner.
- We are in a floodplain, so we cannot develop.
- Legal precedent is very clear that once this legislation passes, the county has almost unlimited authority to remove our right to do business.
- When this occurs, Daniel and I will be personally responsible to make our bank loan whole. This could include selling our house and vehicles and diamond ring that I just bought for my new wife.

At the very least, we are asking you to at least push back when this vote will take place. This will give all parties enough time to fully understand the ramifications of this new legislation that could ruin many businesses and lives.

Thank you,

--

D. Parker Samelson
719-659-7126

From: [Parker Samelson](#)
To: [Layla Bajelan](#)
Cc: [Daniel Belk](#)
Subject: Specific Recommended Changes
Date: Monday, October 4, 2021 11:21:08 AM

Please be cautious: This email was sent from outside Adams County

Layla,

At the last meeting we were requested to send you any specific requested changes to the language regarding the new outdoor storage legislation. Below are my thoughts:

- Exempting any properties that are in a flood zone. These properties are unlikely going to be able to do anything other than outdoor storage anyway.
- More specific geographically targeted legislation rather than a blanket over the whole county.
- More language defining what it means to be "grandfathered" rather than vague promises. Especially in defining that extremely minor property changes will not trigger a revocation of property rights.
- That an economic impact study be done as well as an environmental impact study be done prior to any vote on proposed legislation.
- Exemption for properties that are willing to do improved screening on property lines that face public roads.
- More specific definition of what "outdoor storage" is and means.
- An exemption for fleets of vehicles.
- That our subarea of the Square Lakes Area be removed from the overlay considering the fact that the area is already so industrial that it is unlikely that retail and residential will take our place.
- **Most importantly, that the county vote be pushed back to make time to consider the ramifications of this new proposed legislation.**

Thank you,

--

D. Parker Samelson
719-659-7126

From: [James Sharn](#)
To: [Layla Bajelan](#); [Jen Rutter](#)
Cc: [Phillip Courtney](#)
Subject: Outreach meeting question
Date: Wednesday, October 13, 2021 11:12:34 AM

Please be cautious: This email was sent from outside Adams County

Layla, Jen:

Thank you for your time last night on the meeting and engaging the community. Multiple times during the meeting the overlay was brought up and discussed. If interpreting correctly, the overlay uses are not part of the overlay at this time. Questions were asked if the property were sold, what uses could be permitted. The answer was a little confusing on my part. The answer seem to indicate if a tire shop, the next owner could continue as a tire shop and if you have a CUP this runs with land.

For multiple property owners, they are zoned I-2 or I-3. This zoning allows for multiple uses by right per the Use Table of the Adams County Code. For example I-2 permitted uses include; Glass or glass product manufacturing; Candy manufacturing; Machine tool manufacturing; Cement, cinder block, concrete, lime or plaster manufacturing, Beverage manufacturing; Landscape storage yards to name a few of the uses permitted in the I-2, I-3 code.

Question

For a property owner within the TOD district or proposed Overlay, if they sell their property in the future and the property is zoned I-2, I-3 will these uses by right per the current Adams County Use Table still be permitted for the next owner? Or will all these uses go away or become conditional use for the next property owner that are now allowed by right?

Thanks for your time

James

James Sharn
Director - Natural Resources | Western Division
📞 **Mobile** (513)-617-6841 | 📞 **Office** (720)-245-6410
Address 1627 Cole Boulevard, Suite 200, Lakewood CO. 80401
✉ **Email** James.sharn@martinmarietta.com



October 11, 2021

To the Board of County Commissioners:

RE: Proposed Adams County Zoning Code Changes Relating to "Outdoor Storage"

First, thank you, in advance, for supporting Adams County businesses and citizens who want to continue to live and work in Adams County. Additionally, thank you for taking time to read, listen and consider our concerns relating to the proposed Adams County Zoning Code changes relating to Outdoor Storage.

We are Scott and Becky Hohnstein, the owners of Shoco Oil Inc. Shoco Oil Inc., originated as Sam Hill Oil Inc. in 1947 in Adams County. We have been a strong family-owned business in Adams County for close to 75 years. During those 75 years, we have provided products and services to other small family-owned businesses, larger corporate organizations, and the County itself. Currently, we support the County's fundamental operations, by providing fleet maintenance services and by providing fueling services for the Sheriff's Department, the Drug Task Force, the Parks and Recreation Department, and for County snowplow operations. In recent years, we have expanded our support of the County to include 24-hour service during snow storms and other emergencies, in which we provide the County Staff direct access to our fueling facilities, which can be powered by our generator systems, 24 hours per day. Most recently, we are supporting the County by providing parking for County staff during the remodel project at the County's facility located on 74th Avenue.

We have employed Adams County citizens for 75 years, and currently employ forty-four (44) people who live in Adams County, providing livelihood, health insurance and retirement benefits during this entire time. As our history indicates, we have a strong commitment to Adams County and we want the County to continue to be a great place to work and live.

We recently learned through word-of-mouth that the County is proposing certain amendments to the County's Zoning Code that will broadly expand the definition of "Outdoor Storage." Since first learning of these proposed changes, we have spent time learning and educating ourselves regarding how these proposed changes would impact our properties and our business operations, and how these changes would affect our neighbors, customers and vendors.

We believe that the currently proposed new definition of "Outdoor Storage" and the new regulations related thereto **would immediately reduce the value of our property and could significantly inhibit the future of our business operations**. If the currently proposed changes to the Zoning Code relating to Outdoor Storage are adopted by the Board as currently written, then our use of some of our existing properties in Adams County, and the use by some of our most important vendors and customers of their properties in Adams County, would immediately become non-conforming uses. As the Board is aware, having a non-conforming use under the Zoning Code is an undesirable and precarious situation for the property owner because any minor

changes to the property could trigger a requirement to comply with the new code provisions and could potentially preclude use of the property for its historical (now non-conforming) uses.

One of the primary areas of negative impact for us and other property owners is the DRASTIC reduction in the amount of our property that can be used for Outdoor Storage and the much wider category of uses that would constitute "Outdoor Storage." The proposed Zoning Code changes include the following new (and more expansive) restrictions relating to Outdoor Storage:

- Anything stored outside for more than 72 hours.
- Unlike the current Zoning Code, there are no exceptions for fleet, merchandise, equipment, or time constraints
- Previous uses-by-right essential to day-to-day operations will be subject to County discretionary approvals
- All outdoor storage in the proposed overlay zones (including newly classified outdoor storage) will require a CUP and Board approval

As a business that owns and operates a fleet of trucks to deliver our products, we have vehicles that may not, in certain circumstances, move within a 72-hour period. As you know, the Colorado economy has been a roller coaster over the past decade. Some days we have too many trucks, and other days we don't have enough trucks. Therefore, on occasion, we may have vehicles that do not move for longer than 72 hours. Further, sometimes we have a vehicle under repair for which we cannot get parts within 72 hours. Currently, parts and components are very difficult to find. We also store outdoors multiple items of inventory and equipment that we use on a regular basis for our operations. In each of these situations, under the proposed Zoning Code changes, we could find ourselves in violation of the Zoning Code. For these reasons, the proposed Zoning Code changes relating to Outdoor Storage, as currently drafted, would be a material detriment to our business operations.

We paid an elevated purchase price for some of our properties in Adams County due, in large part, to the permitted use rights allowed under the current Zoning Code – including the outdoor storage rights. If the Board approves the Zoning Code changes as currently written, then these important permitted use rights will be drastically impaired and, as a result, we stand to lose substantial value in our properties.

In addition to the above, the proposed Zoning Code changes relating to Outdoor Storage would materially inhibit our ability to conduct our business because we would likely be required to obtain a conditional use permit (CUP) if we needed to expand our use, make an alteration to our property, or obtain a permit for anything. As the Board knows, the grant of a CUP is strictly within the purview of the Board to award, and thus, our ability to continue to operate our business would be entirely dependent on the discretionary award of a CUP by the Board. Further, in the proposed Zoning Code changes, there is a new restriction which could be read to prevent the outdoor storage of any hazardous materials. This is problematic because the outdoor storage and dispensing of petroleum is our primary business. Coupled with the fact that CUPs are limited to

a 5-year term, these new restrictions would make Adams County a very risky place for our business to continue to operate.

Furthermore, as we understand it, if our facility were to encounter a casualty event such a fire, and it were to cost more than 50% of the value to rebuild, then we would be prohibited from rebuilding and operating our business under the previous/current definition of the industrial zoning - essentially putting us out of business.

By way of background, we **did not** receive nor hear from any County Staff with notice of this item until September 28, 2021, when we received a letter in the mail dated September 16, 2021. Therefore, we are writing to the Board to request that the Board delay the public hearings regarding the adoption of the Zoning Code changes relating to Outdoor Storage until the County Staff and the Board can incorporate language that addresses profoundly serious and legitimate concerns of property owners and business operators.

At the end of the day, we do not understand why the Board would hastily vote to adopt the currently proposed changes to the Zoning Code relating to Outdoor Storage. These proposed changes, as currently written, would have the effect of severely impairing our business operations and the business operations of many of our long-time customers and vendors. As a family-owned, Adams County-based business with a 75-year history of supporting Adams County workers and the essential operations of the County itself, we hope the Board will take the prudent, wise and measured approach of giving the proposed Zoning Code changes relating to Outdoor Storage a much closer and detailed review, and would consider some changes to the same that would allow businesses, such as ours, to continue to operate and thrive in Adams County without undue and unnecessary restrictions. There seems to be little for the County to gain from the currently proposed changes to the Zoning Code relating to Outdoor State, and much to lose.

As citizens, property owners, and business operators in Adams County, we look forward to working together with the County's Staff and the Board; however, we need time to do so. As such, we respectfully request that the Board please consider postponing the hearings on the adoption of the Zoning Code changes relating to Outdoor Storage.

Thank you for your time and consideration of this request. Please feel free to contact either of us, we would welcome the conversation.

Sincerely,

Scott and Becky Hohnstein

303-659-5610
Shoco Oil Inc.
P.O. Box 867
Brighton, CO 80601

From: [Brittany Staab](#)
To: [Layla Bajelan](#)
Subject: Questions Regarding Meeting ID: 834 0211 2595
Date: Thursday, September 30, 2021 8:30:58 AM

Please be cautious: This email was sent from outside Adams County

Good morning,

We received a letter in the mail regarding possible rezoning around 71st and Colorado Blvd. This is the first letter we have received regarding rezoning this area, and we are confused what this means for us and our neighbors. I am hoping to receive clarification and more detail about what this means for us and our neighbors.
I look forward to hearing from you. Thank you.

Sincerely,
Brittany Staab
brittanystaab@gmail.com



QUIKRETE-Colorado

2660 West 64th Avenue
Denver, CO 80221
(303) 429-2111
(303) 428-9265 Fax

Wednesday, September 29, 2021

Adams County Government Center
4430 South Adams County Parkway
Brighton, CO 80601

Dear Adams County Commissioners,

My name is Evan Page, and I am the Regional Operations Manager for The Quikrete Companies manufacturing facility located at 2660 West 64th Avenue, just off Federal Boulevard here in Denver. For close to 40 years, our Denver facility has been supplying cement and concrete products to support a wide variety of industries ranging from the “Do-it-Yourself” market through retail building products partners, to large scale infrastructure & commercial construction projects both in the Denver Metropolitan area as well as the entire Rocky Mountain region. As a regional hub, our facility supports business units in every major metropolitan area in the Rockies, including Salt Lake City, UT, Albuquerque, NM, and Billings, MT supporting building materials distribution operations throughout Idaho, Montana, Wyoming, North & South Dakota, Utah, Colorado, Kansas, New Mexico & Texas. While our geographic reach is large, most of our raw material needs are met through local material suppliers in the greater Metropolitan area, with a small fraction of our needs being met through out of state suppliers. We have proudly supported the construction products and building materials industry in Colorado for decades, with a large portion of our Colorado business taking place directly within the borders of Adams County.

Recent proposed changes to the industrial zoning language and comprehensive plan regulations within Unincorporated Adams County are of significant concern to us. These changes, if passed on November 9th, 2021, can have an incredible impact to Quikrete’s ability to continue to service the retail building materials and commercial construction markets in the Denver Metropolitan area in a cost effective, profitable manner. Of similar concern are the potential increased regulations and requirements surrounding the Federal Overlay District, as we are in the middle of the proposed district. The items of the greatest concern to us are the following:

- The broad expansion of the definition of outdoor storage.
- The amount of industrial zoned property that can be used for outdoor storage.
- Non-Conforming Use, and what could be considered expansion on existing use.
- Conditional Use & Building Permitting and the comprehensive plan language used to evaluate and approve such permits within the county will restrict future improvements & growth.





QUIKRETE-Colorado

2660 West 64th Avenue
Denver, CO 80221
(303) 429-2111
(303) 428-9265 Fax

As a Manufacturing & Distribution facility, most of our existing use on our property is for inventory storage of finished goods for sale. As a high volume facility, it is crucial to our ability to effectively service our territory that we are able to execute an off-season, large scale finished goods inventory build to allow us to meet market sales volume requirements during the peak construction season in the late Spring, Summer and early Fall. As a result, a large portion of our property is dedicated to allowing us to achieve this build, which we draw down over the busier months of the year. The proposed amendments that will limit the amount of industrial zoned property that can be used for outdoor storage to as little as 25%, combined with the proposed changes to the definition of outside storage to include anything stored outside for greater than 72 hours, specifically including merchandise for resale as well as fleet vehicles, will immediately restrict our ability to meet market demand, creating a significant constraint on the supply chain for the building materials & construction products industry in the Denver Metropolitan area. This can have a wide-ranging significant impact on future growth timelines in both Adams and Denver counties, where we have a large market presence in both the retail and commercial construction & building products arenas. This will result in increased material lead times and material costs, driving up project construction costs and extending project completion timelines throughout the area.

As a large private DOT regulated carrier, Quikrete operates a fleet of commercial tractor trailers to distribute our products throughout the state. Inclusion of fleet vehicles into the definition of outdoor storage would further diminish the amount of merchandise for resale that we could potentially store on our property, further restricting our ability to effectively service the market.

The Conditional Use Permit requirement for all outside storage within an overlay zone has the potential to eliminate all outside storage for our business, as we fall in the middle of the Federal Boulevard Overlay Zone. Conditional Use Permits will be evaluated for approval based on the updated zoning regulations that are up for vote on November 9th. If adopted, it effectively guarantees that any non-conforming use request under a conditional use permit will be denied based on the shift in zoning away from Industrial use in our current P.U.D. zoned parcels, to a commercial zoned area. Our non-conforming use will not fit within the allowances given to commercial properties, rendering us unable to comply with the updated zoning restrictions, effectively shutting down our ability to service the building materials industry in our region.

Adams County representatives have stated that existing businesses operating within Unincorporated Adams County will be "grandfathered" in under their existing zoning allowances, however this unfortunately will not provide the ability for our business to operate as we currently are and have been for the last 40 years. If new definitions to outdoor storage are adopted, the previous definition of said storage is not a non-conforming use that can be "grandfathered" to our facility, meaning that the proposed





QUIKRETE-Colorado

2660 West 64th Avenue
Denver, CO 80221
(303) 429-2111
(303) 428-9265 Fax

draft language changes to this definition would immediately apply to our facility once passed. Additionally, Colorado law allows Adams County broad scope regarding expansion of existing use, which could cause our business to lose any non-confirming, “grandfathered” use by making minor expansions to our operation, such as the addition of fleet assets, or minor operational equipment upgrades. This essentially closes the door to any future growth and expansion of our facility to support future growth within the Denver Metropolitan area. While on the surface, “grandfathered” status may give the appearance of safety to continue to operate as we had been, once we delve deeper into the details surrounding existing non-confirming use and the minor operational changes that could lead a business to lose those uses, there is little comfort nor any guarantee that we can and will be able to maintain existing operations and future growth given the current draft language of the proposed zoning changes.

While the potential impact to our business would be catastrophic, the impact these changes could have to our dedicated employees would be equally so. We employ around 100 employees at any given time in our facility, with jobs ranging from equipment operators to commercial truck drivers, along with accounting, sales & marketing, technical, engineering and operations/sales management positions within this facility. These jobs are not seasonal, they are long term, full-time stable jobs filled by individuals with a long tenure with our company. The overwhelming majority of our employees reside within the borders of Adams County, many with deep roots to the area. They live, work, and play within the county; their children go to school here, and they pay their taxes here in Adams County. Passage of the proposed zoning changes places the job security of our employees in serious jeopardy, as we would likely be forced to reduce workforce because of the operational difficulties these regulations would impose. Furthermore, by removing the possibility of expanding our existing use in the future, our ability to increase the number of local jobs in our facility would be effectively eliminated.

We are asking that the Adams County Commissioners delay the public hearings on the County’s 2021 Phase 3 Text Amendments, as well as the vote currently scheduled for November 9th, 2021, until such a time when language can be added or altered to address our concerns.

We are requesting that the county perform a proper evaluation on the potential impact of the draft language related to the definition of outdoor storage as well as the potential limitations on the amount of property that can be used for said storage. and that exceptions be made for fleet vehicles (both commercial and non-commercial), merchandise for sale, and equipment, taking them out of the definition of outdoor storage. We are also requesting that language be removed from the proposed draft requiring all outdoor storage in proposed overlay zones to require a Conditional Use Permit, which would likely not be approved upon review under the changes to the comprehensive zone plan for the Federal Overlay Zone.





QUIKRETE-Colorado

2660 West 64th Avenue
Denver, CO 80221
(303) 429-2111
(303) 428-9265 Fax

I would also like to setup an individual, one on one meeting with you to discuss our concerns regarding the significant impact changes to the Industrial zoning in Unincorporated Adams County will have on not only our business, but businesses that we support within the county, state and greater Rocky Mountain region.

I appreciate you taking the time to read and understand my concerns with the proposed legislature, and I look forward to sitting down with you to discuss these proposed changes in more detail soon.

Sincerely,

Evan Page
Regional Operations Manager
Quikrete of Colorado





UNITED EQUIPMENT FUNDING, INC.

7281 East 96th Avenue, Henderson, CO 80640
Office 720-488-9272 Fax 720-488-9178
www.uefinc.com

To: Board of County Commissioners, Adams County, Colorado
4430 S. Adams County Pkwy.
5th Floor, Suite C5000A
Brighton, CO 80601

Re: Delaying the vote to change the definition of outdoor storage

Dear Commissioners,

I am writing you this letter to implore you to delay the upcoming vote on the change to the definition of outdoor storage. It was clear to me, and the other business owners in attendance at the meeting on September 30, 2021, held at the Brannan facility, that not enough research has been done. County staff was in attendance and had no answers to the possible negative effects to businesses, residents and the Adams County government.

More research must be done on negative economic effects and more input must be received from the businesses that will be affected. Please give your staff more time to research this issue and please give local businesses, like ours, more time to provide input for this change.

Please do not rush into an amendment that will negatively affect so many longstanding businesses in Adams County.

DELAY THE VOTE. DO MORE RESEARCH. GET MORE INPUT.

Sincerely,

A handwritten signature in black ink, appearing to read 'Eric Johnson', written over a horizontal line.

Eric Johnson

President

From: [Heidi M. Miller](#)
To: [Layla Bajelan](#); [Jenni Grafton](#); [Jen Rutter](#)
Subject: FW: TEXT AMENDMENTS - FW: Letter to Adams County Commissioners on proposed Industrial Zoning changes
Date: Monday, October 11, 2021 8:42:33 AM
Attachments: [Adams County - Zoning Amendments Letter 100121.pdf](#)

Heidi M. Miller

County Attorney, *County Attorney's Office*

ADAMS COUNTY, COLORADO

4430 S. Adams County Parkway, Suite C5000B

Brighton, CO 80601

Office: 720.523.6329 | Direct: 720.523.6329

hmiller@adcogov.org www.adcogov.org

From: Lynn Baca <LBaca@adcogov.org>
Sent: Sunday, October 10, 2021 7:06 PM
To: Raymond H. Gonzales <RGonzales@adcogov.org>; Heidi M. Miller <HMiller@adcogov.org>
Subject: TEXT AMENDMENTS - FW: Letter to Adams County Commissioners on proposed Industrial Zoning changes

From: Travis Martin <tmartin@utilitytrailer.net>
Sent: Monday, October 4, 2021 4:12 PM
To: Eva Henry <EHenry@adcogov.org>; Chaz Tedesco <CTedesco@adcogov.org>; Emma Pinter <EPinter@adcogov.org>; Steve O'Dorisio <SODorisio@adcogov.org>; Lynn Baca <LBaca@adcogov.org>; Jenni Grafton <JGrafton@adcogov.org>; adcoipoc@gmail.com
Subject: Letter to Adams County Commissioners on proposed Industrial Zoning changes

Please be cautious: This email was sent from outside Adams County

Adams County Commissioners,

I'm Travis Martin with Utility Trailer Sales of Colorado, a full-service semi-trailer sales dealership located in unincorporated Adams County at 9200 Brighton Rd in Henderson. We play a critical role in the supply chain across Colorado and the United States. The proposed changes to Industrial zoning have the potential to severely impact how we service the local communities. Please see the attached letter outlining the impacts on our business and our request for the redefinition of accessory storage, or to update that definition to exclude vehicles that require title and registration.

Thank you,



Utility Trailer Sales of Colorado, LLC

9200 Brighton Road
Henderson, CO 80640

Telephone 303-295-1197
Fax 303-295-0925
www.utilitytrailer.net

October 1, 2021

To whom it may concern:

This letter is regarding the proposed Industrial Zoning changes that are currently being considered by Adams County for unincorporated areas. We are one of the many businesses that would be affected by this change and would like to share with you how this would impact our business. Utility Trailer Sales of Colorado, LLC, also known as Utility Trailer Interstate, is a full-service semi-trailer sales dealership located in unincorporated Adams County at 9200 Brighton Rd in Henderson. We sell over the road refrigerated vans, dry vans, and flatbeds, as well as construction trailers to build roads, bridges, and do heavy civil work. Our service department has 17 service bays to perform general maintenance and wreck repair, and our parts department supports all of Colorado's trucking companies with much needed small parts inventory. Some of the larger construction customers that we work with are CDOT, Elbert County, Garfield County, Pueblo County, Montrose County, Morgan County, and Weld County. We also play a vital role in the supply chain by providing semi-trailers, service work and parts throughout the United States, and critical customers like FedEx, Amazon, JBS Meats, and many more depend on our company to continue their operations.

Utility Trailer has 85 employees, of which many are the primary wage earners in their households. We have been operating in Colorado for over 60 years, specifically as Utility Trailer Sales of Colorado, LLC since 1997. Our annual sales tax contribution across the state of Colorado is \$550,000-\$600,000, including \$40,000 to Adams County specifically. As our business is located in Adams County and much of our business consists of repairs or parts purchased on premise, Adams County receives more of our annual sales tax paid than any other county in Colorado. We also contribute roughly \$110,000 per year in property taxes to Adams County.

The proposed changes to Industrial zoning have the potential to severely impact how we service the local communities. We formally ask that there be a delay in the public hearings on the county's 2021 phase 3 text amendments until you can incorporate language that addresses our legitimate concerns. The proposed new definition of accessory storage, to now include vehicles and merchandise available for sale, lease, processing, and repair, would effectively require us to shut down our day-to-day operations of sales, lease/rentals, and trailer repairs. We have heard rumors of businesses that are now in compliance with current regulations being

grandfathered in under the proposed changes, but we are strongly concerned that any grandfathering or creating of a non-conforming legal use provides us no protection as the law disfavors non-conforming uses. We strongly believe the proposed amendments need to be updated to only update the zoning requirements without the redefinition of accessory storage, or to update that definition to exclude vehicles that require title and registration.

Your considerations are greatly appreciated.

Thank you,

A handwritten signature in black ink that reads "Erin Menken". The signature is written in a cursive, flowing style.

Erin Menken

Controller

303-295-1197

emenken@utilitytrailer.net

From: [Heidi M. Miller](#)
To: [Layla Bajelan](#); [Jenni Grafton](#); [Jen Rutter](#)
Subject: FW: TEXT AMENDMENTS - FW: Adams County Phase 3 Text Amendment Concerns
Date: Monday, October 11, 2021 8:43:15 AM

Heidi M. Miller

County Attorney, *County Attorney's Office*

ADAMS COUNTY, COLORADO

4430 S. Adams County Parkway, Suite C5000B

Brighton, CO 80601

Office: 720.523.6329 | Direct: 720.523.6329

hmiller@adcogov.org www.adcogov.org

From: Lynn Baca <LBaca@adcogov.org>
Sent: Sunday, October 10, 2021 8:42 PM
To: Raymond H. Gonzales <RGonzales@adcogov.org>; Heidi M. Miller <HMiller@adcogov.org>
Subject: TEXT AMENDMENTS - FW: Adams County Phase 3 Text Amendment Concerns

From: Drew Vance <dvance@vancebrothers.com>
Sent: Tuesday, September 28, 2021 10:32 AM
To: Jenni Grafton <JGrafton@adcogov.org>; Steve O'Dorisio <SODorisio@adcogov.org>; Lynn Baca <LBaca@adcogov.org>; Emma Pinter <EPinter@adcogov.org>; Chaz Tedesco <CTedesco@adcogov.org>; Eva Henry <EHenry@adcogov.org>
Cc: adcoipoc@gmail.com
Subject: Adams County Phase 3 Text Amendment Concerns

Please be cautious: This email was sent from outside Adams County

Adams County Board of County Commissioners,

Greetings, my name is Drew Vance, I am the Business Manager and 4th generation family member of Vance Brothers, Inc. located at 380 W. 62nd Avenue. We are a family owned and operated asphalt emulsion manufacturing and roadway maintenance contracting company that has served the Denver metropolitan area for over 40 years. We moved to our current location in Adams County in 2009 and purchased an additional industrial property in Adams County in 2020 to facilitate our desire to expand our business operation. We have approximately 75 employees (many of whom live within the County) and serve customers across the Denver metro, including many of whom reside in and do business in/for Adams County.

The reason for my email today is to express my concern with the proposed amendments to the

County Comprehensive Plan, specifically regarding the proposed zoning ordinance changes for Industrial properties zoned I2 and I3 in unincorporated Adams County. Our concern is primarily focused on the amendment that would change the definition of “Outdoor Storage” and, in effect, reduce the amount of Outdoor Storage we are able to utilize on our industrial properties. I understand that there are currently meetings scheduled for the Planning Commission on October 28th and a BoCC hearing on November 9th that may ultimately ratify these proposed changes. **My ask of you today is to please consider delaying these public hearings for the Phase 3 Text Amendments until the County has made a thorough probe into the impact that these changes will have on local businesses.**

The broadening of the definition for Outdoor Storage to include anything that is stored outside for a period of more than 72 hours would have detrimental effect to our business operation. Being a supplier of asphalt materials and also a contractor that uses these materials for road maintenance, it is very concerning that the proposed definition will be inclusive of not only merchandise for sale, raw materials for manufacturing, but also for fleet vehicles and machinery that we use to fix and build roads. The new definition paired with the decreased area allowed for Outdoor Storage on I2 and I3 properties will effectively halt the way we do business if interpreted incorrectly.

To that affect, we have invested millions of dollars into our properties by way of improvements to buildings and grounds that house stationary manufacturing equipment, confined liquid asphalt storage tanks, merchandise for sale, raw materials, fleet vehicles, etc. How does the County plan on classifying these land improvements that are absolutely essential to our business? The nature of our business requires the storage of liquid asphalt materials in large, immovable storage tanks. How does the County plan to interpret these outside storage tanks? Will the County calculate secondary containment areas as square footage used for storage? How does the County plan to interpret 3-sided building structures for dry storage use? How does the County intend to enforce a fleet vehicle restriction, will it be based on the square footage used to park vehicles? Does that mean if we add a truck to our fleet after the language is adopted that we have expanded our storage use? The proposed verbiage is so inherently broad that it raises more questions than it does answer them.

The “Grandfathering” and creation of a non-conforming legal use for our business does nothing to calm my nerves about this issue either. As has been the case in many other instances, Colorado Supreme Court rulings have traditionally not favored businesses who operate under a non-conforming legal use. If a piece of equipment or machine in our production facility fails and we need to replace it, there will be precedent for the County to consider this replacement/improvement as an expansion of our business operation that could effectively terminate our non-conforming legal use. Likewise, it may be your current intention to issue the Conditional Use Permits to businesses in the area for Outdoor Storage; however, they are discretionary by nature and future County Commissioners may not have the same intentions as you do.

Businesses need stability and certainty to operate in an effective and sustainable manner; the amendments as currently proposed do nothing but create uncertainty and undue external stress for us, our neighbors, and our community of critical infrastructure businesses in the area. Furthermore, the proposed changes will absolutely impair our ability to sell the business or our properties if we decided to do so. No prospective buyer will pay fair value for a business operating within a non-

conforming legal use and the value of the I3 real estate we just purchased last year will lose much of its value if you restrict outdoor storage/deem it to be use by permit rather than use by right. As a business resident of the area, Vance Brothers asks you to please reconsider moving forward with the proposed changes or at least delay the hearings scheduled for October 28th and November 9th until we have had ample opportunity to voice our concerns about these changes. We should be owed at least that much consideration.

Sincerely,

A concerned employer in Adams County
Vance Brothers, Inc.



WASTE CONNECTIONS OF COLORADO

October 11, 2021

VIA ELECTRONIC MAIL

Adams County Board of County Commissioners
Adams County Development Services
4430 S. Adams County Parkway
5th Floor, Suite C5000A
Brighton, CO 80601

RE: Development Standards & Regulations Proposed Text Amendment: Outdoor Storage

Dear Board of County Commissioners and Development Services,

We request that you delay consideration of the changes to the Adams County Zoning Regulation related to outdoor storage. We understand that the Adams County Planning Commission currently intends to discuss the changes at its meeting on October 28, 2021, and the Board of County Commissioners at its meeting on November 9, 2021. Please consider a delay of these dates at your Board meeting on October 12, 2021.

Waste Connections of Colorado, Inc. is a longstanding business and property owner in Adams County. We employ 160 individuals at this location. With 110 trucks we service 25,000 residents weekly, 1,000 commercial businesses daily, and 100 construction locations daily. In 2020 alone, this resulted in \$164,471.00 in property taxes paid to Adams County and \$467,195.00 in truck licensing fees, a total of \$629,666.00.

We understand the County's desire to make revisions to its regulations from time to time and to ensure limited visual impacts to the community. We ask that the County proceed cautiously to ensure that such changes do not inadvertently create negative impacts to the existing and potential future operation of critical business within the County. Based on the current draft, we have considerable concerns that this would be the case.

A recently created coalition of industry owners, the Industrial Property Owners Consortium, convened a meeting of its members and County staff on September 30, 2021. That meeting made clear that many

Waste Connections of Colorado Inc.
5500 Franklin Street Denver CO 80216
Main 303-288-2100 Fax 303-286-1915



WASTE CONNECTIONS OF COLORADO

property and business owners have not received much information about the proposed changes and have not had the opportunity to review and determine the impacts to their businesses. Attendees asked questions about several areas in the draft regulations which demonstrate confusion and lack of clarity. These aspects could lead to a variety of interpretations and would have serious consequences to businesses and property owners.

More time is needed in order for business owners to provide specific feedback and suggestions, and for the County Staff to collect and review data around the issue.

We look forward to the opportunity to provide these suggestions to ensure that the regulations are clear and minimize disruption and hardship to existing businesses, while achieving the County's goals of raising standards Countywide in this area.

Therefore, we request that the County delay consideration and adoption of the regulations to provide the affected stakeholders the opportunity to analyze impacts and submit specific comments and suggestions, and for County Staff to review this input, as well as additional data relevant to the issue.

We look forward to working with the County to craft such a regulation. Thank you for your consideration.

Sincerely,

Aaron J. Bradley

Division Vice President

Cc: Heidi Miller, County Attorney
Jenni Grafton, Director
Ryan Nalty, Deputy Director

Waste Connections of Colorado Inc.
5500 Franklin Street Denver CO 80216
Main 303-288-2100 Fax 303-286-1915

Windmill Creek Enterprises, Inc.

October 7, 2021

Via Email: commissioners@adcogov.org; chenry@adcogov.org; ctedesco@adcogov.org;
epinter@adcogov.org; sodorisio@adcogov.org; lbaca@adcogov.org

BOARD OF COUNTY COMMISSIONERS
4430 S. Adams County Pkwy.
5th Floor, Suite C5000A
Brighton, CO 80601

Re: 2021 Code Amendments, Phase III

Dear Commissioners,

Windmill Creek, Enterprises, Inc. own multiple parcels of I-3 zoned property in Adams County and have owned the property for the past years. We lease the property for businesses, including primarily Concrete Express, Inc., a heavy civil contractor with approximately 250 employees, many of which are Adams County residents.

We were surprised to learn of the commissioners' proposed 2021 Phase III Code Amendments to the Adams County Development Standards and Regulations. We understand that we were not alone in this surprise as you may have heard.

We have met with multiple interested parties since learning of the efforts to amend the Code and have become aware of the numerous ways in which the proposed amendments are untenable and potentially gravely impactful to our ongoing business and property interests in the County. Most assuredly, the language of the proposed amendments is vague and inconsistent at best and certainly creates significant conflicts with other parts of the code as currently written. These amendments need a great deal of reconsideration and rewriting to advance a coherent and meaningful, fair and balanced change that seems to be the intended direction. As such, the hearing date on which the proposed Amendments are to be voted on by the BOCC, November 9 of this year must be postponed to accommodate the necessary community input, reconsideration and rewriting of the proposed amendments. We believe that not postponing the hearing to properly address the multiple issues presented by the current version of the proposed amendments will trigger not only discord and disruption but likely litigation and serious negative economic impact. We urge the BOCC to postpone consideration of these amendment to a later date which would accommodate an appropriate level of community and stakeholder input necessary for the passage of a comprehensive code amendment.

Once the hearing has been postponed, we are more than happy to provide to you and your respective staff the multitude of impacts these proposed amendments would have on us as affected property and business owners.

Regards,

A handwritten signature in black ink, appearing to read 'Aldo DelPiccolo', written in a cursive style.

Aldo DelPiccolo



Request for Comments

Case Name: 2021 Code Amendments, Phase III
Case Number: PLN2021-00012

September 16, 2021

The Adams County Planning Commission is requesting comments on the following application: **2021 Phase III Code Amendments to the Adams County Development Standards and Regulations**
The proposed Amendments are County-Wide and applicable to only unincorporated Adams County.

Applicant Information: Adams County Community and Economic Development Department
4430 S. Adams County Parkway
Brighton, Colorado 80601

Please forward any written comments on this application to the Community and Economic Development Department at 4430 South Adams County Parkway, Suite W2000A Brighton, CO 80601-8216 or call (720) 523-6800 by **10/20/2021** in order that your comments may be taken into consideration in the review of this case. If you would like your comments included verbatim please send your response by way of e-mail to LBajelan@adcogov.org.

Once comments have been received and the staff report written, the staff report and notice of public hearing dates may be forwarded to you upon request. The full text of the proposed request and additional colored maps can be obtained by contacting this office or by accessing the Adams County web site at www.adcogov.org/planning/currentcases.

Thank you for your review of this case.

Layla Bajelan, Long Range Planner II
Case Manager

BOARD OF COUNTY COMMISSIONERS

Eva J. Henry
DISTRICT 1

Charles "Chaz" Tedesco
DISTRICT 2

Emma Pinter
DISTRICT 3

Steve O'Dorisio
DISTRICT 4

Lynn Baca
DISTRICT 5

PUBLICATION REQUEST

Case Name: 2021 Code Amendments, Phase III

Case Number: PLN2021-00012

Planning Commission Hearing Date: 10/28/2021 at 6 p.m.

Board of County Commissioners Hearing Date: 11/09/2021 at 9:30 a.m.

Case Manager: Layla Bajelan, Long-Range Planner II, LBajelan@adcogov.org 720.523.6863

Request: 2021 Phase III Code Amendments to the Adams County Development Standards and Regulations.

Parcel Number (s): County-Wide

Applicant: Adams County Community and Economic Development Department 4430 S. Adams County Parkway Brighton, Colorado 80601

Public Hearings Location: 4430 S. Adams County Pkwy., Brighton, CO 80601

Please visit <http://www.adcogov.org/bocc> for up to date information. The full text of the proposed request and additional colored maps can be obtained by accessing the Adams County Community and Economic Development Department website at www.adcogov.org/planning/currentcases.



Public Hearing Notification/Request for Comments/ Notice of Public Outreach Meeting #3

Case Name:	2021 Code Amendments, Phase III
Case Number:	PLN2021-00012
Planning Commission Hearing Date:	10/28/2021 at 6:00 p.m.
Board of County Commissioners Hearing Date:	11/09/2021 at 9:30 a.m.

September 16, 2021

A public hearing has been set by the Adams County Planning Commission and the Board of County Commissioners to consider the following request: 2021 Phase III Code Amendments to the Adams County Development Standards and Regulations. Proposed Amendments include, but are not limited to, Safe Parking, Tiny Home Villages, Zoning Overlays, Mixed Use Zone District, and Outdoor Storage limitations in I-2 and I-3.

Applicant Information: Adams County Community and Economic Development Department

4430 S. Adams County Parkway
Brighton, Colorado 80601

The hearing will be held in the Adams County Hearing Room located at 4430 South Adams County Parkway, Brighton CO 80601-8216. This will be a public hearing and any interested parties may attend and be heard. The Applicant and Representative's presence at these hearings is requested. If you require any special accommodations (e.g., wheelchair accessibility, an interpreter for the hearing impaired, etc.) please contact the Adams County Community and Economic Development Department at (720) 523-6800 (or if this is a long distance call, please use the County's toll free telephone number at 1-800-824-7842) prior to the meeting date.

For further information regarding this case, please contact the Department of Community and Economic Development, 4430 S Adams County Parkway, Brighton, CO 80601, 720-523-6800. This is also the location where maps and/or text certified by the Planning Commission may be viewed.

The full text of the proposed request and additional colored maps can be obtained by contacting this office or by accessing the Adams County web site at www.adcogov.org/planning/currentcases.

Thank you for your review of this case.

Layla Bajelan, Long Range Planner II
Case Manager

BOARD OF COUNTY COMMISSIONERS

Eva J. Henry
DISTRICT 1

Charles "Chaz" Tedesco
DISTRICT 2

Emma Pinter
DISTRICT 3

Steve O'Dorisio
DISTRICT 4

Lynn Baca
DISTRICT 5

Organization Name	Last Name	First Name	Address Line 1	City	State	Zip Code	E-mail
Adams County CEDD Customer Service Manager	Berg	Andrea	4430 S Adams County Pkwy	Brighton	CO	80601	aberg@adcogov.org
Adams County POSCA Natural Resource Specialist	Clark	Aaron	9755 Henderson Rd	Brighton	CO	80601	aclark@adcogov.org
Brantner Extension Ditch Company	Clark	Aaron	9755 Henderson Rd	Brighton	CO	80601	aclark@adcogov.org
Colorado Agriculture Ditch	Clark	Aaron	9755 Henderson Rd	Brighton	CO	80601	aclark@adcogov.org
Lower Clear Creek Ditch Company	Clark	Aaron	9755 Henderson Rd	Brighton	CO	80601	aclark@adcogov.org
Oliver Ditch	Clark	Aaron	9755 Henderson Rd	Brighton	CO	80601	aclark@adcogov.org
Cavanaugh Heights & Cavanaugh Heights Home Owners Association	Brown	Daryl	37909 E 149th Pl	Keenesburg	CO	80643	admin@darylbrown.net
Regional Economic Advancement Partnership	Iturreria	Julio	PO Box 711	Strasburg	CO	80136	admin@i-70reap.com
Sable Altura Fire District	Williams	Hope	26900 E. Colfax Ave	Aurora	CO	80018	admin@sablealturafire.org
City of Westminster	Gan	Alexander	Public Works & Utilities	Westminster	CO		agan@cityofwestminster.us
Adams County CSWB Animal Management	Lerch	Annette	4430 S Adams County Pkwy	Brighton	CO	80601	alerch@adcogov.org
South Adams County Water & San Dist	Moreno	Abel	10200 E 102nd Ave	Henderson	CO	80022	amoreno@sacwsd.org
North Kiowa Bijou Groundwater	McClary	Andrew	PO Box 597	Fort Morgan	CO	80701	andy@mcclarylaw.com
STRASBURG PARKS AND REC DIST.	Graf	Angie	P.O. BOX 118	STRASBURG	CO	80136	angie@strasburgparks.org
North Pecos Water & Sanitation District	Salazar	Courtney	6900 Pecos St	Denver	CO	80221	ar@northpecoswater.org
City of Aurora	Tibbs	Aja	15151 E Alameda Pkwy	Aurora	CO	80012	atibbs@auroragov.org
F.E.M.A. REGION VIII	FITZPATRICK	BARB	DFC; BLDG 710A; BOX 25267	DENVER	CO	80225-026	barb.fitzpatrick@fema.gov
DENVER REGIONAL COUNCIL OF GOV	BRODERICK	BILL	1290 BROADWAY	DENVER	CO	80203	bbroderick@dcog.org
Deer Trail School District 26J	Buchmann	BJ	PO Box 129	Deer Trail	CO	80105	bbuchmann@dt26j.com
North Washington Water Users Association	Chameroy	Bruce	PO Box 508	Eastlake	CO	80614-050	bchameroy@yahoo.com
CASTLE ROCK DEVELOPMENT SERVICES	.	.	100 NORTH WILCOX STREET	CASTLE ROCK	CO	80104	bdetweiler@cr.gov.com
Public Service Company of Colorado (PSCo) dba Xcel Energy	.	.	1123 W 3rd Ave	Denver	CO	80223	bdrc@xcelenergy.com
Berkeley Neighborhood Association	Carter	Wendy	4420 W 52nd Pl	Denver	CO	80212	berkeleyneighborhoodassoc@gmail.com
Berkeley Sanitation District	Whitehair	Sharon	1600 W 12th Ave	Denver	CO		berkeleywater@gmail.com
Rocky Mountain Rail Park Metropolitan District	Fallin	Brian	Rail Land Company LLC	Denver	CO	80237	bfallin@rockymountainindustrials.com
Adams County POSCA Director	Fanning	Byron	9755 Henderson Rd	Brighton	CO	80601	bfanning@adcogov.org
Hi-Land Acres Water & Sanitation District	Begeman	Gabby	10086 E 159th Ave	Brighton	CO	80601	bigwind111@yahoo.com
CORE Electric Cooperative	Kaufman	Brooks	PO Box Drawer A	Sedalia	CO	80135	BKaufman@core.coop
Boulder Valley Conservation District	McCracken	Vanessa	9595 Nelson Rd	Longmont	CO	80501	BLDRVALLEYANDLONGMONTCDOS@GMAIL.COM
Adams County CSWB Code Compliance Officer	Petry	Brooke	4430 S Adams County Pkwy	Brighton	CO	80601	bpetry@adcogov.org
Colorado Department of Transportation (CDOT)	Sheehan	Bradley	2829 W Howard Pl	Denver	CO	80204	bradley.sheehan@state.co.us
CITY OF NORTHGLENN	Svoboda	Brook	11701 COMMUNITY CENTER DRIVE	NORTHGLENN	CO	80233-806	bsvoboda@northglenn.org
Bennett Fire Protection District #7	Connor	Caleb	355 4th St	Bennett	CO	80102	CalebConnor@BennettFireRescue.org
Adams County Public Works Transportation & Mobility Planner	Chovan	Chris	4430 S Adams County Pkwy	Brighton	CO	80601	cchovan@adcogov.org
Colorado Department of Public Health & Environment (CDPHE)	Hackett	Sean	4300 S Cherry Creek Dr	Denver	CO	80246	cdphe_localreferral@state.co.us
Colorado Department of Public Health & Environment (CDPHE) - Air Pollution Control Division	Coffin	Richard	4300 Cherry Creek Drive S	Denver	CO	80246-153	cdphe_localreferral@state.co.us
Colorado Department of Public Health & Environment (CDPHE) - Hazardous Materials/Waste Management	Johannes	Caren	4300 Cherry Creek Drive South	Denver	CO	80246-153	cdphe_localreferral@state.co.us
Colorado Department of Public Health & Environment (CDPHE) - Solid Waste Unit	Johannes	Caren	4300 Cherry Creek South Dr	Denver	CO	80246-153	cdphe_localreferral@state.co.us
Colorado Department of Public Health & Environment (CDPHE) - Water Quality Protection District	Icenogle	Bret	4300 Cherry Creek Drive South	Denver	CO	80246-153	cdphe_localreferral@state.co.us
Colorado Department of Public Health & Environment (CDPHE) - Watershed	Parachini	Dick	4300 Cherry Creek Drive South	Denver	CO	80246-153	cdphe_localreferral@state.co.us
Colorado Department of Public Health & Environment (CDPHE) Hazardous Materials/Waste Management Division	Johannes	Caren	4300 Cherry Creek Drive South	Denver	CO	80246-153	cdphe_localreferral@state.co.us
Colorado Department of Public Health & Environment (CDPHE) Radiation Serv Program	Weaver	Kenneth	4300 Cherry Creek Drive South	Denver	CO	80246-153	cdphe_localreferral@state.co.us
Adams County Attorney	Fitch	Christine	4430 S Adams County Pkwy	Brighton	CO	80601	CFitch@adcogov.org
Colorado Geological Survey	Carlson	Jill	1500 Illinois Street	Golden	CO	80401	CGS_LUR@mines.edu
Colorado Geological Survey: CGS_LUR@mines.edu	Carlson	Jill	Mail CHECK to Jill Carlson	CO			CGS_LUR@mines.edu
Adams County Fire Protection District	Gutierrez	Carla	7980 Elmwood Ln.	Denver	CO	80221	cgutierrez@acfpd.org
US Army Program Manager	Scharmann	Charles T.	Rocky Mountain Arsenal, Building 129	Commerce	CO	80022	charles.t.scharmann.civ@mail.mil
Mapleton School District #1	Ciancio	Charlotte	7350 N Broadway	Denver	CO	80221	charlotte@mapleton.us
US EPA	Christensen	Stan	1595 Wynkoop Street	DENVER	CO	80202	christensen.stanley@epa.gov
Elbert County Community & Development Services	Stanton	Christina	215 Comanche Street	Kiowa	CO	80107	christina.stanton@elbertcounty-co.gov
WEST ADAMS SOIL CONSERVATION DISTRICT	Einspahr	Cindy	57 W BROMLEY LN	BRIGHTON	CO	80601	cindy.einspahr@co.usda.gov
Eastern Slope Rural Telephone Association	Felzien	Clint	PO Box 397	Hugo	CO	80821	clintf@esrta.com
Adams County Sheriff	Connections	Community	4430 S Adams County Pkwy	Brighton	CO	80601	CommunityConnections@adcogov.org
Adams County CEDD Engineer	Engineering	Devt. Services	4430 S Adams County Pkwy	Brighton	CO	80601	Contact Person May Vary Depending on Case
Colorado 811 - Utility Notification Center	Sanchez	Carla	16361 Table Mountain Pkwy	Golden	CO	80403	csanchez@co811.org
METRO WASTEWATER RECLAMATION	SIMMONDS	CRAIG	6450 YORK ST.	DENVER	CO	80229	CSIMMONDS@MWRD.DST.CO.US
Intermountain Rural Electric Association (IREA)	Contact	Customer	5496 N US Hwy 85	Sedalia	CO	80135	customercontact@irea.coop
Adams County Fire Rescue	Wilder	Chris	3365 W. 65TH AVE.	DENVER	CO	80221	cwilder@acfpd.org
PERL MACK NEIGHBORHOOD GROUP	MICEK - PRESIDENT	DAN	7294 NAVAJO ST.	DENVER	CO	80221	DANMICEK54@COMCAST.NET
Town of Erie	Bachelder	Debra	PO Box 750	Erie	CO	80516	dbach@erieco.gov
Columbine Ranches Property Owners Association	Beaver	Dan	PO Box 1023	Brighton	CO	80601	dbeaver@coloradohazard.com
Washington County	Chavez	Denise	150 Ash Avenue	Akron	CO	80720	dchavez@co.washington.co.us
HORSE CREEK METROPOLITAN DISTRICT	.	.	12000 N WASHINGTON ST #100	THORNTON	CO	80241	ddflinley@juno.com
HORSE CREEK METROPOLITAN DISTRICT	.	.	12000 N WASHINGTON ST.	THORNTON	CO	80241	ddflinley@juno.com
Adams County CEDD Right-of-Way	C/O FINLEY AND CO. INC.	David	4430 S Adams County Pkwy.	Brighton	CO	80601	ddittmer@adcogov.org
Deer Trail Soil Conservation District	McGhin	Tiffany	133 W Bijou Ave	Byers	CO	80103	deertraileastdams@gmail.com
East Adams Soil Conservation District	McGhin	Tiffany	133 W Bijou Ave	Byers	CO	80103	deertraileastdams@gmail.com
Denver International Airport Planning & Design	Hilaire	Jeanette	8500 Peña Boulevard	Denver	CO	80249	denplanningreferrals@flydenver.com
Tri-Lakes Project Office	Downing	Kiel	9307 S Wadsworth Blvd	Littleton	CO	80128-690	DenverRegulatoryMailbox@usace.army.mil
City & County of Denver	Nurmela	Sarah	201 W Colfax Ave	Denver	CO	80202	Development.Services@denvergov.org
City & County of Denver	Nurmela	Sarah	201 W Colfax Ave	Denver	CO	80202	Development.Services@denvergov.org
City of Thornton	Campbell	Warren	9500 Civic Center Dr	Thornton	CO	80229	developmentsubmittals@cityofthornton.net
Adams County CSWB Code Compliance Officer	Fish	Doug	4430 S Adams County Pkwy	Brighton	CO	80601	dfish@adcogov.org
Bennett Parks & Recreation District	Schaub	Leila	455 S 1st Street	Bennett	CO	80102-037	director@bennettrec.org
TODD CREEK METRO DISTRICT #2	.	.	141 UNION BLVD	LAKEWOOD	CO	80228	dmccoy@sdmsi.com
Town of Bennett	Merkle	Deb	355 4th St	Bennett	CO	80102	dmerkle@bennett.co.us

UNITED WATER	HALFFIELD	DON	4653 TABLE MOUNTAIN DR.	GOLDEN CO	80403 don.halffield@xcelenergy.com
Todd Creek Village Metropolitan District	Summers	Don	10450 E. 159th Ct.	BRIGHTON CO	80602 don@toddcreekvillage.org
Public Service Company of Colorado (PSCO) dba Xcel Energy	George	Donna	1123 W 3rd Ave	DENVER CO	80223 Donna.L.George@xcelenergy.com
TODD CREEK FARMS HOA/ HOMESTEAD MANAGEMENT	Pepper	Dana	1499 W 121ST AVE	WESTMINSCO	80234 dpepper@associaolorado.com
Colorado Air and Space Port	Ruppel	Dave	5200 Front Range Airport	Watkins CO	80137-713 druppel@adcogov.org
Bennett Fire Protection District #7	Cumley	Chief Earl	355 4th St	Bennett CO	80102 earlcumley@bennettfirerescue.org
Adams County POSCA Extension Office	Hammond	Eric	9755 Henderson Rd	Brighton CO	80601 ehammond@adcogov.org
Denver International Airport	Brenninkmeyer	Elise	8500 Peña Blvd.	Denver CO	80249 elise.brenninkmeyer@flydenver.com
Regional Transportation District (RTD)	Von Fay	Paul	1560 Broadway	Denver CO	80202 engineering@rt-d-denver.com
United States Postal Service	Martinez	Erinda	7500 E 53rd Pl Ste 2222	Denver CO	80266 Erinda.J.Martinez@USPS.gov
Burlington Ditch Reservoir & Land Company	Craven	Eve	80 S 27th Ave	Brighton CO	80601 eve@farmersres.com
Farmers Reservoir & Irrigation Company	Craven	Eve	80 S 27th Avenue	Brighton CO	80601 eve@farmersres.com
O'Brien Canal/Burlington Ditch	Craven	Eve	80 S 27th Ave	Brighton CO	80601 eve@farmersres.com
Thornton Fire Department	Harpring	Stephanie	9500 Civic Center Dr	Thornton CO	80229-432 firedept@cityofthornton.net
NORTH METRO FIRE DISTRICT	-	-	-	BroomfieldCO	80020 fireprevention@northmetrofire.org
HIGH FIVE PLAINS FOUNDATION	DOYLE - PRESIDENT	FRANK	155 NCR 157	STRASBURICO	80136 frankdoyle@tds.net
Colorado Interstate Gas Company, L.L.C.	Zieske	Garry	2 N Nevada Ave	Colorado S CO	8.09E+09 garry_zieske@kindermorgan.com
Colorado Interstate Gas Company, L.L.C.	Zieske	Garry	2 N Nevada Ave	Colorado S CO	80903 garry_zieske@kindermorgan.com
Fisher Ditch Company	Brienza	Ruth & Gene	2030 E 68th Avenue	Denver CO	80229 gb1773@outdrs.net
Fisher Ditch Company	Brienza	Giovanni	2030 E 68th Avenue	Denver CO	80229 GBRIENZA@live.com
Denver Regional Council of Governments	Chiapella	Geoffrey	1001 17th St. Suite 700	Denver CO	80202 GChiapella@drco.org
Adams County CEDD Administrative	Maldonado	Gina	4430 S Adams County Pkwy	Brighton CO	80601 gmaldonado@adcogov.org
Adams County CSWB Neighborhood Services Division	Moon	Gail	4430 S Adams County Pkwy	Brighton CO	80601 gmoon@adcogov.org
Guardian Angel Neighborhood	Alcaro	Greg	5353 Columbine St	Denver CO	80229 gregalcaro@aol.com
Colorado Division of Wildlife	Posey	Hannah		Denver CO	80216-100 hannah.posey@state.co.us
Sturgensweller	Sturgensweller	Gherwin	555 Happy Canyon Road	Brighton CO	80601 hausenberger@blingfoo.com
Welch's Hilltop Acres Architectural Control Committee	Baca	Henry	15271 Parkview Dr	Brighton CO	80603 henrygo1125@gmail.com
HAZELTINE HEIGHTS WATER & SANITATION	SABIN	KEITH	P.O. BOX 38	HENDERSOCO	80640 hhw_sd@comcast.net
Division of Mining and Reclamation Safety	Ebert	Jared	Colorado Department of Natural Resources	Denver CO	80203 jared.ebert@state.co.us
TDS Telecommunications, dba Strasburg Telephone Co	Pahl	Jared	63070 Nels Anderson Rd	Bend OR	97703 Jared.Pahl@tdstelecom.com
United States Postal Service	Eddleman	Jason			Jason.G.Eddleman@usps.gov
Adams County CEDD Building Safety	Blair	Justin	4430 S Adams County Pkwy	Brighton CO	80601 JBlair@adcogov.org
City of Brighton Planning	Bradford	Jason	500 S 4th Ave	Brighton CO	80601 jbradford@brightonco.gov
Tri-State Generation and Transmission Association, Inc.	Jon P	Davis	1100 W 116th Ave	Westminst CO	80234 jdavis@tristatetg.org
ADAMS ARAPAHOE SCHOOL DISTRICT 28J	Hensley	Joshua	15701 E 1ST AVE STE 206	AURORA CO	80011 dhensley@aurorak12.org
Colorado Department of Agriculture	Gurr	Jenifer	305 Interlocken Pkwy	BroomfieldCO	80012 jenifer.gurr@state.co.us
Farmers & Gardners Ditch Company	Barela	Geri	Denver Water Board	Denver CO	80254 jerry.foster@denverwater.org
Westminster Fire Department	Gagliano	Lt. Jim	9110 Yates St	Westminst CO	80031 jgagliano@cityofwestminster.us
Riverdale Farms Homeowners Association	Hunt	Jonah G	3250 E 85th Ave	Thornton CO	80229 jhunt@ochowalaw.com
City of Thornton	Kaiser	James	12450 Washinton St	Thornton CO	80241 jim.kaiser@thorntonco.gov
Todd Creek Village Metropolitan District	Ogé	Jimmy	Equinox Land Group	BRIGHTON CO	80602 jimmy@equinoxland.com
University Resource Services	Baird	Ellis	7995 E Prentice Ave	GreenwoodCO	80111-271 jmeegers@crsfcolorado.com
South Adams County Water & Sanitation District	Jeff	Nelson	10200 E 102nd Avenue	HendersonCO	80640 jnelson@sacwsd.org
Colorado Division of Water Resources	Williams	Joanna	Office of State Engineer	Denver CO	80203 joanna.williams@state.co.us
Fulton Ditch Company	Crowley	Jody	Law Offices of Brice Steele, PC	Brighton CO	80601-317 jody@steelepc.com
Signal Ditch	Crowley	Jody	Law Offices of Brice Steele, PC	Brighton CO	80601 jody@steelepc.com
DEPT OF NATURAL RESOURCES /CWCB	HAUCK	KEVIN	721 STATE CENTENNIAL BLDG	DENVER CO	80203 joe.busto@state.co.us
Colorado Oil & Gas Conservation C	Noto	John	1120 Lincoln St #801	Denver CO	80203-213 john.noto@state.co.us
FEDERAL AVIATION ADMINISTRATION	Sweeney	John	26805 E 68TH AVENUE, #224	DENVER CO	80249-636 john.sweeney@faa.gov
North Lincoln Water and Sanitation District	HINOJOS	JORGE	1560 Broadway	Denver CO	80202 jorge.hinojos@tetratetch.com
Colorado State Electrical Board	Young	Joyce	1560 Broadway	Denver CO	80202 joyce.young@state.co.us
WESTMINSTER SCHOOL DISTRICT #50	Peterson	Jackie	7002 Raleigh Street	WESTMINSCO	80030 jpeterson@adams50.org
DENVER POSTMASTER'S OFFICE	RODRIQUEZ	JOSE	7300 53PL RM 1108	DENVER CO	80266 jrodrigu@email.usps.gov
Creekside South Estates Metro District	Ankele Tanaka Waldron	White Bear	2154 East Commons Avenue, Suite 2000	CentennialCO	80122 jtanaka@wbapc.com
Regional Economic Advancement Partnership	Iturreria	Julio	PO Box 711	Strasburg CO	80136 julio.iturreria@i-70reap.com
JEFFERSON COUNTY	WOLFORTH	JOHN	100 JEFFERSON CO PKWY STE 3550	GOLDEN CO	80419 jwolfort@jeffco.us
Denver Water	Naso	Kela	4455 W 58th Ave	Arvada CO	80002 Kela.Naso@denverwater.org
Denver Water	Naso	Kela	4455 W 58th Ave	Arvada CO	80002 Kela.Naso@denverwater.org
Adams County CSWB Code Compliance Officer	Gress	Kerry	4430 S Adams County Pkwy	Brighton CO	80601 kgress@adcogov.org
Adams County Human Services	Griego	Katie	11860 Pecos St	Westminst CO	80234 kgriego@adcogov.org
Adams County CEDD Environmental Services Division	Keefe	Katie	4430 S Adams County Pkwy	Brighton CO	80601 kkeefe@adcogov.org
REGIONAL AIR QUALITY COUNCIL	LLYOD	KEN	1445 MARKET ST. #260	DENVER CO	80202 kiloyd@raqc.org
MORGAN COUNTY RURAL ELECTRIC	MARTENS	KEVIN	P.O. BOX 738	FORT MOR CO	80701-073 kmartens@mcrcra.org
Adams County CEDD Addressing	Mills	Kevin	4430 S Adams County Pkwy	Brighton CO	80601 kmills@adcogov.org
27J Schools	Monti	Kerrie	1850 Egbert St	Brighton CO	80601 kmonti@sd27j.net
Tri-County Health Department	Lynch	Sheila	6162 S Willow Dr	GreenwoodCO	80111 landuse@tchd.org
Adams County Treasurer	Culpepper	Lisa	4430 S Adams County Pkwy	Brighton CO	80601 lculpepper@adcogov.org
City of Brighton - Urban Renewal Authority	-	-	22 S 4th Ave, 3rd Floor	Brighton CO	80601 lgonzales@brightonco.gov
Strasburg Fire Protection District #8	Hines	Liz	PO Box 911	Strasburg CO	80136 lhines@svfd8.org
Mile High Water Company	Stone	Harry	PO Box 434	BroomfieldCO	80038 lionconsult1@centurylink.net
Greatrock Water District	Johnson	Lisa	Clifton Larson Allen, LLP	GreenwoodCO	80111 lisa.johnson@clacconnect.com
Riverdale Peaks Metro District	Johnson	Lisa	141 Union Blvd, Suite 150	Lakewood CO	80228 ljohnson@sdmsi.com
Adams County School District 14	Rodriguez	Leo	4211 E 68th Ave	Commerce CO	80022 lrodriguez@adams14.org
Crestview Water & Sanitation District	Terry	Mitchell	PO Box 666	Westminst CO	80036 manager@crestviewwater.com
Henrylynn Irrigation District	Baumgartner	Rodney	29490 Rd 11	KeenesburCO	80643 manager@henrylynn.com
CREEKSIDE SOUTH ESTATES	MARTIN - PRESIDENT	STEVE	10700 E. 157TH CT.	BRIGHTON CO	80602 martincinc@msn.com
WELD COUNTY SCHOOL DIST. RE-3J	WADE	MARVIN	P.O. BOX 269	KEENESBU CO	80643 marvin@rebel-net.tec.co.us

ADAMS 12 FIVE STAR SCHOOLS	SCHAEFER - PLANNING MANAGER	MATT	1500 E. 128TH AVENUE	THORNTON	80241 matt.schaefer@adams12.org
City of Aurora - Aurora Water	Brown	Marshall	15151 E Alameda Pkwy	Aurora CO	80012 mbrown@auroragov.org
Adams County CEDD Economic Development	Daffron	Max	4430 S Adams County Pkwy	Brighton CO	80601 mdafron@adcogov.org
North Washington Street Water & San Dist	DeMattee	Mike	3172 E 78th Ave	Denver CO	80229 mdenmattee@nwsd.com
Byers Fire Protection District	Disher	Chief Michael	PO Box 85	Byers CO	80103 mdisher@byersfire.org
Adams County Constituent Services	Gorenc	Matt	4430 S Adams County Pkwy	Brighton CO	80220 mgorenc@adcogov.org
Adams County Assessor	Grondalsky	Margaret	4430 S Adams County Pkwy	Brighton CO	80601 MGrondalski@adcogov.org
Barr Lake State Park	Seubelle	Michelle	13401 Piccadilly Rd	Brighton CO	80603 michelle.seubert@state.co.us
Eastern Adams County Metropolitan District	Serra, III	Mike	270 St. Paul Street, Suite 300	Denver CO	80206 mike.serra@paulscorp.com
Eastern Adams County Metropolitan District	Serra, III	Mike	270 St. Paul Street	Denver CO	80206 mike.serra@paulscorp.com
Sand Creek Metropolitan District	Serra III	Mike	100 St Paul Street	Denver CO	80206 mike.serra@paulscorp.com
Strasburg School District 31J	Johnson	Monica	56729 E Colorado Ave	Strasburg CO	80136 mjohanson@strasburg31j.com
Pecos Park Logistics Park Metro District	Mitchell	Matt	4221 Brighton Blvd	Denver CO	8.02E+08 mmitchell@westfield-co.com
Adams County POSCA Deputy Director	Pedrucci	Marc	9755 Henderson Rd	Brighton CO	80601 mpedrucci@adcogov.org
Allen Ditch	Pedrucci	Marc	9755 Henderson Rd	Brighton CO	80601 mpedrucci@adcogov.org
Adams County CEDD Community Development	Scheere	Melissa	4430 S Adams County Pkwy	Brighton CO	80601 mscheere@adcogov.org
COLORADO DEPT OF TRANSPORTATION	HAYES	PATRICIA	2000 S. HOLLY	DENVER CO	80222 nashat.sawaged@dot.state.co.us
Adams County Budget & Finance Director	Duncan	Nancy	4430 S Adams County Pkwy	Brighton CO	80601 nduncan@adcogov.org
Welby Citizen Group	Frank	Norma	7401 Race St	Denver CO	80229 nfrank@coloradolighting.com
COLORADO STATE FOREST SERVICE	HALL	NORLAND	PO BOX 368	FORT MOR CO	80701-363 nhall@lamar.colostate.edu
El Paso County	Ruiz	Nina	2880 International Cir	Colorado S CO	80910 ninaruiz@elpaso.com
North Lincoln Water and Sanitation District	-	-	-	CO	nlnwsdistrict1@gmail.com
Hawk Ridge Subdivision (Northside Mgmt%)	Steve	Blackwood	P.O. Box 1324	Eastlake CO	80614 nsmcommunity@gmail.com
City of Commerce City	Yusuf	Omar	7887 E 60th Ave	Commerce CO	80022 oyusuf@c3gov.com
Eastern Slope Rural Telephone Association	White	Patricia	403 3rd Ave	Hugo CO	80821 patw@esrta.com
Denver Water	Peloquin	Paul	4455 W 58th Ave	Arvada CO	80002 paul.peloquin@denverwater.org
Denver Water	Peloquin	Paul	4455 W 58th Ave	Arvada CO	80 paul.peloquin@denverwater.org
Morgan County	Cherry	Pam	231 Ensign Street	Fort MorgaCO	80701 pcherry@co.morgan.co.us
Strasburg Fire Protection District #8	Conroy	Patrick	PO Box 911	Strasburg CO	pconroy@svfd.org
Aloha Beach	Gillan	Perditta	3124 W 62nd Ave	Denver CO	80221 perditta@comcast.net
City of Broomfield	Bertanzetti	Anna	1 Decomes Dr	BroomfieldCO	80020 planning@broomfield.org
CITY OF WESTMINSTER	McConnell	Rita	4800 W 92ND AVE.	WESTMINSCO	80031 planning@cityofwestminster.us
Douglas County	Gates	CJ	100 Third St	Castle RockCO	80104 PlanReferralRequest@douglas.co.us
South Adams County Fire District	Division	Fire Prevention	6050 Syracuse St	Commerce CO	80022 planreview@sacfd.org
BRIGHTON FIRE DISTRICT	Bednarcik	Elizabeth	500 S 4th Ave	Brighton CO	80601 planreviews@brightonfire.org
East Cherry Creek Valley (ECCV)	Felipe	Brandon	6201 South Gun Club Rd	Aurora CO	80016 planreviews@eccv.org
United Power	Riblett	Samantha	500 Cooperative Way	Brighton CO	80603 platreferral@unitedpower.com
Century Link	Easement	NRE		CO	PLTS ONLY: nre.easement@centurylink.com
Century Link	Osbourne	Joseph		CO	RCUs only: joseph.osborne@centurylink.com
Century Link, Inc	Miller	Ken	5325 Zuni St, Rm 728	Denver CO	80221 RCUs ONLY: kenneth.r.miller@lumen.com
Adams County CSWB Code Compliance Officer	Dodge	Ryan	4430 S Adams County Pkwy	Brighton CO	80601 rdodge@adcogov.org
Eagle Shadow Metropolitan District No 1	Dykstra	Russell W	Spencer Fane	Denver CO	80203 rdykstra@spencerfane.com
Arapahoe Coumy	Yeckes	Jan	6924 S Lima St	Centennial CO	80112 referrals@arapahoe.gov.com
Eastern Slope Rural Telephone Association	Koch	Renae	403 3rd Ave	Hugo CO	80821 renaek@esrta.com
Deer Trail Fire Department	Loveless	Chief Richard	PO Box 257	Deer Trail CO	80105 rloveless.dtfire@gmail.com
WIGGINS SCHOOL DIST. RES0J	LITTLE	DR. SHAROL	320 CHAPMAN ST	WIGGINS CO	80654 rmiller@wigginsS0.k12.co.us
WELBY HERITAGE FOUNDATION	O'DORISIO	ROBIN	7403 RACE ST	DENVER CO	80229 robinodo@yahoo.com
BENNETT SCHOOL DISTRICT 29J	Purdy	Robin	615 7TH ST.	BENNETT CO	80102 robin@bsd29j.com
HAZARDOUS WASTE MGMT	ROTHENMEYER, P.E.	WILLIAM H.	1595 WYNKOOP ST 8EPR-B	DENVER CO	80202 rothenmeyer.william@epa.gov
Central Colorado Water Conservancy District	Ray	Randy	3209 W 28th Street	Greeley CO	80634 rray@ccwd.org
Adams County Sheriff	Reigenborn	Rick	4430 S Adams County Pkwy	Brighton CO	80601 rreigenborn@adcogov.org
Adams County CSWB Code Compliance Officer	Martinez	Rudy	4430 S Adams County Pkwy	Brighton CO	80601 rrmartinez@adcogov.org
Union Pacific Railroad	Carrroll	Rod	1400 Douglas St Stop 1690	Omaha NE	68179 rscarroll@up.com
Quail Hill Homeowners Association	Settregren	Randy	14602 Kalamath Ct	Westminst CO	80020 rsettregren@msn.com
City of Arvada	Smetana	Rob	8101 Ralston Rd	Arvada CO	80002 rsmetana@arvada.org
City of Federal Heights	Stavros	Renae	2380 W 90th Ave	Federal He CO	80260 rstavros@fedtheights.org
South Adams County Fire District	Weigum	Randall	6050 Syracuse St	Commerce CO	80022 rweigum@sacfd.org
Sunset Vista Estates Homeowners Association	Quillen	Sarah	15955 Jackson St	Brighton CO	80602 sarah@boulderuto.com
Aurora Fire Rescue	Wright	Steven	15151 E Alameda Pkwy	Aurora CO	80012-155 sdwright@auroragov.org
Adams County Public Works Construction Inspection	-	-	4430 S Adams County Pkwy	Brighton CO	80601 Send to Case Engineer
Adcom911	Gerhardt	Scott	7321 Birch St	Commerce CO	80022 sgerhardt@adcom911.org
North Metro Fire District	Gosselin	Steve	101 Spader Way	BroomfieldCO	80020 sgosselin@northmetrofire.org
Northridge Estates at Gold Run HOA	Lussier	Shane	2305 Canyon Blvd	BOULDER CO	80302 shane@cchoapros.com
GOAT HILL	WHITEHAIR	SHARON	2901 W 63RD	DENVER CO	80221 sharonwhitehair@gmail.com
South Adams County Water & San Dist	Maier	Sharleen	10200 E 102nd Avenue	HendersonCO	80022 smaier@sacwdsd.org
Colorado Department of Transportation (CDOT)	Loeffler	Steve	2829 W Howard Pl	Denver CO	80204 steven.loeffler@state.co.us
Colorado Department of Transportation (CDOT)	Loeffler	Steve	2829 W Howard Pl	Denver CO	80204 steven.loeffler@state.co.us
Arvada Fire Department	Parker	Steven	7903 Alison Way	Arvada CO	80005 steven.parker@arvadafire.com
Mile High Water Company	Stone	Harry	PO Box 434	BroomfieldCO	80038 stoneracing40@aol.com
Strasburg Water & Sanitation Dist	Griffin	Tracy	PO Box 596	Strasburg CO	80136 strawaternsan@tds.net
Mile High Flood District	Mehan	Kelsey	2480 W 26th Ave	Denver CO	80211 submittals@mefd.org
Aberdeen Metropolitan District, No. 1	Vander Wall	Barbara	Setter & Vander Wall, P.C.	GreenwootCO	80111 svw@svwpc.com
Aspen Hills Metropolitan District	Vander Wall	Barbara	Setter & Vander Wall, P.C.	GreenwootCO	80111 svw@svwpc.com
Eagle Creek Metropolitan District	Vander Wall	Barbara	Setter & Vander Wall, P.C.	GreenwootCO	80111 svw@svwpc.com
WRIGHT FARMS METRO DISTRICT	KIM J.	KIM J.	7400 E ORCHARD RD STE 3300	GREENWCO CO	80111 svw@svwpc.com
Adams County Riverdale Animal Shelter	Wilde	Stephanie	12155 Park Blvd	Brighton CO	80601 swilde@adcogov.org
ADAMS COUNTY ECONOMIC DEV.	ALLEN	TRICIA	12000 N. PECOS ST., STE 100	WESTMINSCO	80234-349 tallen@adamscountyed.com

Southeast Weld Fire Protection District	Beach	Chief Tom	95 W Broadway Ave	Keenesbur,CO	80643 tbeach@seweldfire.org
Box Elder Estates Home Owners Association	Larson	Todd	3190 S. Vaughn Way	Aurora CO	8.02E+09 tlarson@servicepluscm.com
Eastern Slope Rural Telephone Asso, Inc	Simmons	Tobe	PO Box 397	Hugo CO	80821 tobesc@esrta.com
Weld County	Parko	Tom	1555 N 17th Ave	Greeley CO	80631 tparko@weldgov.com
BYERS SCHOOL DISTRICT 32J	TURRELL	TOM	444 E FRONT ST	BVERS CO	80103 turrell.tom@byers.k12.co.us
City of Federal Heights	Williams	Tim	2380 W 90th Ave	Federal He CO	80260 twilliams@fedheights.org
Commerce City North Infra GID	Wilson	Theresa	7887 E 60th Ave	Commerce CO	80022 twilson@c3gov.org
VANAIRE SKYPORT CORP.	Gann	Becky	PO BOX 55	BRIGHTON CO	80601 vanaire@comcast.net
VANAIRE SKYPORT CORP. 2	Gann	Becky	THIS ENTRY CREATED TO ADD PEOPLE IN	CO	vanaire@comcast.net
Century Link	Team	Network Real Estate		CO	VSPs ONLY: relocations@centurylink.com
WADLEY FARMS HOA	Olivier	Bob	PO BOX 1208	EASTLAKE CO	80614 wadleyfarmshoa@msn.com
WEST ADAMS SOIL CONSERVATION DISTRICT.westadamscd@gmail.com	Email	Referral	Mail CHECK to Ken Koebel		westadamscd@gmail.com
Adams County Fire Protection District	Even	Whitney	7980 Elmwood Lane	Denver CO	80221 weven@acfdp.org
KERSHAW DITCH COMPANY	PEHR	DAVE	8787 TURNPIKE DRIVE #280	WESTMINSCO	80030 zfppc@earthlink.net
Pomponio Terrace Metropolitan District	White	Zachary	2154 E Commons Ave	Centennial CO	80122 zwhite@wbapc.com
TODD CREEK FARMS METRO DIST #2	White	Zachary	2154 E. Commons Ave, STE 2000	Centennial CO	80122 zwhite@wbapc.com
ABERDEEN METROPOLITAN DISTRICT NO 2	VANDER	BARBARA	7400 E ORCHARD RD SUITE 3300	GREENWCO CO	80111
Adams East Development Co., LLC	Finley	Ms. Ronna	P.O. Box 551	East Lake CO	80614
Adams East Metropolitan District	HOLDINGS LLC	160TH AVENUE	5460 S QUEBEC STREET SUITE 110	GREENWCO CO	80111
ADCO CONSULTING	Fleming	Robert	2090 E. 104TH AVE., #202	THORNTON CO	80233
AMBER CREEK METROPOLITAN DISTRICT	VANDER	BARBARA	7400 E ORCHARD RD, SUITE 3300	GREENWCO CO	80111
APEX	SCHMIDTLINE	DAVE	4955 E. 74TH AVE.	COMMERC CO	80022
AURORA POST OFFICE	ROSS	RICK	16890 E ALAMEDA PKWY	AURORA CO	80017-9998
BOULDER COUNTY	FOGG	PETE	P.O. BOX 471	BOULDER CO	80306
Box Elder Estates Homesite Subdivision	-	-	-	Brighton CO	80603
Box Elder Water & Sanitation District	Vander Wall	Barbara	c/o Collins, Cockrel, & Cole P.C.	Lakewood CO	80228
BRIGHTON POSTMASTER	Post Office	Brighton	90 N 4TH AVENUE	BRIGHTON CO	80601
Bromley Park Metro District	-	-	6399 S Fiddlers Green Circle	Greenwoor CO	80111-4949
CITY OF DACONO	ATTN: CITY PLANNER	-	512 CHERRY ST	DACONO CO	80514
CITY OF THORNTON	O'SHEA	JASON	9500 CIVIC CENTER DR	THORNTON CO	80229
COLORADO DEPT OF HUMAN SERVICES	OF CHILDCARE	DIVISION	1575 SHERMAN ST, 1ST FLOOR	DENVER CO	80203-1714
COLORADO DEPT OF TRANSPORTATION	BLAKE	JIM	2000 SOUTH HOLLY STREET	DENVER CO	80222
COLORADO DEPT OF TRANSPORTATION	LANCASTER	JEFFREY			
COLORADO DEPT OF TRANSPORTATION	ZISMAN	INA	1420 SECOND ST	GREELEY CO	80631
COLORADO HISTORICAL SOCIETY	CORSON	DAN	1300 BROADWAY	DENVER CO	80203
COLORADO INTERNATIONAL CENTER	MURATA	BJ	141 UNION BLVD., SUITE 150	LAKEWOOD CO	80228
COLORADO STATE PATROL	ADAMS COUNTY TROOP	-	8200 NORTH HWY 85	COMMERC CO	80022
COMCAST	LOWE	JOE	8490 N UMATILLA ST	FEDERAL H CO	80260
COMMANCHE CROSSING METRO DISTRICT	DON	HULSE	1700 Lincoln Street	Denver CO	80203
COMMERCE CITY - GENERAL IMPROVEMENT DISTRICT	MCBROOM	BRIAN	7887 E. 60th Ave	COMMERC CO	80022
Consolidated Juchem Ditch and Reservoir Company	Fletcher	Thomas	6595 Tennyson Street	Arvada CO	80003
COUNTY SURVEYOR	THOMAS	TIM	4955 E 74TH AVENUE	COMMERC CO	80022
CREEKSIDE SOUTH ESTATES HOMEOWNERS ASSOC.	HEADRICK	THOMAS	15605 HAVANA WAY	BRIGHTON CO	80602
Department of Local Affairs	Kirkpatrick	Susan	1313 Sherman St #500	Denver CO	80203
DEPT OF LABOR AND EMPLOYMENT	SECTION	OIL INSPECTION	633 17TH STREET #400	DENVER CO	80202-3610
DEPT. OF AVIATION DENVER INTERNATIONAL AIRPORT	Bill	Poole	8500 PENA BLVD.	DENVER CO	80249
E-470 AUTHORITY	Davenport	Peggy	22470 E STEPHEN D HOGAN PARKWAY STE 100	Aurora CO	80018
EAGLE VIEW METRO DIST.	-	-	141 UNION BLVD.	LAKEWOOD CO	80228-1814
EASTERN COLO. UTILITY CO.	STOKER	BRENT	P.O. BOX 270868	Littleton CO	80127
EASTLAKE WATER AND SAN. DIST.	HARVEY	RANDY	9500 Civic Center Drive	Thornton CO	80229
FCC, FEDERAL COMMUNICATIONS COMMISSION	-	-	PO Box 25446	LAKEWOOD CO	80226-1544
Fermers' High Line Canal	Lower	Cynda	725 Malley Dr	Northglenn CO	80233
FIRST CREEK RANCH METRO DIST.	-	-	c/o Miller & Associates Law Offices, LLC	DENVER CO	80202
FRONT RANGE METRO DIST.	COLLINS & COCKREL	-	390 UNION BLVD., SUTIE 400	DENVER CO	80228
GERMAN DITCH CO. & RESERVOIR	HOWARD	JOHN	8679 WCR 4	BRIGHTON CO	80603
GREATROCK NORTH HOA	DRUSE	CYRENA	28650 E 160TH PL	BRIGHTON CO	80603
HAZELTINE HEIGHTS	MOLINARO	SAM	8450 COUNTER DR.	HENDERSOCO	80640
HERITAGE AT TODD CREEK METRO DIST.	BEUTLER	GARY	2154 E. Commons Ave. Suite 2000	Centennial CO	80122
HIGH LINE CANAL	BARELA	GERI	1600 W. 12TH AVENUE	DENVER CO	80254
HIGH PLAIN WATER USERS ASSOC.	SEYMOUR	RAY	13955 QUEBEC	BRIGHTON CO	80602
HIMALAYA WATE AND SANT. DIST	DALTON	MATHEW	1700 LINCOLN ST., SUITE 3800	DENVER CO	80203
Hope Ditch Company	Gutierrez	Jeanette	2531 E 165th Ave	Brighton CO	80601
Hope Ditch Company	Gutierrez	Jeanette	2531 E 165th Ave	Brighton CO	80601
INDUSTRIAL PARK	COTTER	KEARBY	6625 E. 49TH AVE.	COMMERC CO	80022
Jefferson Soil Conservation District	Yegert	Mitch	DFC, Bldg 56, Room 2604	Denver CO	80225
Kinder Morgan, Inc	Atwater	Tim	370 Van Gordon St	Lakewood CO	80228
McCann Ditch and Reservoir Company	Henley	Ron	4395 Washington St.	Denver CO	80216
Metro North Chamber of Commerce	Obermeyer	Debb	1870 W 122ND AVE	WESTMINSCO	80234
MOBILE GARDENS	JONES	VERA MARIE	6250 FEDERAL #29	DENVER CO	80221
Mobile Home Gardens HOA	-	-	6250 Federal Blvd.	Denver CO	80237
MORGAN COUNTY QUALITY WATER DIST	OSTWALD	JERRY	P.O. BOX 1218	FT. MORG/CO	80701
MORGAN COUNTY RURAL ELECTRIC ASSOCIATION	OFFICE	MAIN	P.O. BOX 738	FORT MOR CO	80701
MOUNTAIN VIEW	HOWARD	JOHN	3680 E 168TH AVE.	BRIGHTON CO	80601
MUSTANG ACRES	GREBENC	J-M	1364 W. 154TH AVE.	BROOMFIE CO	80023
Neighborhood Improvement Committee	QUINTANA	LARRY	7780 MAGNOLIA ST	COMMERC CO	80022
NORTH FEDERAL HILLS HOMEOWNERS	FOX	NANCY	2520 W. 66TH PLACE	DENVER CO	80221
NORTH FEDERAL HILLS HOMEOWNERS	PRICE	ROBIN	2831 WEST 66TH PLACE	DENVER CO	80221

NORTH GATE	POMPONIO	LEONARD	6856 FEDERAL BLVD.	DENVER CO	80221
NORTHERN METROPOLITAN DISTRICT	COLLINS	JIM	390 UNION BLVD, SUITE 400	DENVER CO	80228
PRAIRIE CENTER METRO NO. #1	SISNEROS, P.C.	MCGEADY	141 Union Boulevard, Suite 150	Lakewood CO	80228
PVPOA / PRAIRIE VIEW HOMEOWNERS ASSOC.	HUTCHERSON	DIANA	P.O. BOX 96	WATKINS CO	80137
RIVERDALE DUNES METRO DIST. #1	.	.	141 UNION BLVD.	LAKEWOODCO	80228-1814
SECOND CREEK RANCH METRO DIST	SECOND	CREEK	c/o Miller & Associates Law Offices, LLC	DENVER CO	80202
SHAW HEIGHTS WATER DISTRICT	O'NEAL	LLOYD-PRESIDENT	8870 Hunter Way	WESTMINSCO	80031
SILVER SPRINGS MANAGEMENT SPECIALISTS, INC	HOLDREN	KEVIN	11002 BENTON ST	WESTMINSCO	80020
SOUTH BRIGHTON CITIZEN GROUP	.	.	14110 BRIGHTON RD.	BRIGHTON CO	80601
TDS TELECOM	LYMAN	JIM	PO BOX 730	PAONIA CO	81428
THE BRIGHTON DITCH COMPANY	ROSENBROCK	DON	PO BOX 185	FT. LUPTONCO	80621
THE BRIGHTON LATERAL DITCH COMPANY	DIRECTORS	BOARD OF	PO BOX 413	BRIGHTON CO	80601
THE HIGHLAND DITCH CO., INC	BARNES	FRANK	4322 STATE HWY 66	LONGMONCO	80501
The TOD Group	GROUP	THE TOD	1431 Euterpe Street	New Orlea LA	70130
THIRD CREEK WATER DISTRICT	THIRD CREEK WATER DISTRICT	.	MIKE DEWEESE	BRIGHTON CO	80601
TODD CREEK VILLAGE MASTER ASSOCIATION	BLACKWOOD	KAREN	PO BOX 1324	EASTLAKE CO	80614
TOWER METROPOLITAN DISTRICT	DALTON	MATHEW	1700 LINCOLN ST SUITE 3800	DENVER CO	80203
Town of Bennett - Water & Sanitation District	.	.	355 4th St.	BENNETT CO	80102
TOWN OF LOCHBUIE	SANCHEZ	MARI	703 WCR 37 Lochbuie	LOCHBUIE CO	80603
TOWN OF PARKER	.	.	20120 EAST MAINSTREET	PARKER CO	80138
TRANSPORT METROPOLITAN DISTRICT NO. 1	WHITE	GARY R	c/o White Bear & Ankele	HIGHLAND CO	80129
Tri-County Health: Mail CHECK to Sheila Lynch	Health	Tri-County	landuse@tchd.org	CO	
UNITED WATER AND SANITATION - PRESIDENT	LEMBKE	ROBERT A.	8301 E. Prentice Ave. Suite 120	GREENWO CO	80111
US FISH & WILDLIFE SERVICE	.	.	134 UNION BLVD	LAKEWOODCO	80228
US GEOLOGICAL SURVEY	GEOLOGICAL SURVEY	US	P.O. BOX 25046 Federal Center	DENVER CO	80225
VANTAGE ESTATES	JAMES	JERILYN	30085 E 128TH AVE	COMMERC CO	80022
WADLEY FARMS 3RD FILING	MONROE	BEVERLY	HOMESTEAD MANAGEMENT CORP.	WESTMINSCO	80234
WELCH'S HILLTOP ACRES ARCH. CONTROL	KEIL	FRED	15373 KIMBARK DRIVE	BRIGHTON CO	80601
WESTLAKE WATER AND SAN. DIST.	GREAVES	DOROTHY	13751 STUART ST	BROOMFIE CO	80020
Wiggins Telephone Association	Hendri	Terry	PO Box 690	Wiggins CO	80654

2021 Code Amendments, Phase III

PLN2021-00012

November 9, 2021

Board of County Commissioners Public Hearing
Community and Economic Development Department
Case Manager: Layla Bajelan

Request

Request: Text Amendments to modify Adams County Development Standards and Regulations

Proposed Text Amendments

- Safe Parking
- Tiny Home Village
- Mixed Use Zone District (MU)
- Compliance with the Comprehensive Plan

Background

Adams County regularly performs annual updates of its Development Standards and Regulations.

- May 2021- Staff received direction from the BoCC to pursue text amendments for outdoor storage, zoning overlays, safe parking, tiny home villages, mixed-use zone district, and adding compliance with the Comp. Plan as criteria of approval.
- June & July- Public and stakeholder meetings virtually through Zoom
- August 2021- New language drafted and placed on the website
- September 2021- Public comment period began

- Phase of Code Amendments:
 - Phase I- Oil and Gas Updates
 - Phase II- Parks Zone District Updates
 - Phase III: Subject Application
 - Phase IV: Sign Code Updates

Text Amendments to be Heard on Another Date

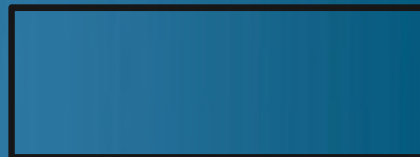
- At Study Sessions with the Board of County Commissioners on October 12, 2021, and October 19, 2021, staff received direction to remove:
 - Zoning Overlays
 - Welby Subarea Plan
 - Federal Blvd. Framework Plan
 - TOD and Rail Station Area Planning Guidelines
 - Updates to the permitted outdoor storage allowances in I-2 and I-3.
 - Proposed new outdoor storage definition
 - Proposed Fleet definition
- Allows staff time to:
 - Work with affected property owner and businesses
 - Prioritize the Overlays
 - Define specific goals for each station/subarea

Public Outreach

- Targeted Public Outreach Meetings
 - 15,000 mailings (property owner/residents)
 - Welby Subarea Plan
 - Federal Blvd. Framework Plan
 - TOD (1/2) buffer from 6 Station Areas
 - Industrial/ Business Stakeholders
- 1st Public Outreach Meeting- June 22nd
- 2nd Public Outreach Meeting- July 27th
- County Wide Public Outreach Meeting- July 29th
- In addition to the mailings, all meeting were advertised on the regulation amendments website, all social media accounts, including Next Door, and in County newsletters

Stakeholder Outreach

- Community Safety and Wellbeing
- Sheriffs Office and Code Compliance
- Adams County School Districts
- CEDD- Chief Building Official
- CEDD- Public Health Policy and Program Specialist
- Local Nonprofits
 - Maiker Housing Partners
 - Access
 - Brothers Redevelopment, Inc.
 - Almost Home
 - Colorado Safe Parking Initiative
 - Growing Home
 - Colorado Interfaith Alliance
 - Cold Weather Care
 - St. Francis Center
 - Salvation Army
 - Colorado Village Collaborative
 - Brighton Housing Authority



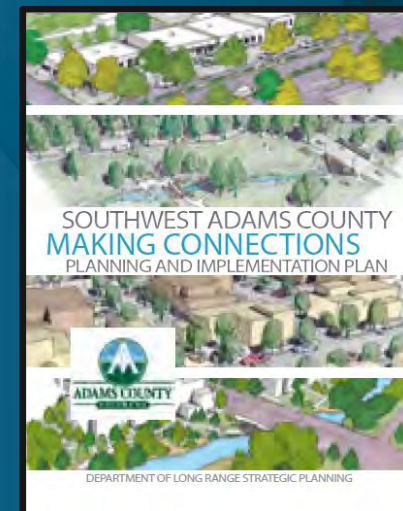
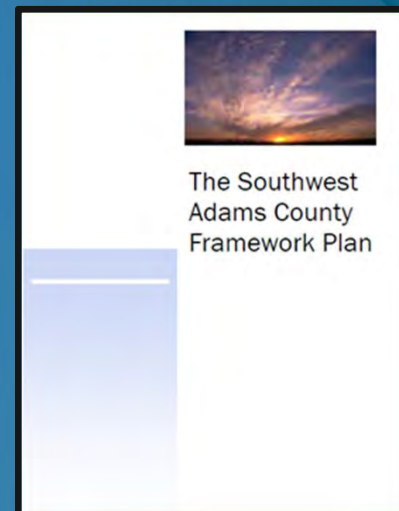
Chapter 2

Application & Permitting Procedures

- Compliance with the Comprehensive Plan & Subarea Plans:

“The use and site plan are in general conformity with the Adams County Comprehensive Plan and any applicable area plans.”

- Allows staff, PC, and BoCC to consider plans during land use cases
- Encourage development that supports the vision for the specific area as outline within the adopted plans.



Chapter 2

Application & Permitting Procedures

- This requirement has been added as criteria of approval for the following land use case applications: Administrative Review Permit (ARP), Certificate of Designation (solid waste disposal facility and hazardous material facility), Biosolids Application Permit (domestic sludge), Conditional Use Permit, Urban Renewal Plan, Special Use Permit, Temporary Use Permit, Text amendments, Zoning Map Amendment, Comprehensive Plan Amendments and Final Plat
- The following plans already contain language in their criteria of approval citing compliance with the comprehensive plan and any applicable subarea plans: Overall Development Plan (ODP), Preliminary Development Plan (PDP), Final Development Plan (FDP), Sketch Plan, and Preliminary Plat.



Chapter 3

- Safe Parking and Tiny Home Villages better serve some of the County's most vulnerable residents.
- Mixed-Use is encouraged in many of our adopted long-range plans.
 - Currently, only conditionally allowed in C-5

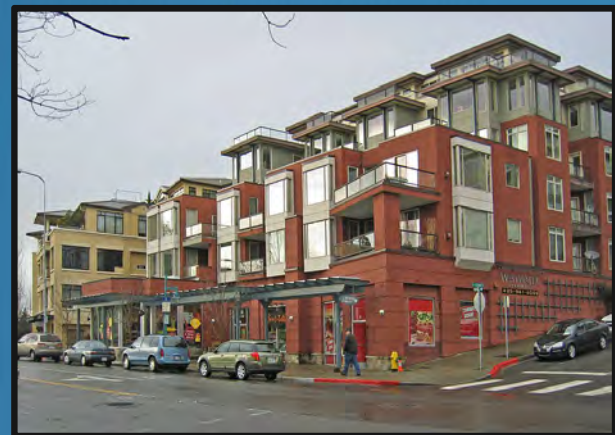
Propose Chapter 3 Amendments:

- Table of Permitted Uses:
 - New Uses:
 - Safe Parking
 - Tiny Home Village



Chapter 3

- New Zone District: Mixed-Use (MU)
 - Residential/Commercial
 - Commercial Uses: Neighborhood Indoor Commercial, Places of worship (CUP), Government Offices, Animal hospitals, Commercial Retail, Indoor Commercial Recreation/Entertainment, Restaurants, Services, and Trade Schools
- Removed the CUP allowance for Mixed-Use in Commercial-5 (C-5)



Chapter 3

Mixed-Use (MU) Zone District

- Dimensional Standards
 - Minimum lot size: N/A
 - Minimum lot width: 75 feet
- Density
 - Minimum Density: 10 du/acre
 - Maximum Density: 35 du/acre
 - FAR standards- .75
- Height
 - Principle Structure: 60 feet *
 - Accessory Structures: 16 feet
- Required Setbacks
 - Front/Side Corner: Min. 5 feet. Max. 20 feet
Max. of 25 along State Highways
 - Side: 5 feet, 20 feet if adjacent to R-1-C or R-2 zoned properties
 - Rear: 5 feet, 20 feet if adjacent to R-1-C or R-2 zoned properties
- Height Related Setbacks
 - Upper stories above 35 feet in height shall be stepped down from its highest roofline at least one full story for a depth of at least 15 feet where adjacent to properties zoned R-1-C, or R-2.
 - Upper stories above 51 feet in height shall be stepped down from its highest roofline at least one full story for a depth of 25 feet where adjacent to properties zoned R-1-C, or R-2

Chapter 3

Mixed-Use (MU) Zone District

- Minimum floor area of dwellings
 - Efficiency Unit: 450 sq. ft.
 - One Bedroom: 600 sq. ft.
 - Two Bedroom: 750 sq. ft.
 - Three Bedroom: 900 sq. ft.
 - Four Bedroom: 1,000 sq. ft.
- Required Roadway Classification: State Highway, Arterial, or Collector road
- Site Plan and Architectural Concept-Level Drawings approved with the Rezone application.

Chapter 4

- Performance Standards to allow Safe Parking Sites and Tiny Home Villages
 - Added Safe Parking as an Accessory Use
 - Included Tiny Home Village in the Institutional Use Performance Standards
- Revised language within the Mixed-Use Performance Standards to reflect the zone district requirements and removed the CUP for C-5

Chapter 4

Safe Parking Site

- Administrative Review Permit (ARP) with 1 year expiration, public notification and inspection required
 - Accessory to existing commercial or institutional use in any zone district
 - Responsible Agent Required
 - Address, name, and number
 - Respond within 1-hour
 - Code Compliance contact information
 - Submittal requirements:
 - Operations Plan (includes measures for security and services to residents) *
 - Trash Disposal and Collections Plan
 - Plan for water and sanitation
- * Director of CEDD shall have the ability to approve or deny an ARP permit based on the information provided within the operations plan if it does not adequately address concerns on security or services to the residents.

Chapter 4

Safe Parking Site

- Performance Standards:
 - Minimum of 25% of the existing parking area or 5 spaces, whichever is less
 - Minimum of 1 space between vehicles
 - Approved vehicles: all vehicles must fit into parking stalls with no overhang
 - Setbacks: Adjacent to residential- 20 feet , Adjacent to nonresidential use: 5 feet
 - Hours of Operation: 6 p.m. to 7 a.m.
 - Quiet Hours: 10 p.m. to 7 a.m.
 - All vehicles must have current registration
 - Parking allowed only one approved parking spaces with improved surface
 - Screening requirements for trash and portable toilets, if applicable

Chapter 4

Tiny Home Village

Purpose: The purpose of tiny home villages is to grant flexibility in building form and site design requirements for providers of housing for people who are experiencing homelessness or are at risk of becoming homeless or to provide for transitional housing options within the County.

- Conditionally allowed in all zone districts- Neighborhood meeting required
- Responsible Agent Required
 - Address, name, and number
 - Respond within 1-hour
 - Code Compliance contact information
- Common Facilities Required:
 - Shower/restroom facilities
 - Kitchen area
 - Laundry facilities
 - Paved system of walkways
 - If shower and restroom facilities, kitchen areas, and laundry facilities are provided within each unit, the common area requirement can be waived by the Board of County Commissioners.

Chapter 4

Tiny Home Village

- Submittal requirements:
 - Operations Plan (includes measures for security and services to residents) *
 - Trash Disposal and Collections Plan
 - Parking Plan
 - 1 space for every 3 homes and 1 space for every employee
 - Conformance with Section 4-14 for parking stall size and surface
 - BoCC through the CUP may increase or decrease the required parking based on:
 - the transportation needs of the residents
 - services provided to the residents
 - the proximity of the Village to the RTD light rail stations or bus stops
 - * BoCC shall have the ability to approve or deny an CUP permit based on the information provided within the operations plan if it does not adequately address concerns on security or services to the residents.

Chapter 4

Tiny Home Village

- Site Standards:
 - Minimum lot size: ½-acre
 - Minimum number of homes: 10
 - Open Space:
 - 200 sq. ft/ per unit (60 sq. ft. of this may be private)
 - Minimum spacing between homes: 10 ft.
 - Required Bufferyard: Type B
 - Additional Setback: 10 ft.
 - Screening requirements for trash and portable toilets, if applicable
 - Max. fence height: 42 inches
 - Max. 1 cat or dog per home
 - No outdoor storage
- Home Standards:
 - Minimum size: 100 sq. ft
 - Maximum size: 400 sq. ft, excluding lofts
 - Minimum Ceiling Height: 6'8"
 - Building materials, heating and cooling equipment, and emergency escape and rescue openings, and construction must meet the IRC adopted by Adams County

Chapter 11

- 3 Proposed Definitions:
 - Safe Parking Site: A location that provides individuals and families who are experiencing homelessness and living in their vehicle a dedicated, safe place to park.
 - Tiny Home: A tiny home is a permanent structure that is constructed on or off site and placed on a foundation (as defined in Section 4-08-02-08) for one or more persons' year-round living with a floor area between 100 and 400 square feet, excluding any lofts.
 - Tiny Home Village: Residential occupancy of multiple relocatable temporary buildings containing only sleeping units, combined with one or more separate buildings containing eating, bathing, toilet and gathering facilities for common use, all located on the same zone lot. Tenancy is typically 30 days or longer.

Public Comments

Notifications Sent*	# Comments Received
15,000	54**

*

Property owners and residents within the overlay boundaries

**

Only 2 comments are relevant to the subject amendments

- Public Comment related to this case (2):
 - One (1) in opposition to the safe parking regulations and tiny home villages
 - One (1) in support of the Mixed-Use, however cited concerns for mixed-use potential in South Welby due to the roadway classification requirement
- Public Comment related to overlays and outdoor storage (52):
 - Three (3) in support of the proposed regulations
 - Seven (7) are neither in support or opposition
 - Forty-Two (42) are in opposition or are requesting additional time before hearings

Referral Agency Comments

- All Adams County Referral Agency's: 338 notified
- Referral Agency Comments:
 - No concerns identified
- Responding without Concern:
 - Adams County Fire and Rescue
 - Arapahoe County Public Works
 - Arapahoe County Planning: Pursuing similar regulations and intends to use some of Adams County language
 - City of Commerce City
 - City of Thornton
 - DWR
 - South Adams County Water and Sanitation
 - TCHD: Commended the County on regulations related to tiny home villages and safe parking. Suggested language on heating and cooling equipment to prevent health hazards

PC Update

- PC Hearing- October 28, 2021
- Approval (5-0) with 3 Findings-of-Fact and 1 Condition
- 2 Members of the Public
 - Thanking the County for postponing the overlays and outdoor storage
 - Opposition to requiring compliance with the Comp. Plan and applicable subarea plans
- PC Comments
 - Typographical errors
 - Breed, size, and weight restrictions for dogs/cats in tiny home villages
 - Definition of “quiet hours” for safe parking sites
 - Bowling alleys in Mixed-Use zone district

Staff Recommendation

(PLN2021-0012; 2021 Code Amendments, Phase III)

- Staff recommends approval of the proposed Text Amendments, (PLN2021-0012) with 3 findings-of-fact and 1 condition.

Recommended Findings-of-Fact & Condition

(PLN2021-0012; 2021 Code Amendments, Phase III)

Findings-of Fact:

1. The text amendment is consistent with the Adams County Comprehensive Plan.
2. The text amendment is consistent with the purposes of these standards and regulations.
3. The text amendment will not be detrimental to the majority of persons or property in the surrounding areas nor to the community in general.

Condition:

1. The Community and Economic Development Department staff may make minor corrections to these text amendments until December 9, 2021, including but not limited to, typographical errors, to ensure consistency and accuracy throughout the regulations.