

**LUDC
2013**

GARFIELD COUNTY, COLORADO

Article 3: Zoning

ARTICLE 3 ZONING

TABLE OF CONTENTS

| | |
|--|-----------|
| DIVISION 1. GENERAL PROVISIONS..... | 1 |
| 3-101. ESTABLISHMENT OF ZONE DISTRICTS..... | 1 |
| A. Rural (R)..... | 1 |
| B. Commercial, General (CG)..... | 1 |
| C. Commercial, Limited (CL)..... | 1 |
| D. Industrial (I)..... | 1 |
| E. Public Lands (PL)..... | 1 |
| F. Public Airport (PA)..... | 1 |
| G. Residential - Manufactured Home Park (RMHP)..... | 1 |
| H. Residential – Suburban (RS)..... | 1 |
| I. Residential – Urban (RU)..... | 2 |
| J. Resource Lands..... | 2 |
| 3-102. ESTABLISHMENT OF OVERLAY ZONE DISTRICTS..... | 2 |
| A. Floodplain Overlay..... | 2 |
| B. Drinking Water Constraints Overlay..... | 3 |
| C. Airport/Heliport Influence Area Overlay..... | 3 |
| DIVISION 2. ZONE DISTRICT REGULATIONS..... | 5 |
| 3-201. ZONE DISTRICT DIMENSIONS..... | 5 |
| 3-202. GENERAL RESTRICTIONS AND MEASUREMENTS..... | 6 |
| A. Frontage..... | 6 |
| B. Through Lots..... | 6 |
| C. Corner Lots..... | 6 |
| D. Row House..... | 6 |
| E. Partially Developed Frontages..... | 6 |
| F. Projections..... | 6 |
| DIVISION 3. OVERLAY DISTRICT REGULATIONS..... | 6 |
| 3-301. FLOODPLAIN OVERLAY REGULATIONS..... | 6 |
| A. Use Restrictions in the Floodplain Overlay..... | 6 |
| B. General Standards..... | 7 |
| C. Specific Standards..... | 8 |
| D. Floodway..... | 10 |
| E. Standards for Areas of Shallow Flooding..... | 10 |
| F. Properties Removed from the Floodplain by Fill..... | 11 |
| G. Alteration of a Watercourse..... | 11 |
| H. Standards for Critical Facilities..... | 12 |
| 3-302. DRINKING WATER CONSTRAINTS OVERLAY REGULATIONS..... | 14 |
| A. Permitted Uses..... | 14 |
| B. Standards for Development..... | 14 |
| 3-303. AIRPORT/HELIPORT INFLUENCE AREA OVERLAY REGULATIONS..... | 14 |
| A. Use Restrictions..... | 14 |
| B. Standards for Development..... | 15 |
| DIVISION 4. USE BY ZONE DISTRICT..... | 19 |
| 3-401. TYPES OF USE REVIEW..... | 19 |

| | |
|---------------------------------------|-----------|
| A. By-Right Uses..... | 19 |
| B. Uses Requiring a Permit..... | 19 |
| C. Prohibited Uses..... | 19 |
| D. Temporary Uses..... | 19 |
| 3-402. TABLE ORGANIZATION..... | 20 |
| A. Use Classifications..... | 20 |
| B. Multiple Principal Uses..... | 20 |
| C. Unlisted Uses..... | 20 |
| 3-403. USE TABLE..... | 22 |

ARTICLE 3: ZONING

DIVISION 1. GENERAL PROVISIONS.

3-101. ESTABLISHMENT OF ZONE DISTRICTS.

The following zone districts are established.

A. Rural (R).

The Rural Zone District is comprised of the County's rural residential areas, agricultural resource lands, agricultural production areas, and natural resource areas. Uses, densities, and standards established for this zone district are intended to protect the existing character of the area from uncontrolled and unmitigated residential, commercial, and industrial use. The zone district provides for the use of natural resources, recreational development, rural residential, and other uses.

B. Commercial, General (CG).

The General Commercial Zone District provides for general retail, service, low impact industrial, and recreation-oriented commercial businesses intended to serve the County as a whole. Clustering of business development in centers is encouraged. Development standards and review criteria are specifically intended to discourage strip development and encourage low-scale, low-impact commercial and industrial areas.

C. Commercial, Limited (CL).

The Limited Commercial Zone District provides for a limited range of commercial uses needed to meet the shopping needs of residents in the adjacent neighborhoods. Businesses are to be oriented to the neighborhood and compatible with surrounding residential uses.

D. Industrial (I).

The Industrial Zone District provides appropriate areas for industrial businesses in locations where conflicts with residential, commercial, and other land uses can be minimized.

E. Public Lands (PL).

The Public Lands Zone District shall include all land owned by the U.S. Government or the State of Colorado, located in the unincorporated area of the County and not included in any other zone district.

F. Public Airport (PA).

The Public Airport Zone District is comprised of County land designated for uses supporting public use airport operations in Garfield County. Land use in the Public Airport Zone District shall be guided by the Airport Master Plan and the Airport Rules and Regulations.

G. Residential - Manufactured Home Park (RMHP).

The Residential - Manufactured Home Park Zone District allows for development where spaces are either sold or leased for placement of Manufactured Homes in a park-like setting, and these homes are used as permanent Single-Family Dwelling Units.

H. Residential – Suburban (RS).

The Residential – Suburban Zone District is comprised of low-density suburban residential uses developed to maintain a rural character.

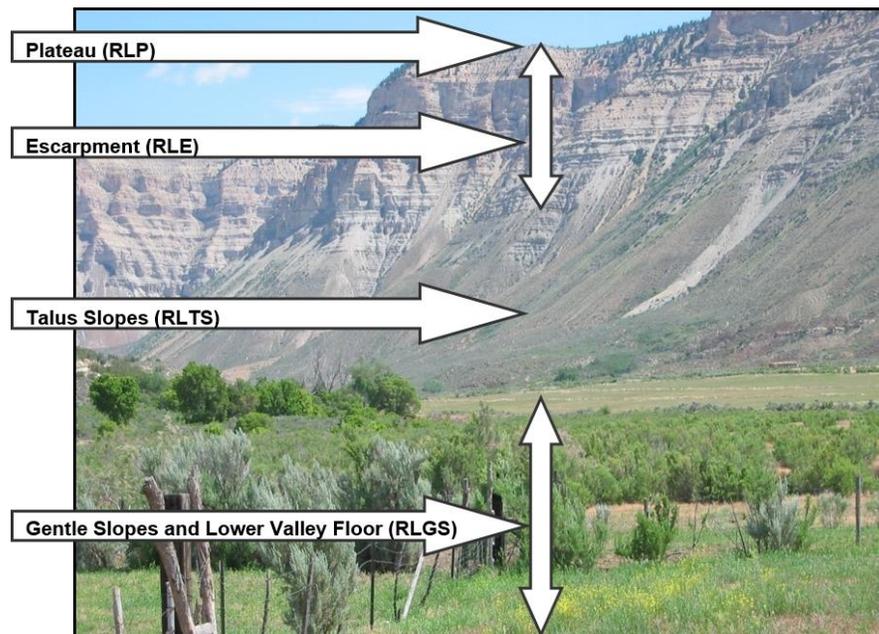
I. Residential – Urban (RU).

The Residential – Urban Zone District is comprised of high-density urban residential uses, including multi-family developments.

J. Resource Lands.

The Resource Lands Zone District shall be subclassified into the following zones:

1. Gentle Slopes and Lower Valley Floor (RLGS). The subdistrict identified as Gentle Slopes and Lower Valley Floor is defined as the colluvial and alluvial soil at the base of Talus Slopes in the Lower Valley Floor.
2. Talus Slopes (RLTS). The subdistrict identified as Talus Slopes is defined as loose deposits of rock debris accumulated at the base of Talus Slopes in the Lower Valley Floor.
3. Escarpment (RLE). The subdistrict identified as Escarpment is defined as the fixed bedrock forming vertical or near vertical parts of the canyon walls.
4. Plateau (RLP). The subdistrict identified as Plateau is defined as the rolling lands of the higher elevation in the Resource Land Zone District, typically found above the Escarpment subdistrict.



3-102. ESTABLISHMENT OF OVERLAY ZONE DISTRICTS.

Overlay Zone Districts are superimposed over the existing zone district, and Overlay Zone District regulations are in addition to those of the underlying zone district, unless otherwise provided in this Code. Use restrictions and standards for the individual Overlay Zone Districts are set forth under Division 3 of this Article, Overlay Zone District Regulations. The following Overlay Zone Districts are established:

A. Floodplain Overlay.

1. Purpose. The purpose of the Floodplain Overlay is:
 - a. To minimize and prevent adverse effects of proposed development on the flood-carrying capacity within the 100-year Floodplain;

DIVISION 2. ZONE DISTRICT REGULATIONS.

The purpose of this Division is to identify the lot and building restrictions for each zone district. In addition to these general requirements, all land uses shall comply with the applicable standards set forth in Article 7, Standards.

3-201. ZONE DISTRICT DIMENSIONS.

Table 3-201 identifies the dimensional standards for each zone district.

| Table 3-201: Zone District Dimensions | | | | | | | | |
|--|----------------------------------|-----------------------------------|--------------------------------|---|-------|------------------|---------------------------|-----------------|
| Legend R=Residential NR=Nonresidential C=Commercial NC=Noncommercial | Lot Size | | | Setbacks (feet) | | | Height (feet) 2,4,5 | |
| | Minimum Lot Area ¹ | Maximum Lot Coverage (%) | Maximum Floor Area Ratio | Front | | Rear | | Side |
| | | | | Arterial | Local | | | |
| Zone District | | | | | | | | |
| Rural R | 2 acres | 15 | N/A | 50 | 25 | 25 | 10 | R: 25 NR: 40 |
| Residential - Suburban RS | 20,000 s.f. ⁶ | 50 | 50% | 50 | 25 | 25 | 10 | 25 |
| Residential - Urban RU | 7,500 s.f. ⁷ | 50 | 50% | 50 | 25 | 25 | 10 | 25 |
| Residential-Manufactured Home Park MHP | 2 acres | 50 | -- | 50 | 25 | 25 | 10 | 25 |
| Commercial - Limited CL | 7,500 s.f. | NC: 75 C: 85 | 50% | 50 | 25 | NC: 25 C: 7.5 | 10 | 40 |
| Commercial - General CG | 7,500 s.f. | NC: 75 C: 85 | 50% | 50 | 25 | NC: 25 C: 7.5 | 10 | 40 |
| Industrial I | 21,780 s.f. | 75 | N/A | 50 | 25 | 25 | 10 | 40 |
| Plateau RLP | 35 acres | -- | -- | 25 | 25 | 25 | 25 | 50 |
| Escarpment RLE | 35 acres | -- | -- | 25 | 25 | 25 | 25 | 50 |
| Talus Slopes RLTS | 35 acres | -- | -- | 25 | 25 | 25 | 25 | 50 |
| Gentle Slopes RLGS | 35 acres NC: 2 acres | 15 | -- | 25 | 25 | 25 | 10 | 75 |
| Public Airport PA | -- | -- | -- | Subject to FAA, FAR Part 77, Airport Layout Plan, Building Codes, and other applicable Federal, State, and local standards and regulations. | | | | |
| Public Lands PL | -- | -- | -- | -- | -- | -- | -- | -- |

1. Unless otherwise required by section 7-105, Adequate Central Water Distribution and Wastewater System.
2. Telecommunication Facilities may exceed maximum height provided they are reviewed (if required) and approved pursuant to Table 3-403, Use Table.
3. Parapet walls may exceed building height limitations by 4 feet.
4. Stacks, vents, cooling towers, elevator cupolas, towers, and similar non-inhabitable building appurtenances, and cupolas, spires, and bellfries constructed as part of a Place of Worship shall be exempt from height limitations.
5. For setback requirements from existing oil/ gas facilities see Section 9-215
6. County may allow up to 10,000 s.f. minimum lot area for development within the Urban Growth Area and for Deed restricted workforce housing.
7. County may allow up to 5,000 s.f. minimum lot area for development within the Urban Growth Area and for Deed restricted workforce housing.

3-202. GENERAL RESTRICTIONS AND MEASUREMENTS.

A. Frontage.

Unless otherwise provided by this Code, each lot shall have a minimum of 25 lineal feet of frontage on a dedicated street or road right-of-way providing access. For Minor Subdivisions and Subdivision Exemptions this requirement can be met by provision of an access easement.

B. Through Lots.

On lots extending from 1 street to another paralleling street, both streets shall be considered as front streets for purposes of calculating front yard setbacks.

C. Corner Lots.

On lots bordered on 2 contiguous sides by streets, the required front yard setback shall be observed along both streets.

D. Row House.

For purposes of setback calculations, only those row houses that do not share a common wall with an adjacent row house need to observe the required side yard setback for the district.

E. Partially Developed Frontages.

On a vacant lot bordered on 2 sides by previously constructed buildings that do not meet the required front yard setback for the district, the required front yard setback for the vacant lot shall be established as the averaged front yard setback of the 2 adjacent buildings; where a vacant lot is bordered on only 1 side by a previously constructed building that does not meet the required front yard setback for the district, the required front yard setback for the vacant lot shall be established as the averaged front yard setback of the adjacent building and the minimum front yard setback for the zone district.

F. Projections.

Every part of a required yard shall be unobstructed from ground level to the sky except for projections as shown in Table 3-202.

| Type of Feature | Allowed Encroachment into Setbacks | | |
|--|------------------------------------|----------------|----------------|
| | Front Yard | Side Yard | Rear Yard |
| Architectural Features (e.g. Cornice or sills) | 1 Foot | 1 Foot | 1 Foot |
| Roof Eave | 18 Inches | 18 Inches | 18 Inches |
| At-Grade Uncovered Porch, Slab, Patio, Walk, Steps | No Restriction | No Restriction | No Restriction |
| Fire Escape, Balcony (Not Used as Passageways) | 4 Feet | 18 Inches | 4 Feet |
| Porch and Deck (Less Than 30 Inches in Height) | No Restriction | No Restriction | No Restriction |

DIVISION 3. OVERLAY DISTRICT REGULATIONS.

3-301. FLOODPLAIN OVERLAY REGULATIONS.

A. Use Restrictions in the Floodplain Overlay.

The following use restrictions shall apply to areas within the Floodplain Overlay:

Table 3-301: Floodplain Overlay Use Restrictions Table

| Table 3-301: Floodplain Overlay Use Restrictions Table | | |
|--|--|---|
| LEGEND P=Permitted to the extent allowed by the underlying zoning and so long as the proposed use complies with all other applicable standards of this Code. Blank=Prohibited | | |
| | Floodway (See section 3-301.E. Floodway Restrictions) | Areas outside of Floodway, but within the 100-Year Floodplain |
| Occupation of permanent or temporary structures | | P |
| Development or use of overnight Campgrounds | | P |
| Solid Waste Disposal Sites | | |
| Central collection Sewage Treatment Facilities | | P |
| Storing or processing of materials that are buoyant, flammable, explosive, or otherwise potentially injurious to human, animal, or plant life | | |
| Uses that may result in an adverse effect on the efficiency of the Floodway or change the direction of flow or cause any increase in BFE | | |
| Uses that may result in substantial solid debris or significant sediment being carried downstream by floodwaters | | |
| Agricultural uses such as general farming, grazing of livestock and horses, truck farming, sod farming, and wild crop harvesting; | P | P |
| Lawns, open areas, gardens, driveways, and play areas that are accessory to residential uses | P | P |
| Loading areas, railroad rights-of-way, parking areas, Airport Landing Strips, and storage yards for equipment or machinery easily moved or not subject to flood damage, that do not require asphalt paving | P | P |
| Recreational and Open Space structures and uses not requiring permanent or temporary structures designed for human habitation | P | P |
| Dams, power plants, spillways, transmission lines, pipelines, water monitoring devices, water supply ditches, irrigation ditches, laterals, and other underground utilities | P | P |
| Road and highway structures or trails | P | P |
| Bank restoration and stabilization | P | P |
| Gravel Pits | | P |

B. General Standards.

In the Floodplain Overlay, the following provisions are required for all New Construction and Substantial Improvements:

1. All New Construction or Substantial Improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
2. All New Construction or Substantial Improvements shall be constructed by methods and practices that minimize flood damage.

-
3. All New Construction or Substantial Improvements shall be constructed with materials resistant to flood damage.
 4. All New Construction or Substantial Improvements shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment, and other service facilities that are designed and/or located so as to prevent water from entering into or accumulating within the components during conditions of flooding.
 5. All Manufactured Homes shall be installed using methods and practices which minimize flood damage. For the purposes of this requirement, Manufactured Homes must be elevated and anchored to resist floatation, 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.
 6. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.
 7. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharge from the systems into flood waters.
 8. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

C. Specific Standards.

In the Floodplain Overlay, where BFE data has been provided, the following provisions are required:

1. Residential Construction. New Construction and Substantial Improvement of any residential structure shall have the Lowest Floor (including basement), elevated to 1 foot above the BFE. A qualified professional engineer, architect, or land surveyor shall submit a certification to the Floodplain Administrator.
2. Nonresidential Construction. With the exception of Critical Facilities, New Construction and Substantial Improvements of any commercial, industrial, or other nonresidential structure shall either have the Lowest Floor (including basement) elevated to at least 1 foot above the Base Flood level or together with attendant utility and sanitary facilities, be designed so that below 1 foot above the Base Flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A qualified professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice as outlined in this subsection. A record of such certification that includes the specific elevation (in relation to mean sea level) to which such structures are flood-proofed shall be provided to and maintained by the Floodplain Administrator.
3. Enclosures. New Construction and Substantial Improvements, with fully enclosed areas below the Lowest Floor that are usable solely for parking of vehicles, building access, or storage in an area other than a Basement,

and that are subject to flooding, shall 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 qualified professional engineer or architect and meet or exceed the following minimum criteria:

- a. Provide a minimum of 2 openings having a total net area of not less than 1 square inch for every square foot of enclosed area subject to flooding;
- b. The bottom of all openings shall be no higher than 1 foot above grade; and
- c. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the unrestricted entry and exit of floodwaters.

4. Manufactured Homes.

- a. All Manufactured Homes that are placed or substantially improved or substantially damaged as a result of a flood and within a SFHA where the BFE is provided on the community's FIRM shall be elevated on a permanent foundation such that the Lowest Floor of the Manufactured Home is elevated to 1 foot above the BFE and be securely anchored to a foundation system professionally designed to resist flotation, collapse, and lateral movement.
- b. All Manufactured Homes placed or substantially improved or substantially damaged as a result of a flood on sites where no BFE is provided on the community's FIRM shall be securely anchored to a professionally designed foundation system to resist floatation, collapse, and lateral movement and either:
 - (1) Elevated so that the chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above adjacent Natural Grade, or
 - (2) Elevated 1 foot above the flood elevation as determined by a qualified professional engineer experienced in hydrology and hydraulics.

5. Recreational Vehicles. Require that Recreational Vehicles placed on sites within SFHA on the community's FIRM either:

- a. Be on the site for fewer than 180 consecutive days;
- b. Be fully licensed and ready for highway use; or
- c. Meet the permit requirements of this Code and the elevation and anchoring requirements for "Manufactured Homes" in paragraph 4 of this section. A Recreational Vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect-type utilities and security devices, and has no permanently attached additions.

D. Floodway.

Floodways located within SFHAs are designated as "Floodways." Since the Floodway is an extremely hazardous area due to the velocity of flood waters which carries debris, potential projectiles, and erosion potential, the following provisions shall apply:

1. Encroachments are prohibited unless it has been demonstrated through hydrologic and hydraulic analyses, performed in accordance with standard engineering practice, that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the Base Flood discharge. Encroachments include Fill, New Construction, Substantial Improvements, and other development within the regulatory Floodway;
2. All New Construction and Substantial Improvements shall comply with all applicable flood hazard reduction provisions in this Code; and
3. Under the provisions of 44 CFR Chapter 1, Section 65.12, of the National Flood Insurance Regulations, a community may permit encroachments within the regulatory Floodway that would result in an increase in BFEs, provided that the community first applies for a conditional FIRM and Floodway revision through FEMA.

E. Standards for Areas of Shallow Flooding.

Areas designated as shallow flooding are located within the SFHAs. These areas have special flood hazards associated with Base Flood depths of 1 to 3 feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow; therefore, the following provisions apply:

1. All New Construction and Substantial Improvements of residential structures have the Lowest Floor (including Basement) elevated above the highest adjacent Natural Grade at least 1 foot above the depth number specified in feet on the community's FIRM (at least 3 feet if no depth number is specified).
2. All New Construction and Substantial Improvements of nonresidential structures:
 - a. Shall have the Lowest Floor (including Basement) elevated above the highest Natural Grade at least 1 foot above the depth number specified in feet on the community's FIRM (at least 3 feet if no depth number is specified); or
 - b. Shall be designed so that the structure including attendant utility and sanitary facilities, below 1 foot above the Base Flood Elevation, are watertight with walls substantially impermeable to the passage of water and that the structural components have the capability of resisting hydrostatic and hydrodynamic loads of effects of buoyancy.
3. Adequate drainage paths around structures are required to guide flood waters around and away from proposed structures. Drainage shall not adversely impact adjacent properties.

F. Properties Removed from the Floodplain by Fill.

A Floodplain Development Permit shall not be issued for the construction of a new structure or addition to an existing structure on a property removed from the Floodplain by the issuance of a FEMA Letter of Map Revision Based on LOMR-F, unless such new structure or addition complies with the following:

1. Residential Construction. The Lowest Floor (including Basement), electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities (including ductwork), must be elevated to 1 foot above the Base Flood Elevation that existed prior to the placement of Fill.
2. Nonresidential Construction. The Lowest Floor (including Basement), electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities (including ductwork), must be elevated to 1 foot above the Base Flood Elevation that existed prior to the placement of Fill, or together with attendant utility and sanitary facilities be designed so that the structure or addition is watertight to at least 1 foot above the Base Flood Elevation that existed prior to the placement of Fill with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads of effects of buoyancy.

G. Alteration of a Watercourse.

For all proposed developments that alter a watercourse within a SFHA, the following standards apply:

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 and flow diversion projects shall 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 qualified professional engineer or certified professional hydrologist.
5. All activities within the regulatory Floodplain shall meet all applicable Federal, State, and local Floodplain requirements and regulations.
6. Within the regulatory Floodway, stream alteration activities shall not be constructed unless the Applicant demonstrates through a Floodway analysis and report, sealed by a qualified professional engineer, that there is no more than a 0.00-foot rise in the proposed conditions compared to the existing conditions of the Floodway resulting from the project, otherwise known as a No-Rise Certification. A No-Rise Certification is not required if the community first applies for a

Conditional Letter of Map Revision (CLOMR) and Floodway through FEMA.

7. Maintenance shall be required for any altered or relocated portions of watercourses so that the flood-carrying capacity is not diminished.

H. Standards for Critical Facilities.

1. Protection of Critical Facilities. A Critical Facility is 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, 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. All new and substantially improved Critical Facilities and new additions to Critical Facilities located within the SFHA shall be regulated to a higher standard than structures not determined to be Critical Facilities. For the purposes of this Code, protection shall include 1 of the following:
 - a. Location outside the SFHA; or
 - b. Elevation or flood-proofing of the structure to at least 2 feet above the BFE.
2. Ingress and Egress for New Critical Facilities. When practicable as determined by the County, new Critical Facilities have continuous noninundated access (ingress and egress for evacuation and emergency services) during a 100-year flood event.
3. Classification of Critical Facilities. It is the responsibility of the County to identify and confirm that specific structures in the community meet the criteria as follows. Critical Facilities are classified under the following categories:
 - a. Essential Services Facilities. 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:
 - (1) Public safety (police stations, fire and rescue stations, emergency vehicle and equipment storage, and emergency operation centers);
 - (2) Emergency medical (Hospitals, ambulance service centers, urgent care centers having emergency treatment functions, and non-ambulatory surgical structures but excluding clinics, doctor's offices, and nonurgent care medical structures that do not provide these functions);
 - (3) Designated Emergency Shelters;
 - (4) 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);

-
- (5) 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);
 - (6) 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);
 - (7) Specific exemptions to this category include wastewater treatment plants, nonpotable water treatment and distribution systems, and hydroelectric power generating plants and related appurtenances; and
 - (8) Public Utility plant facilities may be exempted if it can be demonstrated to the satisfaction of the County 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 the provisions of this Article, 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 County on an as-needed basis upon request.
- b. At-risk Population Facilities. At-risk Population Facilities include medical care, congregate care, and schools. These facilities consist of:
- (1) Elder care (nursing homes);
 - (2) Congregate care serving 12 or more individuals (day care and assisted living); and
 - (3) Public and private schools (pre-schools, K-12 schools, before-school and after-school care serving 12 or more children).
- c. Facilities vital to restoring normal services, including government operations. These facilities consist of:
- (1) Essential government operations (public records, courts, jails, building permitting and inspection services, community administration and management, maintenance, and equipment centers); and
 - (2) Essential structures for public colleges and universities (dormitories, offices, and classrooms only).

4. Exempted Critical Facilities. These facilities may be exempted if it is demonstrated to the County 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 Code, 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 County on an as-needed basis upon request.

3-302. DRINKING WATER CONSTRAINTS OVERLAY REGULATIONS.

A. Permitted Uses.

Uses permitted in the underlying zone district will be permitted in the Drinking Water Constraints Overlay District if the proposed use complies with applicable standards for the zone district and the Drinking Water Overlay District standards set forth below.

B. Standards for Development.

Any proposed use that includes the human consumption of ground water shall be served by an approved Central Water System as defined by the CDPHE Drinking Water Standards, or from a groundwater source on the property that is treated by a reverse osmosis water treatment system that meets the water quality standards set forth by the Colorado Water Quality Control Commission.

3-303. AIRPORT/HELIPORT INFLUENCE AREA OVERLAY REGULATIONS.

A. Use Restrictions.

Land use restrictions in the Airport Overlay District are as identified in Table 3-303.A.

| Table 3-303 A: Airport Overlay Use Restriction Table | | | | | | |
|--|------------------------------|-------------------|-----------------------|---------------------|------------------|----------------|
| Blank=Prohibited, P=Permitted | RPZ | Approach Surfaces | Transitional Surfaces | Direct Impact Areas | Secondary Impact | Overlay Zone |
| Land Use/Facility | | | | | | |
| Sanitary Landfills | | | | | | |
| Water Treatment Plants | | | | | | |
| Any Structure | 1 | p ² | p ² | p ² | p ² | p ² |
| Communications & Electrical | 1 | p ³ | p ³ | p ³ | p ³ | p ³ |
| Outdoor Lighting | 1 | p ⁴ | p ⁴ | p ⁴ | p ⁴ | p ⁴ |
| Reflective Materials | 1 | p ⁴ | p ⁴ | p ⁴ | p ⁴ | p ⁴ |
| Industrial Emissions | Shall not obscure visibility | | P | P | P | P |
| Penetration of Imaginary Surfaces | 1 | 1 | 1 | p ² | p ² | p ² |
| Airport/Aircraft Landing Strip, Heliport/Helistop | p ⁴ | p ⁴ | p ⁴ | p ⁴ | p ⁴ | p ⁴ |
| Public Assembly Facility | | p ⁵ | P | P | P | P |
| Residential | | 6 | P | P | P | P |
| High Density Residential | | 6 | P | P | P | P |
| Commercial | p ⁴ | p ⁴ | P | P | P | P |
| Industrial | p ⁴ | p ⁴ | P | P | P | P |
| Institutional | | p ⁴ | P | P | P | P |
| Golf Courses | | p ⁷ | p ⁷ | p ⁷ | p ⁷ | p ⁷ |
| Farm Use | p ⁸ | p ⁸ | p ⁸ | p ⁸ | p ⁸ | p ⁸ |

| | | | | | | |
|--|-------------------|----------------|----------------|----------------|----------------|----------------|
| Utilities | p ^{4/13} | p ⁴ |
| Wetlands Mitigation | p ⁹ | p ⁹ | p ⁹ | p ⁹ | p ⁹ | p ⁹ |
| New or Expanded Water Impoundments ¹⁰ | ¹¹ | ¹² | P | P | P | P |
| Roads/parking | ^{1, 6} | p ⁴ | P | P | P | P |
| Parks/Open Space | p ⁴ | P | P | P | P | P |
| Athletic Fields | | p ⁴ | p ⁴ | p ⁴ | P | P |
| Mining | | p ⁴ |

Footnotes

¹ Except those accessory to airport operations.

² Shall comply with 14CFR Part 77.9.

³ Shall not interfere with navigational signals or radio communications.

⁴ Subject to Standards in sections 3-303.B, 7-802 and 7-803.

⁵ If potential danger to public safety is minimal.

⁶ Unless no practicable alternative exists.

⁷ Upon use of accepted management techniques to reduce existing and creation of new wildlife attractants.

⁸ Shall comply with FAA circular 150/5200-3A.

⁹ Per Major Impact Review and subject to Standards in section 3-303.B.. Shall comply with FAA Circular 150/5200-3A.

¹⁰ Prohibited if ¼ acre or larger and on land owned by Airport Sponsor if necessary for Airport operations.

¹¹ If ¼ acre or larger.

¹² If ¼ acre or larger and within 5,000 feet of Runway end.

¹³ Utilities, power lines, and pipelines located in the RPZ shall be underground unless they are lower than the elevation of the closest Runway surface.

B. Standards for Development.

The provisions of this section are applicable to any application for development in the Airport/Heliport Influence Area Overlay District.

1. Site Plan Information. Submittal of maps showing the following information:
 - a. Location of the subject property in relation to Airport Imaginary Surfaces;
 - b. Location of existing and proposed structures in relation to Airport Imaginary Surfaces; and
 - c. Height of all existing and proposed structures, measured in feet above mean sea level.

2. Avigation and Hazard Easement. An avigation and hazard easement allowing unobstructed passage for aircraft and ensuring safety and use of the Airport for the public, in a form acceptable to the Airport Manager, shall be provided and dedicated to the County.
 - a. The avigation and hazard easement shall be recorded in the office of the County Clerk and Recorder.
 - b. Applicant shall provide a copy of the recorded instrument prior to issuance of a Building Permit.

3. Noise Levels.
 - a. A declaration of anticipated noise levels for property within the Noise Impact Boundary for property within the Noise Impact Boundary shall be provided for any proposed Land Use Change, including division of land, or Building Permit.
 - b. The Applicant shall be required to demonstrate that a noise abatement strategy will be incorporated into the building design

that will achieve an indoor noise level equal to or less than 55 Ldn, for noise sensitive land uses listed as Not Allowed based on a noise level of 75 Ldn or greater by Table 3-303.B and located in areas where the noise level is anticipated to be at or above 55 Ldn.

- c. Separation of Noise-Sensitive Land Use. Areas within the Overlay District shall be administered to encourage land use patterns that will separate uncontrollable noise sources from residential and other noise-sensitive areas. The following land use restrictions shall apply, based upon noise levels:

| TABLE 3-303.B: USE RESTRICTIONS BASED ON NOISE LEVELS | | | | | | |
|---|---|-------|-------|-------|-------|-----|
| KEY: | | | | | | |
| P = Use is Permitted | | | | | | |
| L = Use is Not Recommended but May be Allowed Under Certain Circumstances | | | | | | |
| N = Use is Not Allowed | | | | | | |
| LAND USE | YEARLY DAY-NIGHT AVERAGE SOUND LEVEL (Ldn) IN DECIBELS | | | | | |
| | <65 | 65-70 | 70-75 | 75-80 | 80-85 | >85 |
| Residential Except Mobile Homes & Transient Lodging | P | L | L | N | N | N |
| Mobile Home Parks | P | N | N | N | N | N |
| Transient Lodging | P | L | L | L | N | N |
| Schools, Hospitals & Nursing Homes | P | L | L | N | N | N |
| Churches, Auditoriums & Concert Halls | P | L | L | N | N | N |
| Government Service | P | P | L | L | N | N |
| Transportation | P | P | L | L | L | L |
| Parking | P | P | L | L | L | N |
| Commercial Use | P | P | L | L | N | N |
| Wholesale/Retail – Building Materials, Hardware & Farm Equipment | P | P | L | L | L | N |
| Retail Trade - General | P | P | L | L | N | N |
| Utilities | P | P | L | L | L | N |
| Communication | P | P | L | L | L | N |
| Manufacturing & Production | P | P | L | L | L | N |
| Photographic & Optical | P | P | L | L | L | N |
| Agriculture (Except Livestock) & Forestry | P | L | L | L | L | L |
| Livestock Faring & Breeding | P | L | L | N | N | N |
| Mining & Fishing | P | P | P | P | P | P |
| Outdoor Sports Arenas & Spectator Sports | P | L | L | N | N | N |
| Outdoor Music Shells, Amphitheatres | P | N | N | N | N | N |
| Nature Exhibits & Zoos | P | P | N | N | N | N |
| Amusements, Parks, Resorts & Camps | P | Y | Y | N | N | N |
| Golf Courses, Riding Stables & Water Recreation | P | P | L | L | N | N |

- 4. Communications Facilities and Electrical Interference. No use shall cause or create electrical interference with navigational signals or radio communications between an Airport/Heliport and aircraft.
 - a. Location of new or expanded radio, radiotelephone, and television transmission facilities and electrical transmission lines within the

Airport/Heliport Influence Area Overlay shall be coordinated with the County and the FAA prior to approval.

- b.** The approval of cellular and other telephone or radio communication towers on leased property located within Airport Imaginary Surfaces shall be conditioned upon their removal within 90 days following the expiration of the lease agreement. A bond or other security shall be required to ensure this requirement.
- 5.** Outdoor Lighting. Lighting other than that associated with Airport/Heliport operations shall comply with the following standards:
 - a.** Lighting shall not project directly onto an existing Heliport, Runway or taxiway or into existing Airport Approach Surfaces;
 - b.** Lighting shall incorporate shielding to reflect light away from Airport Approach Surfaces; and
 - c.** Lighting shall not imitate Airport lighting or impede the ability of pilots to distinguish between Airport/Heliport lighting and other lighting.
- 6.** Use of Reflective Materials Prohibited. No glare-producing material including, but not limited to, unpainted metal or reflective glass, shall be used on the exterior of structures located within an Airport Approach Surface or on nearby lands where glare could impede a pilot's vision.
- 7.** Industrial Emissions That Obscure Visibility Prohibited. No development shall, as part of its regular operations, cause emissions of smoke, dust, or steam that could obscure visibility within Airport Approach Surfaces. The BOCC shall impose conditions determined to be necessary to ensure that the use does not obscure visibility.
- 8.** Height Restrictions.
 - a.** All uses permitted by the underlying zone shall comply with the height limitations in this section. When height restrictions of the underlying zone district are more restrictive than those of the Overlay District, the underlying zone district height limitations shall control.
 - b.** If an exception to the height limitation is requested, a written agreement from the County and the FAA shall be provided.
- 9.** Penetration of Development into Imaginary Surface Area. No structure or tree, plant, or other object of natural growth shall penetrate an Airport Imaginary Surface, except as follows:
 - a.** Structures up to 35 feet in height may be permitted in areas within Airport/Heliport Imaginary Surfaces, outside the Approach and Transitional Surfaces where the terrain is at higher elevations than the Airport Runway/Heliport surfaces such that existing structures and permitted development penetrate or would penetrate the Airport Imaginary Surface.
 - b.** Written agreement by the Airport Sponsor and the FAA shall be provided for other height exceptions requested.
- 10.** Wetland Construction, Enhancement, Restoration, or Mitigation. Wetland construction, enhancement, restoration, or mitigation projects within the Overlay District shall comply with the following standards:

-
- a.** Wetland projects shall be designed and located to avoid creating a Wildlife hazard or increasing hazardous movements of birds across Runways or Approach Surfaces; and
 - b.** Wetland projects that create, expand, enhance, or restore Wetlands that are proposed to be located within the Overlay District and that would result in the creation of a new Water Impoundment or expansion of an existing Water Impoundment, shall demonstrate all of the following:
 - (1)** Off-site mitigation is not practicable;
 - (2)** The Wetland project involves existing Wetland areas regulated under the Overlay District that have not been associated with attracting problematic Wildlife to the Airport/Heliport vicinity;
 - (a)** The affected Wetlands provide unique ecological functions, such as critical habitat for threatened or endangered species or ground water discharge;
 - (b)** The resulting Wetlands are designed, and shall be maintained in perpetuity in a manner that will not increase hazardous movements of birds feeding, watering, or roosting in areas across Runways or Approach Surfaces; and
 - (c)** The proposed Wetland project shall be coordinated with the Airport Sponsor, the BOCC, the FAA and FAA's Technical Representative, the Colorado Parks and Wildlife, the U.S. Fish and Wildlife Service, and the U.S. Army Corps of Engineers as part of the permit application
 - 11.** Compliance with 14 CFR Part 77.9. Evidence of compliance with 14 CFR Part 77.9 must be provided. 14 CFR Part 77.9 states that any person/organization who intends to sponsor any of the following construction or alterations must notify the Administrator of the FAA:
 - a.** Any construction or alteration exceeding 200 feet above ground level;
 - b.** Any construction or alteration:
 - (1)** Within 20,000 feet of a public use or military Airport that exceeds a 100:1 surface from any point on the Runway of each Airport with its longest Runway more than 3,200 feet;
 - (2)** Within 10,000 feet of a public use or military Airport that exceeds a 50:1 surface from any point on the Runway of each Airport with its longest Runway no more than 3,200 feet;
 - (3)** Within 5,000 feet of a public use Heliport which exceeds a 25:1 surface;

-
- c. Any highway, railroad, or other traverse way whose prescribed adjusted height would exceed the above noted standards;
 - d. When requested by the FAA; and
 - e. Any construction or alteration located on a public use Airport or Heliport regardless of height or location.

DIVISION 4. USE BY ZONE DISTRICT.

This Division identifies the uses allowed in each zone district and the level of review required for approval. Unless otherwise specified, the level of review required is based upon the use as a principal use of the property. Development or use of a property for any other use not specifically allowed in the use table and approved under the appropriate process is prohibited.

3-401. TYPES OF USE REVIEW.

A. By-Right Uses.

By-Right Uses. /P/ in a cell indicates that the use is permitted by right in the zone district. By-right uses do not require a Land Use Change Permit. However, unless specifically exempted in Table 3-403, by-right uses are still subject to the standards of this Code, including the use-specific standards in this Article and the generally applicable standards of Article 7. Failure to comply with general or use-specific standards may result in a code enforcement action.

B. Uses Requiring a Permit.

1. Administrative Review Uses. /A/ in a cell indicates that the use is allowed only if reviewed and approved as an Administrative Review use in accordance with the procedures of section 4-103, Administrative Review. Administrative Review uses are subject to all other applicable regulations of this Code, including any requirements and use-specific standards in Article 7, Standards.
2. Limited Impact Review Uses. /L/ in a cell indicates that the use is allowed only if reviewed and approved as a Limited Impact Review use in accordance with the procedures of section 4-104, Limited Impact Review. Limited Impact Review uses are subject to all other applicable regulations of this Code, including any requirements and use-specific standards in Article 7, Standards.
3. Major Impact Review Uses. /M/ in a cell indicates that the use is allowed only if reviewed and approved as a Major Impact Review use in accordance with the procedures of section 4-105, Major Impact Review. Major Impact Review uses are subject to all other applicable regulations of this Code, including any requirements and use-specific standards in Article 7, Standards.

C. Prohibited Uses.

A blank cell indicates that the use is prohibited in the zone district.

D. Temporary Uses.

Temporary uses may be allowed in any zone district in accordance with the procedures of Section 4-120, Temporary Use Permit. Temporary Uses are subject to all other applicable regulations in the Code, including any requirements and use-specific standards in Article 7, Standards.

3-402. TABLE ORGANIZATION.

A. Use Classifications.

In the use table, land uses and activities are classified into general “use categories” and specific “use types” based on common functional, product, or physical characteristics, such as the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered, and site conditions. This classification provides a systematic basis for assigning present and future land uses into appropriate zone districts. This classification does not list every use or activity that may appropriately exist within each category, and specific uses may be listed in 1 category when they may reasonably have been listed in 1 or more other categories.

B. Multiple Principal Uses.

Multiple principal uses are permitted on a single lot. All of the uses must fall into the permitted use category(ies) for the district as identified in Table 3-403, Use Table. Each use is subject to applicable regulations within that use category, including the general standards in Article 7 and any applicable use-specific standards.

C. Unlisted Uses.

1. Procedure. Where a particular use type is not specifically listed in the use table, an Applicant may request an interpretation of the use table.
 - a. Director Determination. The Director may permit the use type upon finding the standards of this subsection are met. The Director shall give due consideration to the purpose and intent of this Code concerning the zone district(s) involved, the character of the uses specifically identified, and the character of the use(s) in question.
 - b. Director Referral to BOCC. The Director may refer any unlisted use determination to the BOCC for review and determination.
 - c. BOCC Determination. The BOCC shall make an unlisted use determination about any nonresidential use that will:
 - (1) Require a structure greater than 100,000 square feet of gross Floor Area;
 - (2) Typically generate more than 1,000 daily vehicle trips, or
 - (3) Is anticipated to require more than 250 parking spaces.
2. Standards for Approving Unlisted Uses. In order to determine if the proposed use(s) has an impact that is similar in nature, function, and duration to the other use types allowed in a specific zone district, the reviewing body shall assess all relevant characteristics of the proposed use including, but not limited to, the following:
 - a. The volume and type of sales, retail, wholesale, etc.;
 - b. The size and type of items sold and nature of inventory on the premises;
 - c. Any processing done on the premises, including assembly, manufacturing, warehousing, shipping, and distribution;
 - d. Any dangerous, hazardous, toxic, or explosive materials used in the processing;

-
- e. The nature and location of storage and outdoor display of merchandise, whether enclosed, open, inside, or outside the principal building; predominant types of items stored (such as business vehicles, work-in-process, inventory and merchandise, construction materials, scrap and Junk, and raw materials, including liquids and powders);
 - f. The type, size, and nature of buildings and structures;
 - g. The number and density of employees and customers per unit area of site in relation to business hours and employment shifts;
 - h. Transportation requirements, including the modal split for people and freight, by volume type and characteristic of traffic generation to and from the site;
 - i. Trip purposes and whether trip purposes can be shared by other use types on the site;
 - j. Parking requirements, turnover and generation, ratio of the number of spaces required per unit area or activity, and the potential for shared parking with other use types;
 - k. The amount and nature of any nuisances generated on the premises including, but not limited to, noise, smoke, odor, glare, vibration, radiation, and fumes;
 - l. Any special Public Utility requirements for serving the proposed use type including, but not limited to, water supply, wastewater output, pretreatment of wastes and emissions required or recommended, and any significant power structures and communications towers or facilities; and
 - m. The impact on adjacent lands created by the proposed use type, which should not be greater than that of other use types in the zone district.
3. If a proposed unlisted use is not subject to interpretation pursuant to this section, an Applicant may request a text amendment pursuant to section 4-114, Code Text Amendment.

3-403. USE TABLE.

| Table 3-403: Use Table | | | | | | | | | | | | | | |
|--|---|-----------------------|----|----|-------|--------------------------|----|---|----|------------------------------|------|-------|-------|--|
| /P/ By Right /A/ Administrative Review /L/ Limited Impact Review /M/ Major Impact Review /●/ Exempt from County Review and Standards | | | | | | | | | | | | | | |
| Use Category | Use Type | Residential Districts | | | | Nonresidential Districts | | | | Resource Land Zone Districts | | | | Unless exempted, all uses must comply with Article 7 Standards including Use-Specific Standards. |
| | | R | RS | RU | RM HP | CL | CG | I | PL | RL P | RL E | RL TS | RL GS | |
| AGRICULTURAL AND ANIMAL-RELATED USES | | | | | | | | | | | | | | |
| General | Agriculture | P | P | | | | | | ● | P | P | P | P | EXEMPT |
| | Agritourism | P | P | | | | | | ● | P | P | P | P | EXEMPT |
| | Building or Structure Necessary to Agricultural Operations, Accessory | P | P | | | | | | ● | P | | | P | EXEMPT |
| | Forestry | P | P | | | | | | ● | P | P | P | P | EXEMPT |
| Products Processing, Storage, Distribution, and Sale | Off-Site | A | | | | L | L | L | ● | P | P | P | P | |
| | At Point of Production | P | P | P | P | P | P | P | ● | P | P | P | P | EXEMPT |
| Animals and Related Services | Animal Sanctuary | P | | | | | | | ● | P | | | P | 7-601 |
| | Animal Processing | M | | | | | M | M | ● | | | | | 7-602 |
| | Feedlot, Commercial | M | | | | | | M | ● | | | | M | |
| | Kennel, Small | L | M | | | L | L | A | ● | L | | | L | 7-603 |
| | Kennel, Large | M | | | | L | L | A | ● | L | | | L | 7-603 |
| | Riding Stable | P | P | | | | | | ● | P | | | P | |
| | Veterinary Clinic | A | A | | | L | L | A | ● | | | | L | 7-604 |
| RESIDENTIAL USES | | | | | | | | | | | | | | |
| Household Living | Dwelling, Single-Unit (per legal lot) | P | P | P | P | P | P | | ● | P | | | P | |
| | Dwelling, 2-Unit | A | A | A | A | A | A | | ● | | | | | |
| | Dwelling, Multi-Unit | L | L | A | L | L | L | L | ● | | | | | |
| | Dwelling Unit, Accessory | P | P | P | P | P | P | P | ● | P | P | P | P | 7-701 |
| | Dwelling Unit, Secondary | A | A | A | A | A | A | A | ● | A | A | A | A | 7-701 |

Table 3-403: Use Table

/P/ By Right /A/ Administrative Review /L/ Limited Impact Review /M/ Major Impact Review /●/ Exempt from County Review and Standards

| Use Category | Use Type | Residential Districts | | | | Nonresidential Districts | | | | Resource Land Zone Districts | | | | Unless exempted, all uses must comply with Article 7 Standards including Use-Specific Standards. |
|----------------------------------|----------------------------------|-----------------------|----------------|----------------|----------------|--------------------------|----------------|----------------|----|------------------------------|----------------|----------------|----------------|--|
| | | R | RS | RU | RM HP | CL | CG | I | PL | RL P | RL E | RL TS | RL GS | |
| | Cabin | P | | | | | | | | P | | | P | |
| | Short Term Rentals | P | P | P | P | P | P | P | ● | P | P | P | P | |
| | Manufactured Home Park | M | M | M | A | M | | | ● | | | | | 7-703 |
| Office | Home Office/Business | P | P | P | P | P | P | P | ● | P | P | P | P | 7-702 |
| Group Living | Foster Home | P | P | P | P | P | P | P | ● | | | | | |
| | Group Home Facilities | L | L | L | L | P | | | ● | | | | L | 7-704 |
| Temporary | Employee Housing Facility, Major | M | M | M | M | M | M | M | ● | L | L | L | L | 7-705 |
| | Employee Housing Facility, Minor | A ¹ | A ¹ | A ¹ | A ¹ | A ¹ | A ¹ | A ¹ | ● | A ¹ | A ¹ | A ¹ | A ¹ | 7-706 |
| | Employee Housing Facility, Small | P | P | P | P | P | P | P | ● | P | P | P | P | 7-707 |
| PUBLIC/INSTITUTIONAL USES | | | | | | | | | | | | | | |
| Assembly | Community Meeting Facility | A | A | A | A | P | P | A | ● | L | | | L | |
| | Place of Worship | A | A | A | A | A | A | A | ● | | | | A | |
| | Public Gathering | A | | | | A | A | | ● | | | | A | |
| Cultural Facility | Library | A | A | A | | P | P | | ● | A | | | A | |
| | Museum | A | A | A | A | A | A | A | ● | A | | | A | |
| Day Care | Adult Day Care | A | A | A | A | A | A | A | ● | | | | | |
| | Child Care Center | A | A | A | A | A | A | A | ● | | | | L | 7-804 |
| | Family Child Care Home | P | P | P | P | P | P | | ● | A | | | A | 7-804 |
| Parks and Open Space | Cemetery | A | A | A | A | A | A | A | ● | | | | | |
| | Park | P | P | P | P | P | P | | ● | P | P | P | P | |
| Community Service Facility | Corrections Facility | M | M | M | | M | M | M | ● | | | | M | |
| | Educational Facility | L | L | L | L | A | A | A | ● | | | | A | |

¹ Review and decision of an application is completed administratively, but is subject to the process set forth in section 4-107

Table 3-403: Use Table

/P/ By Right /A/ Administrative Review /L/ Limited Impact Review /M/ Major Impact Review /●/ Exempt from County Review and Standards

| Use Category | Use Type | Residential Districts | | | | Nonresidential Districts | | | | Resource Land Zone Districts | | | | Unless exempted, all uses must comply with Article 7 Standards including Use-Specific Standards. |
|------------------------|---|-----------------------|----|----|-------|--------------------------|----|---|--------------|------------------------------|------|-------|-------|--|
| | | R | RS | RU | RM HP | CL | CG | I | PL | RL P | RL E | RL TS | RL GS | |
| | Emergency Shelter | L | L | L | L | L | L | L | ● | | | | | |
| | Fire Station | A | A | A | A | A | A | A | ● | A | | | A | |
| | Hospital | M | M | M | M | L | L | L | ● | | | | | |
| | Public Building | A | A | A | A | A | A | A | ● | A | | | A | |
| Transportation | Access Route | A | A | A | A | A | A | A | ● | P | P | P | P | |
| | Aircraft Landing Strip | L | | | | L | L | L | ● | L | | | L | 7-802 |
| | Aircraft, Ultralight Operation | P | P | P | P | P | P | P | ● | P | P | P | P | 7-801 |
| | Airport | M | | | | | | | ● | | | | | 7-803 |
| | Heliport | M | M | M | L | L | L | L | ● | M | | | M | 7-803 |
| | Helistop | M | M | M | L | L | L | L | ● | M | | | M | 7-802 |
| | Mass Transit Facility | M | M | M | M | M | M | M | ● | | | | | |
| | Park and Ride Facility | L | L | L | L | A | A | A | ● | A | A | A | A | |
| | Trail, Trailhead, Road | P | P | P | P | P | P | P | ● | P | P | P | P | |
| COMMERCIAL USES | | | | | | | | | | | | | | |
| Office | Broadcasting Studio | L | | | | A | A | A | ● | | | | | 7-901 |
| | Professional Office | L | | | | P | P | P | ● | L | | | L | |
| | Professional Office, Temporary | A | A | A | A | A | A | A | ● | A | A | A | A | |
| Retail/Wholesale | Bakery | | | | | P | P | P | ● | | | | | |
| | Convenience Store | L | M | M | M | A | A | A | ● | | | | | |
| | Nursery/Greenhouse | P | A | A | A | P | P | P | ● | | | | P | 7-902 |
| | Brewery, Winery, Cidery, Distillery | L | | | | P | P | P | ● | | | | L | |
| | Optional Premises Cultivation Operation | | | | | M | M | M | ² | | | | | 7-903 |
| | Retail, General | A | A | A | A | P | P | P | ● | | | | | |

² Refer to the Federal Government for the laws and policies in regards to cultivation operations for Medical Marijuana.

Table 3-403: Use Table

/P/ By Right /A/ Administrative Review /L/ Limited Impact Review /M/ Major Impact Review /●/ Exempt from County Review and Standards

| Use Category | Use Type | Residential Districts | | | | Nonresidential Districts | | | | Resource Land Zone Districts | | | | Unless exempted, all uses must comply with Article 7 Standards including Use-Specific Standards. |
|------------------------------|--|-----------------------|----|----|-------|--------------------------|----|---|----|------------------------------|------|-------|-------|--|
| | | R | RS | RU | RM HP | CL | CG | I | PL | RL P | RL E | RL TS | RL GS | |
| | Retail, Equipment, Machinery, Lumber Yards | | | | | P | P | P | ● | P | P | P | P | |
| | Retail, Vehicle and Equipment Sales | M | | | | P | P | P | ● | | | | | |
| | Bulk Sales of LPG and CNG | | | | | L | L | L | L | L | | | L | |
| Recreation and Entertainment | Golf Course/Driving Range | A | A | | | A | A | A | ● | | | | A | |
| | Theater, Indoor | | | | | P | P | A | ● | | | | | |
| | Motor Sports Center | M | | | | M | M | M | ● | L | | | L | |
| | Recreation, Indoor | L | M | M | M | P | P | A | ● | | | | | |
| | Recreation, Outdoor | L | M | M | M | M | M | L | L | L | L | L | L | |
| | Shooting Gallery/Range | L | M | M | M | M | M | L | L | M | M | M | M | 7-904 |
| Services | Crematorium | M | | | | L | L | L | ● | | | | | |
| | Eating or Drinking Establishment | L | L | L | L | P | P | P | ● | A | | | A | |
| | General Service Establishment | L | | | | P | P | P | ● | | | | | |
| | Laundromat | A | L | L | L | P | P | P | ● | | | | | |
| | Laundry or Dry-Cleaning Plant | | | | | L | L | L | ● | | | | | |
| | Mortuary | M | | | | L | L | L | ● | | | | | |
| Vehicles and Equipment | Car Wash | M | | | | A | A | A | ● | | | | | |
| | Parking Lot or Parking Garage | L | L | L | L | A | A | A | ● | | | | | |
| | Repair, Body /Paint, or Upholstery Shop | A | | | | P | P | P | ● | | | | | |
| | Impound Yard | | | | | | A | P | | | | | | |
| Visitor Accommodation | Campground/ RV Park | M | | | | M | M | L | L | L | | | M | 7-905 |
| | Small Camping Facility | A | | | | | | | ● | A | | | A | 7-906 |
| | Lodging Facilities | L | L | L | L | P | P | L | ● | A | | | A | |

Table 3-403: Use Table

/P/ By Right /A/ Administrative Review /L/ Limited Impact Review /M/ Major Impact Review /●/ Exempt from County Review and Standards

| Use Category | Use Type | Residential Districts | | | | Nonresidential Districts | | | | Resource Land Zone Districts | | | | Unless exempted, all uses must comply with Article 7 Standards including Use-Specific Standards. |
|------------------------|---|---|-----|-----|-------|--------------------------|-----|-----|-----|------------------------------|------|-------|-------|--|
| | | R | RS | RU | RM HP | CL | CG | I | PL | RL P | RL E | RL TS | RL GS | |
| INDUSTRIAL USES | | | | | | | | | | | | | | |
| Extraction | Compressor/Pipeline Pump Station (Not Subject to Article 9) | L | L | | | | | L | ● | L | L | L | L | 7-1001 |
| | Compressor, Booster | A | A | A | A | A | A | A | ● | P | P | P | P | |
| | Gravel Operation | M | | | | | | M | L | L | L | L | L | 7-1001, 7-1002 |
| | Mining Operation | This use is subject to 1041 Regulations as Described in Article 14 of the Land Use and Development Code | | | | | | | | | | | | |
| | Hydraulic Fracturing, Remote Surface Facility | P | P | P | P | P | P | P | ● | P | P | P | P | EXEMPT |
| | Injection Well, Piped | P | A | | | | | P | ● | P | P | P | P | 7-1001 |
| | Injection Well, Small | A | A | | | | | P | ● | P | P | P | P | 7-1001 |
| | Injection Well, Large | L | L | | | | | | ● | P | P | P | P | 7-1001 |
| | Oil and Gas Drilling and Production | P/L | P/L | P/L | P/L | P/L | P/L | P/L | P/L | P/L | P/L | P/L | P/L | P/L |
| Service | Contractor's Yard, Small | A | | | | P | P | P | ● | A | A | A | A | 7-1001 |
| | Contractor's Yard, Large | M | | | | P | P | P | ● | L | | L | L | 7-1001 |
| | Material Handling | L | | | | | L | L | ● | A | A | A | A | 7-1001 |
| | Processing | L | | | | L | L | L | ● | A | L | A | A | 7-1001 |
| | Processing, Accessory (Batch Plant) | L | | | | L | L | L | ● | A | | | A | 7-1001 |
| | Processing, Temporary | A | | | | A | A | A | ● | A | | | A | 7-1001 |
| | Vehicles, Machinery, and Heavy Equipment | M | | | | | | M | ● | L | | | M | 7-1001 |
| | Vehicle Safety Area | A | | | | | | | ● | P | | | P | 7-1007 |
| Fabrication | Assembly of Structures and Vehicle Conversions | L | | | | L | A | A | ● | L | | | L | 7-1001 |
| | Cabinet Making, Wood and Metal working, Glazing, Machining, Welding | A | L | | | P | P | P | ● | L | | | L | 7-1001 |
| | Equipment, Small Appliances | L | | | | L | L | A | ● | L | | | L | 7-1001 |

Table 3-403: Use Table

/P/ By Right /A/ Administrative Review /L/ Limited Impact Review /M/ Major Impact Review /●/ Exempt from County Review and Standards

| Use Category | Use Type | Residential Districts | | | | Nonresidential Districts | | | | Resource Land Zone Districts | | | | Unless exempted, all uses must comply with Article 7 Standards including Use-Specific Standards. |
|--------------------------------|---|-----------------------|----------------|----------------|----------------|--------------------------|----------------|----------------|----|------------------------------|----------------|----------------|----------------|--|
| | | R | RS | RU | RM HP | CL | CG | I | PL | RL P | RL E | RL TS | RL GS | |
| | Goods Processed from Natural Resources | M | | | | | | M | ● | M | | | M | 7-1001 |
| Warehouse and Freight Movement | Storage | L | | | | P | P | P | ● | A | A | A | A | 7-1001 |
| | Storage, Mini | L | | | | P | P | P | ● | | | | | 7-1001 |
| | Storage, Cold Storage Plants | | | | | P | P | P | ● | L | | | L | 7-1001 |
| | Storage, Hazardous Materials | M | | | | M | M | M | ● | L | | | L | 7-1001 |
| | Warehouse and Distribution Center | M | | | | L | L | L | ● | | | | M | 7-1001 |
| Waste and Salvage | Mineral Waste Disposal Areas | L | | | | | | L | ● | L | L | L | L | 7-1001 |
| | Recycling Collection Center | L | | | | P | P | P | ● | | | | L | 7-1001, 7-1004 |
| | Recycling Processing Facility | M | | | | M | M | L | ● | | | | M | 7-1001 |
| | Salvage Yard | M | | | | | M | L | ● | | | | M | 7-1001 |
| | Sewage Treatment Facility | L | L | L | L | L | L | L | ● | L | | | L | 7-1001, 7-1005 |
| | Solid Waste Disposal Site and Facility | M | | | | | | M | ● | M | | | M | 7-1001, 7-1006 |
| | Solid Waste Transfer Facility | M | | | | L | L | L | ● | M | | | M | 7-1001 |
| | Water Impoundment | L | | | | | | L | ● | L | L | L | L | 7-1001 |
| UTILITIES | | | | | | | | | | | | | | |
| | Electric Power Generation Facility, Small | L | L | | | A | A | P | ● | A | L | L | A | |
| | Electric Power Generation Facility, Large | L | | | | | | | L | L | | L | L | |
| | Lines, Distribution | P | P | P | P | P | P | P | ● | P | P | P | P | |
| | Lines, Transmission | L | L | L | L | L | L | L | L | L | L | L | L | |
| | Pipeline | A ³ | A ³ | A ³ | A ³ | A ³ | A ³ | A ³ | ● | A ³ | A ³ | A ³ | A ³ | 9-104 |
| | Solar Energy System, Accessory | P | P | P | P | P | P | P | ● | P | P | P | P | 7-1101 |

³ Review and decision of an application is completed administratively, but is subject to the process set forth in section 9-103.

Table 3-403: Use Table

/P/ By Right /A/ Administrative Review /L/ Limited Impact Review /M/ Major Impact Review /●/ Exempt from County Review and Standards

| Use Category | Use Type | Residential Districts | | | | Nonresidential Districts | | | | Resource Land Zone Districts | | | | Unless exempted, all uses must comply with Article 7 Standards including Use-Specific Standards. |
|--------------------------------------|---|-----------------------|----|----|-------|--------------------------|----|---|----|------------------------------|------------------|------------------|------------------|--|
| | | R | RS | RU | RM HP | CL | CG | I | PL | RL P | RL E | RL TS | RL GS | |
| | Solar Energy System, Small | A | A | A | A | P | P | P | ● | P | P | P | P | 7-1101 |
| | Solar Energy System, Large | M | M | M | M | L | L | L | L | L | L | L | L | 7-1101 |
| | Substation, Neighborhood | P | P | P | P | P | P | P | ● | P | P | P | P | |
| | Substation, Utility | L | L | L | L | L | L | L | ● | L | L | L | L | |
| | Telecommunication Facility | L | L | L | L | L | L | L | ● | P/A ⁴ | P/A ⁴ | P/A ⁴ | P/A ⁴ | 7-1102 |
| | Utility Distribution Facility | P | P | P | P | P | P | P | ● | P | P | P | P | |
| | Water Reservoir | P | | | | | | L | ● | A | | | A | 7-1103 |
| | Water Tank or Treatment Facility | L | L | L | L | L | L | L | ● | L | L | L | L | |
| | Wind Energy System, Commercial | M | | | | M | M | L | ● | M | | | M | |
| | Wind Energy System, Small | L | L | | | L | L | P | ● | A | | | L | |
| ACCESSORY USES AND STRUCTURES | | | | | | | | | | | | | | |
| | Building or Structure, Accessory | P | P | P | P | P | P | P | ● | P | P | P | P | 7-1201(A) |
| | Fence, Hedge or Wall | P | P | P | P | P | P | P | ● | P | P | P | P | 7-1201(B) |
| | Marijuana, Personal Use, Medical Use or Caregiver | P | P | P | P | P | P | P | | P | P | P | P | 7-1201(C) |

⁴ Telecommunication Facilities 100 feet or less in height are By Right uses. A Facility over 100 feet shall be subject to an Administration Review.