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....3

3-04 INCORPORATION AND INTERPRETATION OF MAPS....4

3-04-01 Division of a Lot by a Zone District Boundary....4
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....7
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....51

3-08 AGRICULTURAL-1 DISTRICT (A-1)....60

3-08-01 Purpose....60
3-08-02 Permitted Principal Uses....60
3-08-03 Permitted Accessory Uses....61
3-08-04 Permitted Conditional Uses....61
3-08-05 Permitted Special/temporary Uses....63

3-08-06 Prohibited Uses....63
3-08-07 Area and Height Standards....63
3-08-08 Relationship to Design Requirements and Performance Standards...67

3-09 AGRICULTURAL-2 DISTRICT (A-2)....68

3-09-01 Purpose....68
3-09-02 Permitted Principal Uses....68
3-09-03 Permitted Accessory Uses....69
3-09-04 Permitted Conditional Uses....69
3-09-05 Permitted Special/temporary Uses....71
3-09-06 Prohibited Uses....71
3-09-07 Area and Height Standards....71
3-09-08 Relationship to Design Requirements and Performance Standards...75

3-10 AGRICULTURAL-3 DISTRICT (A-3)....76

3-10-01 Purpose....76
3-10-02 Permitted Principal Uses....76
3-10-03 Permitted Accessory Uses....77
3-10-04 Permitted Conditional Uses....77
3-10-05 Permitted Special/temporary Uses....79
3-10-06 Prohibited Uses....79
3-10-07 Area and Height Standards....80
3-10-08 Relationship to Design Requirements and Performance Standards...83

3-11 RESIDENTIAL ESTATE DISTRICT (RE)....84

3-11-01 Purpose....84
3-11-02 Permitted Principal Uses....84
3-11-03 Permitted Accessory Uses....85
3-11-04 Permitted Conditional Uses....85
3-11-05 Permitted Special/temporary Uses....86
3-11-06 Prohibited Uses....86
3-11-07 Area and Height Standards....86
3-11-08 Relationship to Design Requirements and Performance Standards...90

3-12 RESIDENTIAL-1-A DISTRICT (R-1-A) 91

3-13 RESIDENTIAL-1-C DISTRICT (R-1-C) 92

3-13-01 Purpose 92
3-13-02 Permitted Principal Uses 92
3-13-03 Permitted Accessory Uses 92
3-13-04 Permitted Conditional Uses 93
3-13-05 Permitted Special/temporary Uses 94
3-13-06 Prohibited Uses 94
3-13-07 Area and Height Standards 94
3-13-08 Relationship to Design Requirements and Performance Standards ... 97

3-14 RESIDENTIAL-2 DISTRICT (R-2) 98

3-14-01 Purpose 98
3-14-02 Permitted Principal Uses 98
3-14-03 Permitted Accessory Uses 98
3-14-04 Permitted Conditional Uses 99
3-14-05 Permitted Special/temporary Uses 100
3-14-06 Prohibited Uses 100
3-14-07 Area and Height Standards 100
3-14-08 Relationship to Design Requirements and Performance Standards . 104

3-15 RESIDENTIAL-3 DISTRICT (R-3) 105

3-15-01 Purpose 105
3-15-02 Permitted Principal Uses 105
3-15-03 Permitted Accessory Uses 105
3-15-04 Permitted Conditional Uses 106
3-15-05 Permitted Special/temporary Uses 107
3-15-06 Prohibited Uses 107
3-15-07 Area and Height Standards 107
3-15-08 Relationship to Design Requirements and Performance Standards . 111

RESIDENTIAL-4 DISTRICT (R-4) 112

3-15-09 Purpose 112
3-15-10 Permitted Principal Uses 112
3-15-11 Permitted Accessory Uses 112

3-15-12 Permitted Conditional Uses 113
3-15-13 Permitted Special/temporary Uses 114
3-15-14 Prohibited Uses.....114
3-15-15 Area and Height Standards.....114
3-15-16 Relationship to Design Requirements and Performance Standards .117

3-16 MOBILE HOME DWELLING DISTRICT (MH) 118

3-16-01 Purpose.....118
3-16-02 Permitted Principal Uses 118
3-16-03 Permitted Accessory Uses.....119
3-16-04 Permitted Conditional Uses 119
3-16-05 Permitted Special/temporary Uses 120
3-16-06 Prohibited Uses.....120
3-16-07 Area and Height Standards.....120
3-16-08 Relationship to Design Requirements and Performance Standards .123

3-17 COMMERCIAL-0 DISTRICT (C-0) 124

3-17-01 Purpose.....124
3-17-02 Permitted Principal Uses 124
3-17-03 Permitted Accessory Uses.....125
3-17-04 Permitted Conditional Uses 125
3-17-05 Permitted Special/temporary Uses 126
3-17-06 Prohibited Uses.....127
3-17-07 Area and Height Standards.....127
3-17-08 Relationship to Design Requirements and Performance Standards .129

3-18 COMMERCIAL-1 DISTRICT (C-1) 130

3-18-01 Purpose.....130
3-18-02 Permitted Principal Uses 130
3-18-03 Permitted Accessory Uses.....131
3-18-04 Permitted Conditional Uses 131
3-18-05 Permitted Special/temporary Uses 133
3-18-06 Prohibited Uses.....133
3-18-07 Area and Height Standards.....133
3-18-08 Relationship to Design Requirements and Performance Standards .135

3-19 COMMERCIAL-2 DISTRICT (C-2) 136

3-19-01 Purpose 136
3-19-02 Permitted Principal Uses 136
3-19-03 Permitted Accessory Uses 137
3-19-04 Permitted Conditional Uses 137
3-19-05 Permitted Special/temporary Uses 138
3-19-06 Prohibited Uses 138
3-19-07 Area and Height Standards 139
3-19-08 Relationship to Design Requirements and Performance Standards 140

3-20 COMMERCIAL-3 DISTRICT (C-3) 141

3-20-01 Purpose 141
3-20-02 Permitted Principal Uses 141
3-20-03 Permitted Accessory Uses 142
3-20-04 Permitted Conditional Uses 143
3-20-05 Permitted Special/temporary Uses 144
3-20-06 Prohibited Uses 144
3-20-07 Area and Height Standards 144
3-20-08 Relationship to Design Requirements and Performance Standards 146

3-21 COMMERCIAL-4 DISTRICT (C-4) 147

3-21-01 Purpose 147
3-21-02 Permitted Principal Uses 147
3-21-03 Permitted Accessory Uses 149
3-21-04 Permitted Conditional Uses 149
3-21-05 Permitted Special/temporary Uses 150
3-21-06 Prohibited Uses 150
3-21-07 Area and Height Standards 150
3-21-08 Relationship to Design Requirements and Performance Standards 152

3-22 COMMERCIAL-5 DISTRICT (C-5) 153

3-22-01 Purpose 153
3-22-02 Permitted Principal Uses 153
3-22-03 Permitted Accessory Uses 155
3-22-04 Permitted Conditional Uses 155
3-22-05 Permitted Special/temporary Uses 156

3-22-06 Prohibited Uses....157
3-22-07 Area and Height Standards....157
3-22-08 Relationship to Design Requirements and Performance Standards....158

3-23 INDUSTRIAL-1 DISTRICT (I-1)....159

3-23-01 Purpose....159
3-23-02 Permitted Principal Uses....159
3-23-03 Permitted Accessory Uses....161
3-23-04 Permitted Conditional Uses....162
3-23-05 Permitted Special/temporary Uses....163
3-23-06 Prohibited Uses....163
3-23-07 Area and Height Standards....164
3-23-08 Relationship to Design Requirements and Performance Standards....165

3-24 INDUSTRIAL-2 DISTRICT (I-2)....166

3-24-01 Purpose....166
3-24-02 Permitted Principal Uses....166
3-24-03 Permitted Accessory Uses....168
3-24-04 Permitted Conditional Uses....169
3-24-05 Permitted Special/temporary Uses....170
3-24-06 Prohibited Uses....170
3-24-07 Area and Height Standards....170
3-24-08 Relationship to Design Requirements and Performance Standards....172

3-25 INDUSTRIAL-3 DISTRICT (I-3)....173

3-25-01 Purpose....173
3-25-02 Permitted Principal Uses....173
3-25-03 Moderate Manufacturing (Excluding Creosote Manufacturing or Treatment Plant)Permitted Accessory Uses....175
3-25-04 Permitted Conditional Uses....176
3-25-05 Permitted Special/temporary Uses....177
3-25-06 Prohibited Uses....177
3-25-07 Area and Height Standards....177
3-25-08 Relationship to Design Requirements and Performance Standards....179

3-26 TRANSIT-ORIENTED DEVELOPMENT DISTRICT AND STANDARDS (TOD) 180

3-26-01 Purpose 180
3-26-02 Applicability 180
3-26-03 Development Application and Review 180
3-26-04 Permitted Uses and Structures 181
3-26-05 Site Development and Use Mix Standards 183
3-26-06 Design and Development Standards 187

3-27 CONSERVATION DISTRICT (CO) 224

3-27-01 Purpose 224
3-27-02 Permitted Principal Uses 224
3-27-03 Permitted Accessory Uses 225
3-27-04 Permitted Conditional Uses 225
3-27-05 Permitted Special/Temporary Uses 226
3-27-06 Prohibited Uses 226
3-27-07 Area and Height Standards 226
3-27-08 Relationship to Performance Standards 227

3-28 PUBLIC LANDS, PARKS, OPEN SPACE, AND FACILITIES DISTRICT (PL) 228

3-28-01 Purpose 228
3-28-02 Permitted Principal Uses 228
3-28-03 Permitted Accessory Uses 229
3-28-04 Permitted Conditional Uses 229
3-28-05 Permitted Special/temporary Uses 229
3-28-06 Prohibited Uses 229
3-28-07 Area and Height Standards 230
3-28-08 Relationship to Performance Standards 231

3-29 PLANNED UNIT DEVELOPMENT (P.U.D.) 232

3-29-01 General Provisions 232
3-29-02 Minimum Requirements 232
3-29-03 General Site Design Standards 233

3-30 AVIATION (AV)....242

3-30-01 Purpose....242
3-30-02 Boundaries....242
3-30-03 Permitted Principal Uses....242
3-30-04 Prohibited Uses....243
3-30-05 Area and Height Standards....243
3-30-06 Relationship to Design Requirements and Performance Standards....246

3-31 DENVER INTERNATIONAL AIRPORT (DIA)....247

3-31-01 Purpose....247
3-31-02 Boundaries....247
3-31-03 Permitted Principal Uses....247
3-31-04 General Site Design and Performance Standards....248

3-32 AIRPORT HEIGHT OVERLAY (AHO)....249

3-32-01 Purpose....249
3-32-02 Boundaries....249
3-32-03 Permitted Uses....249
3-32-04 General Site Design and Performance Standards....249
3-32-05 Relationship to Design Requirements and Performance Standards....251

3-33 AIRPORT INFLUENCE ZONE (AIZ)....252

3-33-01 Purpose....252
3-33-02 Boundaries....252
3-33-03 Permitted Uses....252
3-33-04 Prohibited Uses....252
3-33-05 General Site Design and Performance Standards....253
3-33-06 Relationship to Design Requirements and Performance Standards....254

3-34 AIRPORT NOISE OVERLAY (ANO)....255

3-34-01 Purpose....255
3-34-02 Boundaries....255
3-34-03 Permitted Uses....255
3-34-04 Prohibited Uses....255
3-34-05 General Site Design and Performance Standards....256
3-34-06 Relationship to Design Requirements and Performance Standards....257

3-35 FLAMMABLE GAS OVERLAY (FGO) 258

3-35-01 Purpose....258
3-35-02 Location and Boundaries of Known Flammable Gas Hazard Area (Solid Waste Disposal Sites) 258
3-35-03 Unknown Flammable Gas Hazard Areas (Solid Waste Disposal Sites) 260
3-35-04 Referrals of Proposed Construction on Solid Waste Disposal Site ...260
3-35-05 Review Responsibilities 260
3-35-06 Building Permits and Construction on or Within One Thousand (1,000) Feet of a Former Solid Waste Disposal Site....261
3-35-07 Additional Remedial Measures....265
3-35-08 Relationship to Design Requirements and Performance 266

3-36 FLOOD CONTROL OVERLAY (FCO)....267

3-36-01 Purpose....267
3-36-02 Applicability 267
3-36-03 Boundaries....267
3-36-04 General Administration....273
3-36-05 Disclaimer of Liability....274
3-36-06 Relationship to Other Regulations 274
3-36-07 General Provisions....275

3-37 MINERAL CONSERVATION OVERLAY (MCO)....289

3-37-01 Purpose....289
3-37-02 Mineral Conservation Area 289
3-37-03 Areas Exempted from these Restrictions....289
3-37-04 Restriction on Uses....290
3-37-05 Excavation and Rehabilitation....290
3-37-06 Operation and Rehabilitation Standards for all Mining Operations290
3-37-07 Appeal of Mineral Conservation District Boundaries....294
3-37-08 Relationship to Design Requirements and Performance Standards.294

3-38 NATURAL RESOURCES CONSERVATION OVERLAY (NRCO) DISTRICT....295

3-38-01 Purpose....295
3-38-02 NRCO District Created....295
3-38-03 NRCO District Map....295

3-38-04 Development Exemptions in the NRCO 296
3-38-05 Standards.....296

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)
10. Mobile Home Dwelling (MH)
11. Commercial-0 (C-0)
12. Commercial-1 (C-1)
13. Commercial-2 (C-2)
14. Commercial-3 (C-3)
15. Commercial-4 (C-4)
16. Commercial-5 (C-5)
17. Industrial-1 (I-1)
18. Industrial-2 (I-2)
19. Industrial-3 (I-3)
20. Conservation (CO)
21. Public Lands, Parks, Open Space, and Facilities (PL)
22. Planned Unit Development (P.U.D.)
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. *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. 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
    v. Services
    w. Sexually-Oriented Business
    x. Trade Schools
5. 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. Accessory Outdoor Storage (up to 25% of the building area) *****

k. Accessory Outdoor Storage (in excess of 25% and up to 100% of the building area) *****

l. Outdoor Storage (in excess of 100% of the building area) *****

6. Marijuana Establishments[i]

    a. Medical Marijuana Center

    b. Retail Marijuana Stores

    c. Medical Marijuana Infused Products Manufacturers

    d. Retail Marijuana Product Manufacturing Facilities

    e. Medical Marijuana Optional Premises Cultivation Operations

    f. Retail Marijuana Cultivation Facilities

    g. Retail Marijuana Testing Facilities

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

3-07 USE CHART AND DIMENSIONAL REQUIREMENTS

3-07-01 USE CHART[ii]

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, 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 zone district shall prevail over the chart.

USE CATEGORIES	ZONE DISTRICT					
	A-1	**A-2**	**A-3**	**RE**	**R-1-C**	**R-2**
AGRICULTURAL USES						
Agricultural Businesses	C	C	C	-	-	-
Dairies	C	C	C	-	-	-
Poultry farms	C	C	C	-	-	-
Fur farms	C	C	C	-	-	-
Exotic animal farms	C	C	C	-	-	-
Animal confinement operations	C	C	C	-	-	-
Agricultural Support Businesses and Services	C	C	C	-	-	-
Equestrian Arena, Commercial	C	C	C	-	-	-
Equestrian Arena, Personal	P	P	P	-	-	-
Farm machinery sales and services	C	C	C	-	-	-
Farm supply sales	C	C	C	-	-	-
Fertilizer manufacturing and processing	C	C	C	-	-	-
Fish hatcheries	C	C	C	-	-	-
Flour mill	C	C	C	-	-	-
Grain elevators	C	C	C	-	-	-
Railroad yards	C	C	C	-	-	-
Riding stables or academy	C	C	C	-	-	-
Truck stops	C	C	C	-	-	-
Underground fuel storage for use on the property	C	C	C	-	-	-
Farming	P	P	P	P	P	P
Animal farming in unconfined operations	P	P	P	-	-	-
Hemp farming	P	P	P	-	-	-
Sod farming	P	P	P	-	-	-
Traditional farming	P	P	P	P	P	P
Tree farming	P	P	P	-	-	-
Nurseries	P	P	P	-	-	-
Ranching	P	P	P	-	-	-

USE CATEGORIES	**ZONE DISTRICT**					
	A-1	**A-2**	**A-3**	**RE**	**R-1-C**	**R-2**
RESIDENTIAL USES						
Group Home for the Developmentally Disabled	C	C	C	C	C	C
Group Home for the Elderly	C	C	C	C	C	C
Group Living Facility (1 to 5 persons)	P	P	P	P	P	P
Group Living Facility (in excess of 5 persons)	C	C	C	C	C	C
Group Living Facility (with more than 1 registered sex offender)	C	C	C	C	C	C
Manufactured Home Park	-	-	-	-	C	C
Mobile Home Park	-	-	-	-	-	-
Multi-Family Dwelling	-	-	-	-	-	-
Single-Family Dwelling	P	P	P	P	P	P
Two-Family Dwelling	C	C	C	-	-	P
INSTITUTIONAL USES						
Funeral Home/Mortuary*	P	P	P	-	-	-
Funeral Home/Mortuary to include Cremation*	C	C	C	-	-	-
Halfway House*	-	-	C	-	-	-
Institutional Care	C	C	C	C	C	C
Boarding/rooming houses	C	C	C	C	C	C
Convalescent homes	C	C	C	C	C	C
Convents or monasteries	C	C	C	C	C	C
Foster homes	C	C	C	C	C	C
Hospitals/clinics	C	C	C	C	C	C
Nursing homes	C	C	C	C	C	C
Protective living facilities	C	C	C	C	C	C
Sanitariums	C	C	C	C	C	C
Sheltered care homes	C	C	C	C	C	C
Jails and Prisons	-	-	C	-	-	-
Jails	-	-	C	-	-	-
Penal institutions	-	-	C	-	-	-
Prisons	-	-	C	-	-	-
Neighborhood Indoor Uses	C	C	C	C	C	C
Branch libraries	C	C	C	C	C	C
Day care centers (day or nursery schools) (Adult* or Child)	C	C	C	C	C	C
Gymnasiums	C	C	C	C	C	C

USE CATEGORIES	ZONE DISTRICT					
	A-1	**A-2**	**A-3**	**RE**	**R-1-C**	**R-2**
Handball	C	C	C	C	C	C
Handball courts	C	C	C	C	C	C
Indoor recreational centers	C	C	C	C	C	C
Indoor skating rinks (ice or roller)	C	C	C	C	C	C
Indoor swimming pools	C	C	C	C	C	C
Neighborhood community or recreational centers	C	C	C	C	C	C
Public or private primary and secondary schools (excluding trade schools)	C	C	C	C	C	C
Racquetball	C	C	C	C	C	C
Tennis	C	C	C	C	C	C
Outdoor Public Uses	P	P	P	P	P	P
Arboretums	P	P	P	P	P	P
Areas for hiking	P	P	P	P	P	P
Cemeteries, with or without caretaker residences*****	C	C	P	-	-	-
Garden plots	P	P	P	P	P	P
Nature areas	P	P	P	P	P	P
Picnic areas	P	P	P	P	P	P
Public areas for active recreational activities	P	P	P	P	P	P
Recreation-oriented parks	P	P	P	P	P	P
Wildlife sanctuaries	P	P	P	P	P	P
Places of Worship	C	C	P	C	C	C
Public Service	C	C	C	C	C	C
All government-owned facilities except landfills or mining facilities	C	C	C	C	C	C
Emergency service buildings or garages	C	C	C	C	C	C
Government offices	C	C	C	C	C	C
Utility substations or transmission and distribution facilities	C	C	C	C	C	C
Universities	C	C	C	C	C	C
COMMERCIAL USES						

USE CATEGORIES	**ZONE DISTRICT**					
	A-1	**A-2**	**A-3**	**RE**	**R-1-C**	**R-2**
Airports, Landing Strips and Heliports	C	C	C	-	-	-
Animal Hospitals	C	C	C	-	-	-
Automobile Service Stations	-	-	-	-	-	-
Car washes	-	-	-	-	-	-
Convenience stores with gas pumps where vehicles are serviced with minor repairs, oil changes, etc.	-	-	-	-	-	-
Gas stations	-	-	-	-	-	-
Bed and Breakfast Establishments	P	P	P	C	C	-
Campgrounds, Commercial	C	C	C	-	-	-
Camps	C	C	C	-	-	-
Campsites	C	C	C	-	-	-
Recreational vehicle parks	C	C	C	-	-	-
Tents	C	C	C	-	-	-
Trailer parks	C	C	C	-	-	-
Communications Towers, Commercial	C	C	C	-	-	-
Antenna arrays (satellite dishes)	C	C	C	-	-	-
Radio or TV broadcasting towers	C	C	C	-	-	-
Telecommunications towers	C	C	C	-	-	-
Commercial Retail	-	-	-	-	-	-
Apparel and accessory stores	-	-	-	-	-	-
Building supplies	-	-	-	-	-	-
Cabinet sales	-	-	-	-	-	-
Dry cleaners	-	-	-	-	-	-
Engineering and management services	-	-	-	-	-	-
Food stores	-	-	-	-	-	-
Furniture and home furnishings stores	-	-	-	-	-	-
General merchandise stores	-	-	-	-	-	-

USE CATEGORIES	ZONE DISTRICT					
	A-1	**A-2**	**A-3**	**RE**	**R-1-C**	**R-2**
Greenhouses (retail) and greenhouses with garden supplies	-	-	-	-	-	-
Health services	-	-	-	-	-	-
Legal services	-	-	-	-	-	-
Membership organizations	-	-	-	-	-	-
Miscellaneous retail except fuel dealers	-	-	-	-	-	-
Miscellaneous services	-	-	-	-	-	-
Social services except care facilities	-	-	-	-	-	-
Convenience Retail Store	-	-	-	-	-	-
Drive-In Establishments	-	-	-	-	-	-
Golf Course/Driving Range, Commercial	C	C	C	C	C	C
Heavy Retail and Heavy Services	-	-	C	-	-	-
Auto/truck rental/leasing	-	-	C	-	-	-
Automobile dealers	-	-	C	-	-	-
Automotive repair except top, body, upholstery repair, paint, and tire retreading shops	-	-	C	-	-	-
Automotive services except wrecking or towing storage yards	-	-	C	-	-	-
Cabinet manufacturing with sales	-	-	C	-	-	-
Cold storage	-	-	C	-	-	-
Firewood sales, storage, and splitting	-	-	C	-	-	-
Flea market	-	-	C	-	-	-
Mobile home and manufactured housing dealers with mobile home sales office	-	-	C	-	-	-
Pawn shops	-	-	C	-	-	-
Radio and TV broadcasting station	-	-	C	-	-	-
Indoor Commercial Recreation/Entertainment	-	-	-	-	-	-

USE CATEGORIES	**ZONE DISTRICT**					
	A-1	**A-2**	**A-3**	**RE**	**R-1-C**	**R-2**
Assembly halls	-	-	-	-	-	-
Auditoriums	-	-	-	-	-	-
Bowling alleys	-	-	-	-	-	-
Indoor sports arenas	-	-	-	-	-	-
Movie theaters	-	-	-	-	-	-
Physical fitness facilities	-	-	-	-	-	-
Pool arcades	-	-	-	-	-	-
Video arcades	-	-	-	-	-	-
Kennel, Commercial	C	C	C	-	-	-
Lodging, Commercial	-	-	-	-	-	-
Convention centers	-	-	-	-	-	-
Hotels	-	-	-	-	-	-
Motels	-	-	-	-	-	-
Massage Business	-	-	-	-	-	-
Off-Premise Advertising Devices	-	-	-	-	-	-
Office	-	-	-	-	-	-
Banking and other credit agencies (offices only)	-	-	-	-	-	-
Business services	-	-	-	-	-	-
Commodity brokers and services	-	-	-	-	-	-
Holding and other investments	-	-	-	-	-	-
Insurance carriers	-	-	-	-	-	-
Medical offices	-	-	-	-	-	-
Real estate	-	-	-	-	-	-
Security	-	-	-	-	-	-
Outdoor Commercial Recreation	C	C	C	-	-	-
Amusement parks	C	C	C	-	-	-
Archery ranges	C	C	C	-	-	-
Batting cages	C	C	C	-	-	-
Drive-in theaters	C	C	C	-	-	-
Go-cart establishments	C	C	C	-	-	-
Ice and roller skating rinks	C	C	C	-	-	-
Miniature golf establishments	C	C	C	-	-	-
Music arenas	C	C	C	-	-	-

USE CATEGORIES	ZONE DISTRICT					
	A-1	**A-2**	**A-3**	**RE**	**R-1-C**	**R-2**
Outdoor commercial amusement facilities	C	C	C	-	-	-
Pistol and shooting ranges	C	C	C	-	-	-
Theme parks	C	C	C	-	-	-
Water slides	C	C	C	-	-	-
Parking Lot, Commercial	-	C	C	-	-	-
Racing Facilities	-	-	C	-	-	-
Automobile racing	-	-	C	-	-	-
Dog tracks	-	-	C	-	-	-
Horse racing	-	-	C	-	-	-
Truck racing	-	-	C	-	-	-
Restaurants	-	-	-	-	-	-
Services	-	-	C	-	-	-
Sexually Oriented Business	-	-	-	-	-	-
Trade Schools	C	C	C	-	-	-
INDUSTRIAL USES						
Business Park Uses	-	-	-	-	-	-
Apparel and other finished products made from fabrics and similar materials	-	-	-	-	-	-
Arrangement of transportation of freight and cargo	-	-	-	-	-	-
Bakeries	-	-	-	-	-	-
Communications	-	-	-	-	-	-
Development and testing services	-	-	-	-	-	-
Measuring, analyzing, and controlling instrument manufacturing	-	-	-	-	-	-
Medical and optical goods	-	-	-	-	-	-
Motion picture production and allied services	-	-	-	-	-	-
Moving companies	-	-	-	-	-	-
Musical instruments and sporting/athletic goods manufacturing	-	-	-	-	-	-

USE CATEGORIES	**ZONE DISTRICT**					
	A-1	**A-2**	**A-3**	**RE**	**R-1-C**	**R-2**
Photographic	-	-	-	-	-	-
Research	-	-	-	-	-	-
Space research and technology	-	-	-	-	-	-
United states postal service	-	-	-	-	-	-
Watches and clocks	-	-	-	-	-	-
Extraction or Disposal Uses	C/S	C/S	C/S	C/S	C/S	C/S
Heavy Industry	-	C	C	-	-	-
Alcoholic beverage manufacturing	-	C	C	-	-	-
Asphalt and concrete production facilities	-	C	C	-	-	-
Auction yards with livestock	-	C	C	-	-	-
Automobile manufacturing	-	C	C	-	-	-
Chemical manufacturing	-	C	C	-	-	-
Chemicals and allied products manufacturing except drugs	-	C	C	-	-	-
Heavy construction contractors	-	C	C	-	-	-
Manufactured homes	-	C	C	-	-	-
Meat processing, packing, packaging, and slaughterhouses	-	C	C	-	-	-
Paper, pulp, or paperboard mills	-	C	C	-	-	-
Petroleum products manufacturing	-	C	C	-	-	-
Railroad transportation	-	C	C	-	-	-
Rubber and miscellaneous plastics manufacturing	-	C	C	-	-	-
Salvage yards	-	C	C	-	-	-
Sawmills	-	C	C	-	-	-
Stone and clay products	-	C	C	-	-	-

USE CATEGORIES	ZONE DISTRICT					
	A-1	**A-2**	**A-3**	**RE**	**R-1-C**	**R-2**
The storage and disassembly of vehicles and the re-assembly of various parts	-	C	C	-	-	-
Trailer and truck manufacturing	-	C	C	-	-	-
Transportation equipment	-	C	C	-	-	-
Utility production or processing facilities	-	C	C	-	-	-
Heavy Manufacturing or Processing	-	-	-	-	-	-
Abrasive manufacturing	-	-	-	-	-	-
Acid manufacturing	-	-	-	-	-	-
Asbestos products manufacturing	-	-	-	-	-	-
Boiler or tank manufacturing	-	-	-	-	-	-
Bone reduction	-	-	C	-	-	-
Caustic soda manufacturing	-	-	-	-	-	-
Celluloid manufacturing	-	-	-	-	-	-
Coal, coke yards, or coal classifications	-	-	-	-	-	-
Detergent, soap, and by-products manufacturing using animal fat	-	-	-	-	-	-
Disinfectant, insecticide, or poison manufacturing	-	-	-	-	-	-
Distillation of bone, refuse, grain, and wood	-	-	-	-	-	-
Dye manufacturing	-	-	-	-	-	-
Felt manufacturing	-	-	-	-	-	-
Fossil fuel manufacturing	-	-	-	-	-	-
Fuel, oil, gasoline, and petroleum products (bulk storage and/or sale)	-	-	-	-	-	-
Hazardous waste treatment facility	-	-	-	-	-	-
Linseed oil, shellac, and turpentine manufacturing and refinery	-	-	-	-	-	-

USE CATEGORIES	ZONE DISTRICT					
	A-1	**A-2**	**A-3**	**RE**	**R-1-C**	**R-2**
Lubrication and grease manufacturing	-	-	-	-	-	-
Lumber mills, planing mills, and storage of logs	-	-	-	-	-	-
Oil compounding	-	-	-	-	-	-
Paint and enamel manufacturing	-	-	-	-	-	-
Pickle manufacturing	-	C	C	-	-	-
Recycling Facilities	-	-	C	-	-	-
Scrap processing or shredding yard	-	-	-	-	-	-
Smelting or refining of metal	-	-	-	-	-	-
Sugar and beet refining	-	-	-	-	-	-
Tar and waterproofing (materials manufacturing, treatment, and bulk storage)	-	-	-	-	-	-
Landscape Storage Yards*	-	-	C	-	-	-
Light Industry	-	-	C	-	-	-
Auction houses without livestock	-	-	C	-	-	-
Auto towing and storage yards	-	-	C	-	-	-
Automotive repair, including top, body, upholstery repair, paint, and tire re-treading shops	-	-	C	-	-	-
Bus repair	-	-	C	-	-	-
Dairy and food processing and manufacturing facilities	-	-	C	-	-	-
Drug manufacturing	-	-	C	-	-	-
Dry cleaning plants	-	-	C	-	-	-
Electric and electronic equipment, including electronic distribution and electrical industrial	-	-	C	-	-	-
Fabricated metal, sheet metal shops, metal products manufacturing	-	-	C	-	-	-
Fuel and ice dealers	-	-	C	-	-	-

USE CATEGORIES	ZONE DISTRICT					
	A-1	**A-2**	**A-3**	**RE**	**R-1-C**	**R-2**
Furniture and fixtures	-	-	C	-	-	-
General building contractors	-	-	C	-	-	-
Instruments and related products	-	-	C	-	-	-
Leather and leather products, including tanning and finishing	-	-	C	-	-	-
Local and interurban passenger transit	C	C	C	-	-	-
Lumber, building materials, and wood products	-	-	C	-	-	-
Meat processing and packaging, excluding meat packing and slaughter	-	-	C	-	-	-
Miscellaneous manufacturing industries	-	-	C	-	-	-
Paper products, except mills	-	-	C	-	-	-
Printing and publishing	-	-	C	-	-	-
Recreational vehicle storage	-	-	C	-	-	-
Special trade contractors	-	-	C	-	-	-
Special warehousing and storage	-	-	C	-	-	-
Textiles and apparel	-	-	C	-	-	-
Transportation services	-	-	C	-	-	-
Trucking and general warehousing, including mini-storage	-	-	C	-	-	-
Welding repair	-	-	C	-	-	-
Wholesale trade (durable and non-durable)	-	-	C	-	-	-
Light Manufacturing or Processing	-	-	-	-	-	-
Beverage manufacturing	-	-	-	-	-	-
Book binding	-	-	-	-	-	-
Canvas products manufacturing	-	-	-	-	-	-

USE CATEGORIES	**ZONE DISTRICT**					
	A-1	**A-2**	**A-3**	**RE**	**R-1-C**	**R-2**
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	-	-	-	-	-	-
Major Energy Facility	C	C	C	C	C	C
Moderate Manufacturing or Processing						
Can manufacturing	-	-	-	-	-	-
Candy product manufacturing (for sale off premises)	-	-	-	-	-	-
Cement, cinder block, concrete, lime or plaster manufacturing	-	-	-	-	-	-
Cosmetic and perfume manufacturing	-	-	-	-	-	-
Creosote manufacturing or treatment plant	-	-	-	-	-	-
Fat rendering production	-	-	-	-	-	-
Forging plant and foundry	-	-	-	-	-	-
Glass or glass product manufacturing	-	-	-	-	-	-
Metal ingots, casting sheets, or bearings, forging or rolling mills	-	-	-	-	-	-
Millinery manufacturing	-	-	-	-	-	-

USE CATEGORIES	**ZONE DISTRICT**					
	A-1	**A-2**	**A-3**	**RE**	**R-1-C**	**R-2**
Mobile homes manufacturing and storage	-	-	-	-	-	-
Vacation camper manufacturing	-	-	-	-	-	-
Accessory Outdoor Storage (up to 25% of the building area)*	-	-	-	-	-	-
Accessory Outdoor Storage (in excess of 25% and up to 100% of the building area)*	-	-	-	-	-	-
Outdoor Storage (in excess of 100% of the building area)*	-	-	-	-	-	-
MARIJUANA ESTABLISHMENTS						
Medical Marijuana Center	-	-	-	-	-	-
Retail Marijuana Store	-	-	-	-	-	-
Medical Marijuana Infused Products Manufacturer	-	-	-	-	-	-
Retail Marijuana Product Manufacturing Facility	-	-	-	-	-	-
Medical Marijuana Optional Premises Cultivation Operation	-	-	P	-	-	-
Retail Marijuana Cultivation Facility	-	-	P	-	-	-
Retail Marijuana Testing Facility	-	-	-	-	-	-

USE CATEGORIES	ZONE DISTRICT						
	R-3	**R-4**	**MH**	**C-0**	**C-1**	**C-2**	**C-3**
AGRICULTURAL USES							
Agricultural Businesses	-	-	-	-	-	-	-
Dairies	-	-	-	-	-	-	-
Poultry farms	-	-	-	-	-	-	-
Fur farms	-	-	-	-	-	-	-
Exotic animal farms	-	-	-	-	-	-	-
Animal confinement operations	-	-	-	-	-	-	-
Agricultural Support Businesses and Services	-	-	-	-	-	-	-
Equestrian Arena, Commercial	-	-	-	-	-	-	-
Equestrian Arena, Personal	-	-	-	-	-	-	-
Farm machinery sales and services	-	-	-	-	-	-	-
Farm supply sales	-	-	-	-	-	-	-
Fertilizer manufacturing and processing	-	-	-	-	-	-	-
Fish hatcheries	-	-	-	-	-	-	-
Flour mill	-	-	-	-	-	-	-
Grain elevators	-	-	-	-	-	-	-
Railroad yards	-	-	-	-	-	-	-
Riding stables or academy	-	-	-	-	-	-	-
Truck stops	-	-	-	-	-	-	-
Underground fuel storage for use on the property	-	-	-	-	-	-	-
Farming	P	P	P	P	P	P	P
Animal farming in unconfined operations	-	-	-	-	-	-	-
Hemp farming	-	-	-	-	-	-	-
Sod farming	-	-	-	-	-	-	-
Traditional farming	P	P	P	P	P	P	P
Tree farming	-	-	-	-	-	-	-
Nurseries	-	-	-	P	P	P	P
Ranching	-	-	-	-	-	-	-

USE CATEGORIES	ZONE DISTRICT						
	R-3	**R-4**	**MH**	**C-0**	**C-1**	**C-2**	**C-3**
RESIDENTIAL USES							
Group Home for the Developmentally Disabled	C	C	C	-	-	-	-
Group Home for the Elderly	C	C	C	-	-	-	-
Group Living Facility (1 to 5 persons)	P	P	C	-	-	-	-
Group Living Facility (in excess of 5 persons)	C	C	C	-	-	-	-
Group Living Facility (with more than 1 registered sex offender)	C	C	C	-	-	-	-
Manufactured Home Park	C	C	C	C	C	-	-
Mobile Home Park	-	-	P	-	-	-	-
Multi-Family Dwelling	P	P	C	C	C	-	-
Single-Family Dwelling	C	C	P	C	-	-	-
Two-Family Dwelling	C	C	C	C	-	-	-
INSTITUTIONAL USES							
Funeral Home/Mortuary*	-	-	-	-	-	-	P
Funeral Home/Mortuary to include Cremation*	-	-	-	-	-	-	C
Halfway House*	-	-	-	-	-	-	-
Institutional Care	C	C	C	P	P	P	P
Boarding/rooming houses	C	C	C	P	P	P	P
Convalescent homes	C	C	C	P	P	P	P
Convents or monasteries	C	C	C	P	P	P	P
Foster homes	C	C	C	P	P	P	P
Hospitals/clinics	C	C	C	P	P	P	P
Nursing homes	C	C	C	P	P	P	P
Protective living facilities	C	C	C	P	P	P	P
Sanitariums	C	C	C	P	P	P	P
Sheltered care homes	C	C	C	P	P	P	P
Jails and Prisons	-	-	-	-	-	-	-
Jails	-	-	-	-	-	-	-
Penal institutions	-	-	-	-	-	-	-
Prisons	-	-	-	-	-	-	-
Neighborhood Indoor Uses	C	C	C	P	P	P	P
Branch libraries	C	C	C	P	P	P	P
Day care centers (day or nursery schools) (Adult* or Child)	C	C	C	P	P	P	P
Gymnasiums	C	C	C	P	P	P	P
Handball	C	C	C	P	P	P	P

USE CATEGORIES	**ZONE DISTRICT**						
	R-3	**R-4**	**MH**	**C-0**	**C-1**	**C-2**	**C-3**
Handball courts	C	C	C	P	P	P	P
Indoor recreational centers	C	C	C	P	P	P	P
Indoor skating rinks (ice or roller)	C	C	C	P	P	P	P
Indoor swimming pools	C	C	C	P	P	P	P
Neighborhood community or recreational centers	C	C	C	P	P	P	P
Public or private primary and secondary schools (excluding trade schools)	C	C	C	P	P	P	P
Racquetball	C	C	C	P	P	P	P
Tennis	C	C	C	P	P	P	P
Outdoor Public Uses	P	P	P	P	P	P	P
Arboretums	P	P	P	P	P	P	P
Areas for hiking	P	P	P	P	P	P	P
Cemeteries, with or without caretaker residences*****	-	-	-	-	-	-	P
Garden plots	P	P	P	P	P	P	P
Nature areas	P	P	P	P	P	P	P
Picnic areas	P	P	P	P	P	P	P
Public areas for active recreational activities	P	P	P	P	P	P	P
Recreation-oriented parks	P	P	P	P	P	P	P
Wildlife sanctuaries	P	P	P	P	P	P	P
Places of Worship	C	C	C	P	P	P	P
Public Service	C	C	C	C	C	C	C
All government-owned facilities except landfills or mining facilities	C	C	C	C	C	C	C
Emergency service buildings or garages	C	C	C	C	C	C	C
Government offices	C	C	C	C	C	C	C
Utility substations or transmission and distribution facilities	C	C	C	C	C	C	C
Universities	-	-	-	C	C	C	C
COMMERCIAL USES							
Airports, Landing Strips and Heliports	-	-	-	-	-	-	-

(P) Permitted (C) Conditional (S) Special Use Permit (-) Prohibited

USE CATEGORIES	ZONE DISTRICT						
	R-3	**R-4**	**MH**	**C-0**	**C-1**	**C-2**	**C-3**
Animal Hospitals	-	-	-	P	P	P	P
Automobile Service Stations	-	-	-	P	P	P	P
Car washes	-	-	-	P	P	P	P
Convenience stores with gas pumps where vehicles are serviced with minor repairs, oil changes, etc.	-	-	-	P	P	P	P
Gas stations	-	-	-	P	P	P	P
Bed and Breakfast Establishments	-	-	-	P	P	P	P
Campgrounds, Commercial	-	-	-	C	C	C	C
Camps	-	-	-	C	C	C	C
Campsites	-	-	-	C	C	C	C
Recreational vehicle parks	-	-	-	C	C	C	C
Tents	-	-	-	C	C	C	C
Trailer parks	-	-	-	C	C	C	C
Communications Towers, Commercial	-	-	-	C	C	C	C
Antenna arrays (satellite dishes)	-	-	-	C	C	C	C
Radio or TV broadcasting towers	-	-	-	C	C	C	C
Telecommunications towers	-	-	-	C	C	C	C
Commercial Retail	-	-	-	P	P	P	P
Apparel and accessory stores	-	-	-	P	P	P	P
Building supplies	-	-	-	P	P	P	P
Cabinet sales	-	-	-	P	P	P	P
Dry cleaners	-	-	-	P	P	P	P
Engineering and management services	-	-	-	P	P	P	P
Food stores	-	-	-	P	P	P	P
Furniture and home furnishings stores	-	-	-	P	P	P	P
General merchandise stores	-	-	-	P	P	P	P

USE CATEGORIES	**ZONE DISTRICT**						
	R-3	**R-4**	**MH**	**C-0**	**C-1**	**C-2**	**C-3**
Greenhouses (retail) and greenhouses with garden supplies	-	-	-	P	P	P	P
Health services	-	-	-	P	P	P	P
Legal services	-	-	-	P	P	P	P
Membership organizations	-	-	-	P	P	P	P
Miscellaneous retail except fuel dealers	-	-	-	P	P	P	P
Miscellaneous services	-	-	-	P	P	P	P
Social services except care facilities	-	-	-	P	P	P	P
Convenience Retail Store	-	-	-	P	P	P	P
Drive-In Establishments	-	-	-	C	C	P	P
Golf Course/Driving Range, Commercial	C	C	C	C	C	P	P
Heavy Retail and Heavy Services	-	-	-	-	-	C	C
Auto/truck rental/leasing	-	-	-	-	-	C	C
Automobile dealers	-	-	-	C	C	P	P
Automotive repair except top, body, upholstery repair, paint, and tire retreading shops	-	-	-	-	-	C	C
Automotive services except wrecking or towing storage yards	-	-	-	-	-	C	C
Cabinet manufacturing with sales	-	-	-	-	-	C	C
Cold storage	-	-	-	-	-	C	C
Firewood sales, storage, and splitting	-	-	-	-	-	C	C
Flea market	-	-	-	-	-	C	C
Mobile home and manufactured housing dealers with mobile home sales office	-	-	-	-	-	C	C
Pawn shops	-	-	-	-	-	C	C
Radio and TV broadcasting station	-	-	-	-	-	C	C
Indoor Commercial Recreation/Entertainment	-	-	-	-	C	P	P

USE CATEGORIES	ZONE DISTRICT						
	R-3	**R-4**	**MH**	**C-0**	**C-1**	**C-2**	**C-3**
Assembly halls	-	-	-	-	C	P	P
Auditoriums	-	-	-	-	C	P	P
Bowling alleys	-	-	-	-	C	P	P
Indoor sports arenas	-	-	-	-	C	P	P
Movie theaters	-	-	-	-	C	P	P
Physical fitness facilities	-	-	-	-	C	P	P
Pool arcades	-	-	-	-	C	P	P
Video arcades	-	-	-	-	C	P	P
Kennel, Commercial	-	-	-	-	C	C	C
Lodging, Commercial	-	-	-	C	P	P	P
Convention centers	-	-	-	C	P	P	P
Hotels	-	-	-	C	P	P	P
Motels	-	-	-	C	P	P	P
Massage Business	-	-	-	C	C	C	C
Off-Premise Advertising Devices	-	-	-	-	-	-	-
Office	-	-	-	P	P	P	P
Banking and other credit agencies (offices only)	-	-	-	P	P	P	P
Business services	-	-	-	P	P	P	P
Commodity brokers and services	-	-	-	P	P	P	P
Holding and other investments	-	-	-	P	P	P	P
Insurance carriers	-	-	-	P	P	P	P
Medical offices	-	-	-	P	P	P	P
Real estate	-	-	-	P	P	P	P
Security	-	-	-	P	P	P	P
Outdoor Commercial Recreation	-	-	-	-	C	C	C
Amusement parks	-	-	-	-	C	C	C
Archery ranges	-	-	-	-	C	C	C
Batting cages	-	-	-	-	C	C	C
Drive-in theaters	-	-	-	-	C	C	C
Go-cart establishments	-	-	-	-	C	C	C
Ice and roller skating rinks	-	-	-	-	C	C	C
Miniature golf establishments	-	-	-	-	C	C	C
Music arenas	-	-	-	-	C	C	C
Outdoor commercial amusement facilities	-	-	-	-	C	C	**C**

(P) Permitted (C) Conditional (S) Special Use Permit (-) Prohibited

USE CATEGORIES	ZONE DISTRICT						
	R-3	**R-4**	**MH**	**C-0**	**C-1**	**C-2**	**C-3**
Pistol and shooting ranges	-	-	-	-	C	C	C
Theme parks	-	-	-	-	C	C	C
Water slides	-	-	-	-	C	C	C
Parking Lot, Commercial	-	-	-	-	C	C	C
Racing Facilities	-	-	-	-	-	-	-
Automobile racing	-	-	-	-	-	-	-
Dog tracks	-	-	-	-	-	-	-
Horse racing	-	-	-	-	-	-	-
Truck racing	-	-	-	-	-	-	-
Restaurants	-	-	-	C	P	P	P
Services	-	-	-	P	P	P	P
Sexually Oriented Business	-	-	-	-	-	-	-
Trade Schools	-	-	-	-	C	C	P
INDUSTRIAL USES							
Business Park Uses	-	-	-	C	C	C	C
Apparel and other finished products made from fabrics and similar materials	-	-	-	C	C	C	C
Arrangement of transportation of freight and cargo	-	-	-	C	C	C	C
Bakeries	-	-	-	C	C	C	C
Communications	-	-	-	C	C	C	C
Development and testing services	-	-	-	C	C	C	C
Measuring, analyzing, and controlling instrument manufacturing	-	-	-	C	C	C	C
Medical and optical goods	-	-	-	C	C	C	C
Motion picture production and allied services	-	-	-	C	C	C	C
Moving companies	-	-	-	C	C	C	C
Musical instruments and sporting/athletic goods manufacturing	-	-	-	C	C	C	C
Photographic	-	-	-	C	C	C	C
Research	-	-	-	C	C	C	C

(P) Permitted **(C) Conditional** **(S) Special Use Permit** **(-) Prohibited**

USE CATEGORIES	ZONE DISTRICT						
	R-3	**R-4**	**MH**	**C-0**	**C-1**	**C-2**	**C-3**
Space research and technology	-	-	-	C	C	C	C
United states postal service	-	-	-	C	C	C	C
Watches and clocks	-	-	-	C	C	C	C
Extraction or Disposal Uses	C/S	C/S	C/S	C/S	C/S	C/S	C/S
Heavy Industry	-	-	-	-	-	-	-
Alcoholic beverage manufacturing	-	-	-	C	C	C	C
Asphalt and concrete production facilities	-	-	-	-	-	-	-
Auction yards with livestock	-	-	-	-	-	-	-
Automobile manufacturing	-	-	-	-	-	-	-
Chemical manufacturing	-	-	-	-	-	-	-
Chemicals and allied products manufacturing except drugs	-	-	-	-	-	-	-
Heavy construction contractors	-	-	-	-	-	-	-
Manufactured homes	-	-	-	-	-	-	-
Meat processing, packing, packaging, and slaughterhouses	-	-	-	-	-	-	-
Paper, pulp, or paperboard mills	-	-	-	-	-	-	-
Petroleum products manufacturing	-	-	-	-	-	-	-
Railroad transportation	-	-	-	-	-	-	-
Rubber and miscellaneous plastics manufacturing	-	-	-	-	-	-	-
Salvage yards	-	-	-	-	-	-	-
Sawmills	-	-	-	-	-	-	-
Stone and clay products	-	-	-	-	-	-	-
The storage and disassembly of vehicles and the re-assembly of various parts	-	-	-	-	-	-	-

USE CATEGORIES	ZONE DISTRICT						
	R-3	**R-4**	**MH**	**C-0**	**C-1**	**C-2**	**C-3**
Trailer and truck manufacturing	-	-	-	-	-	-	-
Transportation equipment	-	-	-	-	-	-	-
Utility production or processing facilities	-	-	-	-	-	-	-
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	-	-	-	-	-	-	-
Detergent, soap, and by-products manufacturing using animal fat	-	-	-	-	-	-	-
Disinfectant, insecticide, or poison manufacturing	-	-	-	-	-	-	-
Distillation of bone, refuse, grain, and wood	-	-	-	-	-	-	-
Dye manufacturing	-	-	-	-	-	-	-
Felt manufacturing	-	-	-	-	-	-	-
Fossil fuel manufacturing	-	-	-	-	-	-	-
Fuel, oil, gasoline, and petroleum products (bulk storage and/or sale)	-	-	-	C	C	C	C
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	-	-	-	-	-	-	-

USE CATEGORIES	ZONE DISTRICT						
	R-3	**R-4**	**MH**	**C-0**	**C-1**	**C-2**	**C-3**
Paint and enamel manufacturing	-	-	-	-	-	-	-
Pickle manufacturing	-	-	-	-	-	-	-
Recycling Facilities	-	-	-	-	-	-	-
Scrap processing or shredding yard	-	-	-	-	-	-	-
Smelting or refining of metal	-	-	-	-	-	-	-
Sugar and beet refining	-	-	-	-	-	-	-
Tar and waterproofing (materials manufacturing, treatment, and bulk storage)	-	-	-	-	-	-	-
Landscape Storage Yards*	-	-	-	-	-	-	-
Light Industry	-	-	-	-	-	-	-
Auction houses without livestock	-	-	-	-	-	-	-
Auto towing and storage yards	-	-	-	-	-	-	-
Automotive repair, including top, body, upholstery repair, paint, and tire re-treading shops	-	-	-	-	-	-	-
Bus repair	-	-	-	-	-	-	-
Dairy and food processing and manufacturing facilities	-	-	-	-	-	-	-
Drug manufacturing	-	-	-	-	-	-	-
Dry cleaning plants	-	-	-	-	-	-	-
Electric and electronic equipment, including electronic distribution and electrical industrial	-	-	-	-	-	-	-
Fabricated metal, sheet metal shops, metal products manufacturing	-	-	-	-	-	-	-
Fuel and ice dealers	-	-	-	-	-	-	-
Furniture and fixtures	-	-	-	-	-	-	-
General building contractors	-	-	-	-	-	-	-
Instruments and related products	-	-	-	-	-	-	-

USE CATEGORIES	ZONE DISTRICT						
	R-3	**R-4**	**MH**	**C-0**	**C-1**	**C-2**	**C-3**
Leather and leather products, including tanning and finishing	-	-	-	-	-	-	-
Local and interurban passenger transit	-	-	-	-	-	-	-
Lumber, building materials, and wood products	-	-	-	-	-	-	-
Meat processing and packaging, excluding meat packing and slaughter	-	-	-	-	-	-	-
Miscellaneous manufacturing industries	-	-	-	-	-	-	-
Paper products, except mills	-	-	-	-	-	-	-
Printing and publishing	-	-	-	-	-	-	-
Recreational vehicle storage	-	-	-	-	-	-	-
Special trade contractors	-	-	-	-	-	-	-
Special warehousing and storage	-	-	-	-	-	-	-
Textiles and apparel	-	-	-	-	-	-	-
Transportation services	-	-	-	-	-	-	-
Trucking and general warehousing, including mini-storage	-	-	-	-	-	-	-
Welding repair	-	-	-	-	-	-	-
Wholesale trade (durable and non-durable)	-	-	-	-	-	-	-
Light Manufacturing or Processing	-	-	-	-	-	-	-
Beverage manufacturing	-	-	-	-	-	-	-
Book binding	-	-	-	-	-	-	-
Canvas products manufacturing	-	-	-	-	-	-	-
Clothing or cloth manufacturing	-	-	-	-	-	-	-
Office and computing machines	-	-	-	-	-	-	-
Electronics manufacturing	-	-	-	-	-	-	-

USE CATEGORIES	ZONE DISTRICT						
	R-3	**R-4**	**MH**	**C-0**	**C-1**	**C-2**	**C-3**
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	-	-	-	-	-	-	-
Major Energy Facility	C	C	C	C	C	C	C
Moderate Manufacturing or Processing	-	-	-	-	-	-	-
Can manufacturing	-	-	-	-	-	-	-
Candy product manufacturing (for sale off premises)	-	-	-	-	-	-	-
Cement, cinder block, concrete, lime or plaster manufacturing	-	-	-	-	-	-	-
Cosmetic and perfume manufacturing	-	-	-	-	-	-	-
Creosote manufacturing or treatment plant	-	-	-	-	-	-	-
Fat rendering production	-	-	-	-	-	-	-
Forging plant and foundry	-	-	-	-	-	-	-
Glass or glass product manufacturing	-	-	-	-	-	-	-
Metal ingots, casting sheets, or bearings, forging or rolling mills	-	-	-	-	-	-	-
Millinery manufacturing	-	-	-	-	-	-	-
Mobile homes manufacturing and storage	-	-	-	-	-	-	-
Vacation camper manufacturing	-	-	-	-	-	-	-

USE CATEGORIES	ZONE DISTRICT						
	R-3	**R-4**	**MH**	**C-0**	**C-1**	**C-2**	**C-3**
Accessory Outdoor Storage (up to 25% of the building area)*	-	-	-	-	-	-	P
Accessory Outdoor Storage (in excess of 25% and up to 100% of the building area)*	-	-	-	-	-	-	-
Outdoor Storage (in excess of 100% of the building area)*	-	-	-	-	-	-	-
MARIJUANA ESTABLISHMENTS							
Medical Marijuana Center	-	-	-	-	-	-	P
Retail Marijuana Store	-	-	-	-	-	-	P
Medical Marijuana Infused Products Manufacturer	-	-	-	-	-	-	-
Retail Marijuana Product Manufacturing Facility	-	-	-	-	-	-	-
Medical Marijuana Optional Premises Cultivation Operation	-	-	-	-	-	-	P
Retail Marijuana Cultivation Facility	-	-	-	-	-	-	P
Retail Marijuana Testing Facility	-	-	-	-	-	-	-

USE CATEGORIES	ZONE DISTRICT						
	C-4	C-5	I-1	I-2	I-3	CO	P-L
AGRICULTURAL USES							
Agricultural Businesses	C	P	P	P	P	-	-
Dairies	C	P	P	P	P	-	-
Poultry farms	C	P	P	P	P	-	-
Fur farms	C	P	P	P	P	-	-
Exotic animal farms	C	P	P	P	P	-	-
Animal confinement operations	C	P	P	P	P	-	-
Agricultural Support Businesses and Services	C	P	P	P	P	-	-
Equestrian Arena, Commercial	-	-	-	-	-	-	-
Equestrian Arena, Personal	-	-	-	-	-	-	-
Farm machinery sales and services	C	P	P	P	P	-	-
Farm supply sales	C	P	P	P	P	-	-
Fertilizer manufacturing and processing	C	P	P	P	P	-	-
Fish hatcheries	C	P	P	P	P	-	-
Flour mill	C	P	P	P	P	-	-
Grain elevators	C	P	P	P	P	-	-
Railroad yards	C	P	P	P	P	-	-
Riding stables or academy	C	P	P	P	P	-	-
Truck stops	C	P	P	P	P	-	-
Underground fuel storage for use on the property	C	P	P	P	P	-	-
Farming	P	P	P	P	P	P/ C	P
Animal farming in unconfined operations	-	-	P	P	P	P/ C	P
Hemp farming	-	-	P	P	P	P/C	P
Sod farming	-	-	P	P	P	P/ C	P
Traditional farming	P	P	P	P	P	P/ C	P
Tree farming	-	-	P	P	P	P/ C	P
Nurseries	P	P	P	P	P	P/ C	P
Ranching	-	-	P	P	P	P/ C	P

USE CATEGORIES	ZONE DISTRICT						
	C-4	C-5	I-1	I-2	I-3	CO	P-L
RESIDENTIAL USES							
Group Home for the Developmentally Disabled	-	-	-	-	-	-	-
Group Home for the Elderly	-	-	-	-	-	-	-
Group Living Facility (1 to 5 persons)	-	-	-	-	-	-	-
Group Living Facility (in excess of 5 persons)	-	-	-	-	-	-	-
Group living facility (with more than 1 registered sex offender	-	-	-	-	-	-	-
Manufactured Home Park	-	-	-	-	-	-	-
Mobile Home Park	-	-	-	-	-	-	-
Multi-Family Dwelling	-	-	-	-	-	-	-
Single-Family Dwelling	-	-	-	-	-	C	-
Two-Family Dwelling	-	-	-	-	-	-	-
INSTITUTIONAL USES							
Funeral Home/Mortuary*	P	P	P	P	P	-	-
Funeral Home/Mortuary to include Cremation*	C	C	P	P	P	-	-
Halfway House*	-	C	C	C	C	-	C
Institutional Care	P	P	P	P	P	-	P
Boarding/rooming houses	P	P	P	P	P	-	P
Convalescent homes	P	P	P	P	P	-	P
Convents or monasteries	P	P	P	P	P	-	P
Foster homes	P	P	P	P	P	-	P
Hospitals/clinics	P	P	P	P	P	-	P
Nursing homes	P	P	P	P	P	-	P
Protective living facilities	P	P	P	P	P	-	P
Sanitariums	P	P	P	P	P	-	P
Sheltered care homes	P	P	P	P	P	-	P
Jails and Prisons	-	C	C	C	C	-	C
Jails	-	C	C	C	C	-	C
Penal institutions	-	C	C	C	C	-	C
Prisons	-	C	C	C	C	-	C
Neighborhood Indoor Uses	P	P	P	P	P	-	P
Branch libraries	P	P	P	P	P	-	P
Day care centers (day or nursery schools) (Adult* or Child)	P	P	P	P	P	-	P
Gymnasiums	P	P	P	P	P	-	P
Handball	P	P	P	P	P	-	P

USE CATEGORIES	ZONE DISTRICT						
	C-4	C-5	I-1	I-2	I-3	CO	P-L
Handball courts	P	P	P	P	P	-	P
Indoor recreational centers	P	P	P	P	P	-	P
Indoor skating rinks (ice or roller)	P	P	P	P	P	-	P
Indoor swimming pools	P	P	P	P	P	-	P
Neighborhood community or recreational centers	P	P	P	P	P	-	P
Public or private primary and secondary schools (excluding trade schools)	P	P	P	P	P	-	P
Racquetball	P	P	P	P	P	-	P
Tennis	P	P	P	P	P	-	P
Outdoor Public Uses	P	P	P	P	P	P/ C	P
Arboretums	P	P	P	P	P	P/ C	P
Areas for hiking	P	P	P	P	P	P/ C	P
Cemeteries, with or without caretaker residences*****	P	P	P	P	P	-	-
Garden plots	P	P	P	P	P	P/ C	P
Nature areas	P	P	P	P	P	P/ C	P
Picnic areas	P	P	P	P	P	P/ C	P
Public areas for active recreational activities	P	P	P	P	P	P/ C	P
Recreation-oriented parks	P	P	P	P	P	P/ C	P
Wildlife sanctuaries	P	P	P	P	P	P/ C	P
Places of Worship	P	P	P	C	C	-	-
Public Service	C	C	C	C	C	C	P
All government-owned facilities except landfills or mining facilities	C	C	C	C	C	C	P
Emergency service buildings or garages	C	C	C	C	C	C	P
Government offices	C	C	C	C	C	C	P
Utility substations or transmission and distribution facilities	C	C	C	C	C	C	P
Universities	C	C	C	C	C	-	P
COMMERCIAL USES							
Airports, Landing Strips and Heliports	-	-	C	C	C	-	C

USE CATEGORIES	ZONE DISTRICT						
	C-4	C-5	I-1	I-2	I-3	CO	P-L
Animal Hospitals	P	P	P	P	P	-	-
Automobile Service Stations	P	P	P	P	P	-	-
Car washes	P	P	P	P	P	-	-
Convenience stores with gas pumps where vehicles are serviced with minor repairs, oil changes, etc.	P	P	P	P	P	-	-
Gas stations	P	P	P	P	P	-	-
Bed and Breakfast Establishments	P	P	P	P	P	-	-
Campgrounds, Commercial	C	C	C	C	C	-	-
Camps	C	C	C	C	C	-	-
Campsites	C	C	C	C	C	-	-
Recreational vehicle parks	C	C	C	C	C	-	-
Tents	C	C	C	C	C	-	-
Trailer parks	C	C	C	C	C	-	-
Communications Towers, Commercial	C	C	C	C	C	-	-
Antenna arrays (satellite dishes)	C	C	C	C	C	-	-
Radio or TV broadcasting towers	C	C	C	C	C	-	-
Telecommunications towers	C	C	C	C	C	-	-
Commercial Retail	P	P	P	P	P	-	-
Apparel and accessory stores	P	P	P	P	P	-	-
Building supplies	P	P	P	P	P	-	-
Cabinet sales	P	P	P	P	P	-	-
Dry cleaners	P	P	P	P	P	-	-
Engineering and management services	P	P	P	P	P	-	-
Food stores	P	P	P	P	P	-	-
Furniture and home furnishings stores	P	P	P	P	P	-	-
General merchandise stores	P	P	P	P	P	-	-

USE CATEGORIES	ZONE DISTRICT						
	C-4	C-5	I-1	I-2	I-3	CO	P-L
Greenhouses (retail) and greenhouses with garden supplies	P	P	P	P	P	-	-
Health services	P	P	P	P	P	-	-
Legal services	P	P	P	P	P	-	-
Membership organizations	P	P	P	P	P	-	-
Miscellaneous retail except fuel dealers	P	P	P	P	P	-	-
Miscellaneous services	P	P	P	P	P	-	-
Social services except care facilities	P	P	P	P	P	-	-
Convenience Retail Store	P	P	P	P	P	-	-
Drive-In Establishments	P	P	P	P	P	-	-
Golf Course/Driving Range, Commercial	P	P	P	P	P	-	-
Heavy Retail and Heavy Services	C	C	P	P	P	-	-
Auto/truck rental/leasing	C	C	P	P	P	-	-
Automobile dealers	P	P	P	P	P	-	-
Automotive repair except top, body, upholstery repair, paint, and tire retreading shops	P	P	P	P	P	-	-
Automotive services except wrecking or towing storage yards	C	C	P	P	P	-	-
Cabinet manufacturing with sales	C	C	P	P	P	-	-
Cold storage	C	C	P	P	P	-	-
Firewood sales, storage, and splitting	C	C	P	P	P	-	-
Flea market	C	C	P	P	P	-	-
Mobile home and manufactured housing dealers with mobile home sales office	C	C	P	P	P	-	-
Pawn shops	C	C	P	P	P	-	-
Radio and TV broadcasting station	C	C	P	P	P	-	-
Indoor Commercial Recreation/Entertainment	P	P	P	P	P	-	-

USE CATEGORIES	ZONE DISTRICT						
	C-4	C-5	I-1	I-2	I-3	CO	P-L
Assembly halls	P	P	P	P	P	-	-
Auditoriums	P	P	P	P	P	-	-
Bowling alleys	P	P	P	P	P	-	-
Indoor sports arenas	P	P	P	P	P	-	-
Movie theaters	P	P	P	P	P	-	-
Physical fitness facilities	P	P	P	P	P	-	-
Pool arcades	P	P	P	P	P	-	-
Video arcades	P	P	P	P	P	-	-
Kennel, Commercial	C	C	C	C	C	-	-
Lodging, Commercial	P	P	P	P	P	-	-
Convention centers	P	P	P	P	P	-	-
Hotels	P	P	P	P	P	-	-
Motels	P	P	P	P	P	-	-
Massage Business	C	C	C	C	C	-	-
Off-Premise Advertising Devices	-	C	C	C	C	-	-
Office	P	P	P	P	P	-	-
Banking and other credit agencies (offices only)	P	P	P	P	P	-	-
Business services	P	P	P	P	P	-	-
Commodity brokers and services	P	P	P	P	P	-	-
Holding and other investments	P	P	P	P	P	-	-
Insurance carriers	P	P	P	P	P	-	-
Medical offices	P	P	P	P	P	-	-
Real estate	P	P	P	P	P	-	-
Security	P	P	P	P	P	-	-
Outdoor Commercial Recreation	C	C	C	C	C	-	-
Amusement parks	C	C	C	C	C	-	-
Archery ranges	C	C	C	C	C	-	-
Batting cages	C	C	C	C	C	-	-
Drive-in theaters	C	C	C	C	C	-	-
Go-cart establishments	C	C	C	C	C	-	-
Ice and roller skating rinks	C	C	C	C	C	-	-
Miniature golf establishments	C	C	C	C	C	-	-
Music arenas	C	C	C	C	C	-	-
Outdoor commercial amusement facilities	C	C	C	C	C	-	-

USE CATEGORIES	ZONE DISTRICT						
	C-4	C-5	I-1	I-2	I-3	CO	P-L
Pistol and shooting ranges	C	C	C	C	C	-	-
Theme parks	C	C	C	C	C	-	-
Water slides	C	C	C	C	C	-	-
Parking Lot, Commercial	P	P	P	P	P	-	-
Racing Facilities	C	C	C	C	C	-	-
Automobile racing	C	C	C	C	C	-	-
Dog tracks	C	C	C	C	C	-	-
Horse racing	C	C	C	C	C	-	-
Truck racing	C	C	C	C	C	-	-
Restaurants	P	P	P	P	P	-	-
Services	P	P	P	P	P	-	-
Sexually Oriented Business	P	P	P	P	P	-	-
Trade Schools	P	P	P	P	P	-	-
INDUSTRIAL USES							
Business Park Uses	P	P	P	P	P	-	-
Apparel and other finished products made from fabrics and similar materials	P	P	P	P	P	-	-
Arrangement of transportation of freight and cargo	P	P	P	P	P	-	-
Bakeries	P	P	P	P	P	-	-
Communications	P	P	P	P	P	-	-
Development and testing services	P	P	P	P	P	-	-
Measuring, analyzing, and controlling instrument manufacturing	P	P	P	P	P	-	-
Medical and optical goods	P	P	P	P	P	-	-
Motion picture production and allied services	P	P	P	P	P	-	-
Moving companies	P	P	P	P	P	-	-
Musical instruments and sporting/athletic goods manufacturing	P	P	P	P	P	-	-
Photographic	P	P	P	P	P	-	-
Research	P	P	P	P	P	-	-

USE CATEGORIES	ZONE DISTRICT						
	C-4	C-5	I-1	I-2	I-3	CO	P-L
Space research and technology	P	P	P	P	P	-	-
United states postal service	P	P	P	P	P	-	-
Watches and clocks	P	P	P	P	P	-	-
Extraction or Disposal Uses	C/S	C/S	C/S	C/S	C/S	-	-
Heavy Industry	-	-	C	P/ C	P/ C	-	-
Alcoholic beverage manufacturing	P	P	P	P	P	-	-
Asphalt and concrete production facilities	-	-	C	P	P	-	-
Auction yards with livestock	-	-	C	P	P	-	-
Automobile manufacturing	-	-	C	P	P	-	-
Chemical manufacturing	-	-	C	P	P	-	-
Chemicals and allied products manufacturing except drugs	-	-	C	P	P	-	-
Heavy construction contractors	-	-	C	P	P	-	-
Manufactured homes	-	-	C	P	P	-	-
Meat processing, packing, packaging and slaughterhouses	-	-	C	P	P	-	-
Paper, pulp, or paperboard mills	-	-	C	P	P	-	-
Petroleum products manufacturing	-	-	C	P	P	-	-
Railroad transportation	-	-	C	P	P	-	-
Rubber and miscellaneous plastics manufacturing	-	-	C	P	P	-	-
Salvage yards	-	-	C	P	P	-	-
Sawmills	-	-	C	P	P	-	-
Stone and clay products	-	-	C	P	P	-	-
The storage and disassembly of vehicles and the re-assembly of various parts	-	-	C	P	P	-	-

USE CATEGORIES	ZONE DISTRICT						
	C-4	C-5	I-1	I-2	I-3	CO	P-L
Trailer and truck manufacturing	-	-	C	P	P	-	-
Transportation equipment	-	-	C	P	P	-	-
Utility production or processing facilities	-	-	C	P	P	-	-
Heavy Manufacturing or Processing	-	-	-	C	P	-	-
Abrasive manufacturing	-	-	-	C	P	-	-
Acid manufacturing	-	-	-	C	C	-	-
Asbestos products manufacturing	-	-	-	C	C	-	-
Boiler or tank manufacturing	-	-	C	P	P	-	-
Bone reduction	-	-	-	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	-	-
Fuel, oil, gasoline, and petroleum products (bulk storage and/or sale)	-	-	P	P	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	-	-	P	P	P	-	-
Oil compounding	-	-	-	C	C	-	-

USE CATEGORIES	ZONE DISTRICT						
	C-4	C-5	I-1	I-2	I-3	CO	P-L
Paint and enamel manufacturing	-	-	C	C	C	-	-
Pickle manufacturing	-	-	P	P	P	-	-
Recycling Facilities	-	-	C	C	C	-	--
Scrap processing or shredding yard	-	-	C	C	C	-	-
Smelting or refining of metal	-	-	C	C	C	-	-
Sugar and beet refining	-	-	P	P	P	-	-
Tar and waterproofing (materials manufacturing, treatment, and bulk storage)	-	-	C	C	C	-	-
Landscape Storage Yards*	-	C	P	P	P	-	-
Light Industry	-	C	P	P	P	-	-
Auction houses without livestock	-	C	P	P	P	-	-
Auto towing and storage yards	-	C	P	P	P	-	-
Automotive repair, including top, body, upholstery repair, paint, and tire re-treading shops	P	P	P	P	P	-	-
Bus repair	-	C	P	P	P	-	-
Dairy and food processing and manufacturing facilities	-	C	P	P	P	-	-
Drug manufacturing	-	C	P	P	P	-	-
Dry cleaning plants	-	C	P	P	P	-	-
Electric and electronic equipment, including electronic distribution and electrical industrial	-	C	P	P	P	-	-
Fabricated metal, sheet metal shops, metal products manufacturing	-	C	P	P	P	-	-
Fuel and ice dealers	-	C	P	P	P	-	-
Furniture and fixtures	-	C	P	P	P	-	-
General building contractors	-	C	P	P	P	-	-
Instruments and related products	-	C	P	P	P	-	-

USE CATEGORIES	ZONE DISTRICT						
	C-4	C-5	I-1	I-2	I-3	CO	P-L
Leather and leather products, including tanning and finishing	-	C	P	P	P	-	-
Local and interurban passenger transit	-	C	P	P	P	-	-
Lumber, building materials, and wood products	-	C	P	P	P	-	-
Meat processing and packaging, excluding meat packing and slaughter	-	C	P	P	P	-	-
Miscellaneous manufacturing industries	-	C	P	P	P	-	-
Paper products, except mills	-	C	P	P	P	-	-
Printing and publishing	-	C	P	P	P	-	-
Recreational vehicle storage	-	C	P	P	P	-	-
Special trade contractors	-	C	P	P	P	-	-
Special warehousing and storage	-	C	P	P	P	-	-
Textiles and apparel	-	C	P	P	P	-	-
Transportation services	-	C	P	P	P	-	-
Trucking and general warehousing, including mini-storage	-	C	P	P	P	-	-
Welding repair	-	C	P	P	P	-	-
Wholesale trade (durable and non-durable)	-	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	-	-

USE CATEGORIES	ZONE DISTRICT						
	C-4	C-5	I-1	I-2	I-3	CO	P-L
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	-	-
Major Energy Facility	C	C	C	C	C	C	-
Moderate Manufacturing or Processing	-	-	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	P	P	-	-
Cosmetic and perfume manufacturing	-	-	P	P	P	-	-
Creosote manufacturing or treatment plant	-	-	C	C	C	-	-
Fat rendering production	-	-	P	P	P	-	-
Forging plant and foundry			C	C	P	-	-
Glass or glass product manufacturing	-	-	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	-	-

USE CATEGORIES	ZONE DISTRICT						
	C-4	C-5	I-1	I-2	I-3	CO	P-L
Accessory Outdoor Storage (up to 25% of the building area)*	P	P	P	P	P	-	-
Accessory Outdoor Storage (in excess of 25% and up to 100% of the building area)*	-	C	P	P	P	-	-
Outdoor Storage (in excess of 100% of the building area)*	-	-	C	P/C	P/C	-	-
MARIJUANA ESTABLISHMENTS							
Medical Marijuana Center	P	P	P	P	P	-	-
Retail Marijuana Store	P	P	P	P	P	-	-
Medical Marijuana Infused Products Manufacturer	-	-	P	P	P	-	-
Retail Marijuana Product Manufacturing Facility	-	-	P	P	P	-	-
Medical Marijuana Optional Premises Cultivation Operation	P	P	P	P	P	-	-
Retail Marijuana Cultivation Facility	P	P	P	P	P	-	-
Retail Marijuana Testing Facility	-	-	P	P	P	-	-

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

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.

ZONE DISTRICT		AGRICULTURE-1 (A-1)	AGRICULTURE-2 (A-2)	AGRICULTURE-3 (A-3)
MINIMUM LOT SIZE		2.5 acres	10 acres	35 acres
MINIMUM LOT WIDTH	**W/Well AND Individual Sewage Disposal 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
		Local or Collector: 30 feet	Local or Collector: 50 feet	Local or Collector: 50 feet
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	120 feet
MINIMUM SETBACKS FOR ACCESSORY STRUCTURE OR AG. BUILDING	**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
	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		AGRICULTURE-1 (A-1)	AGRICULTURE-2 (A-2)	AGRICULTURE-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)
MAXIMUM STRUCTURE COVERAGE	W/Well AND Indiv. Sewage Disposal System	6% of lot area (access. bldg. n/a without a principal dwelling	N/A (access. bldg. n/a without a principal dwelling)	N/A
	W/Public Water OR Sewer	7.5% 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		
MINIMUM FLOOR AREA OF DWELLING	Single Story Dwelling	1,200 square feet	1,200 square feet	1,200 square feet
	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 1st floor plus 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.)	900 square feet on the 1st floor plus 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.)	900 square feet on the 1st floor plus 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.)

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)	Corner Lots: 7,500 square feet	Internal Lots: 7,000 square feet
MINIMUM LOT WIDTH	**W/Well AND Individual Sewage Disposal System**	150 feet	N/A	
	W/Public Water OR Sewer Facilities	100 feet	N/A	
	Corner Lot	N/A	70 feet	
	Internal Lot	N/A	65 feet	
MINIMUM SETBACKS FOR PRINCIPAL STRUCTURE	**Front**	30 feet	20 feet	
	Side Corner	30 feet	20 feet	
	Side	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	
	Rear	20 feet	15 feet	
	R.O.W.	State Highway or Arterial: 50 feet Local or Collector: 30 feet	State Highway or Arterial: 50 feet Local or Collector: 20 feet	
SETBACK FROM SECTION LINES (Variations may be permitted if the Department of Transportation 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	30 feet or equal to the principal dwelling, whichever is greater	At least equal to the principal dwelling or more
	Side Corner	30 feet or equal to the principal dwelling, whichever is greater	20 feet or equal to the principal dwelling, whichever is greater
	Side	20 feet	5 feet
	Rear	10 feet	5 feet
	R.O.W.	State Highway or Arterial: 50 feet	State Highway or Arterial: 50 feet
MAXIMUM HEIGHT	Dwelling	35 feet	25 feet
	Accessory Structure	25 feet	16 feet
MAXIMUM STRUCTURE COVERAGE	W/Well AND Individual Sewage Disposal System	12.5% of lot area	N/A
	W/Public Water OR Sewer	12.5% of lot area	N/A
	W/Public Water AND Sewer	12.5% of lot area	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: 4,500 square feet per dwelling unit		Attached Dwellings on Individual Lot: 2,500 square feet per dwelling	2 acres	5,000 square feet
		Single Family Lot				
		Corner Lot: 7,500 square feet	Internal Lot: 7,000 square feet	Attached Dwellings on One Lot: 9,500 square feet per three dwellings		
MAXIMUM DENSITY		N/A		14 dwelling units per acre	35 dwelling units per acre	N/A
MINIMUM LOT WIDTH		Two-Family Lot		Attached Dwellings on Individual Lot: 25 feet	200 feet	Mobile Homes less than or equal to 20 feet wide: 45 feet
		Corner Lot: 50 feet	Internal Lot: 45 feet			
		Single Family Lot		Attached Dwellings on One Lot: 150 feet		Mobile Homes more than 20 feet wide: 50 feet
		Corner Lot: 70 feet	Internal Lot: 65 feet			
MINIMUM SETBACKS FOR PRINCIPAL STRUCTURE	Front	20 feet		20 feet	50 feet	20 feet
	Side Corner	20 feet		20 feet	50 feet	20 feet
	Side	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		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

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 Transportationdetermines no additional r.o.w. 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	20 feet	50 feet	20 feet
	Side Corner		20 feet	20 feet	50 feet	20 feet
	Side		5 feet	5 feet	5 feet	5 feet
	Rear		5 feet	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**		25 feet	35 feet	70 feet	20 feet
	Accessory Structure		16 feet	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
MINIMUM FLOOR AREA OF DWELLING	**Two-family**		1,000 square feet per dwelling unit	N/A	N/A	600 square feet
	Single Family		1,250 square feet	N/A	N/A	
	Efficiency Unit		N/A	450 square feet	450 square feet	
	One Bedroom		N/A	600 square feet	600 square feet	
	Two Bedroom		N/A	750 square feet	750 square feet	
	Three Bedroom		N/A	900 square feet	900 square feet	
	Four Bedroom		N/A	1,000 square feet	1,000 square feet	

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
MINIMUM SETBACKS FOR A STRUCTURE	**Front**	50 feet	50 feet	50 feet
	Side Corner	50 feet	50 feet	50 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: 75 feet	State Highway or Arterial: 75 feet	State Highway or Arterial: 75 feet
		Local or Collector: 50 feet	Local or Collector: 50 feet	Local or Collector: 50 feet
SETBACK FROM SECTION LINES (Variations may be permitted if the Dept. of Transportation 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
MINIMUM SETBACKS FOR A STRUCTURE	Front		50 feet	50 feet	50 feet
	Side Corner		50 feet	50 feet	50 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: 75 feet	State Highway or Arterial: 75 feet	State Highway or Arterial: 75 feet
			Local or Collector: 50 feet	Local or Collector: 50 feet	Local or Collector: 50 feet
SETBACK FROM SECTION LINES (Variations may be permitted if the Department of Transportation determines no additional right-of-way is required.)			145 feet	145 feet	145 feet
MAXIMUM HEIGHT			60 feet	75 feet	90 feet

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 USES

The following uses are permitted uses in an Agricultural-1 District, subject to building permit review and approval. Only one principal use shall be permitted per lot.

3-08-02-01 PERMITTED PRINCIPAL AGRICULTURAL USES

The following principal agricultural uses are permitted in an Agricultural-1 District as noted above:

1. Farming
2. Nurseries
3. Ranching
4. Equestrian Arena, Personal

3-08-02-02 PERMITTED PRINCIPAL RESIDENTIAL USES

The following principal residential uses are permitted in an Agricultural-1 District as noted above:

1. Single Family Dwelling
2. Group Living Facility (1 to 5 persons)

3-08-02-03 PERMITTED PRINCIPAL INSTITUTIONAL USES

The following principal institutional uses are permitted in an Agricultural-1 District as noted above:

1. Funeral Home/Mortuary ***Adopted by the BoCC on December 13, 2010**

2. Outdoor Public Uses (Excluding Cemeteries)

3-08-02-04 PERMITTED PRINCIPAL COMMERCIAL USES

The following principal commercial uses are permitted in an Agricultural-1 District as noted above:

1. Bed and Breakfast

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

3-08-04 PERMITTED CONDITIONAL USES

The following uses are permitted in an Agricultural-1 District, subject to the issuance of a Conditional Use Permit from the Board of County Commissioners and building permit review and approval:

3-08-04-01 PERMITTED CONDITIONAL AGRICULTURAL USES

The following conditional agricultural uses are permitted in an Agricultural-1 District as noted above:

1. Agricultural Support Businesses and Services
2. Agricultural Business
3. Equestrian Arena, Commercial

3-08-04-02 PERMITTED CONDITIONAL RESIDENTIAL USES

The following conditional residential uses are permitted in an Agricultural-1 District as noted above:

1. Two-Family Dwelling
2. Group Living Facility (in excess of 5 persons)
3. Group Living Facility (with more than 1 registered sex offender), including Group home for the developmentally disabled, and Group home for the elderly.

3-08-04-03 PERMITTED CONDITIONAL INSTITUTIONAL USES

The following conditional institutional uses are permitted in an Agricultural-1 District as noted above:

1. Funeral Home/Mortuary to include Cremation ***Adopted by the BoCC on December 13, 2010**
2. Institutional Care
3. Neighborhood Indoor Uses
4. Outdoor Public Uses (Cemeteries) ***Adopted by the BoCC on December 13, 2010**
5. Places of Worship
6. Public Service
7. Universities

3-08-04-04 PERMITTED CONDITIONAL COMMERCIAL USES

The following conditional commercial uses are permitted in an Agricultural-1 District as noted above:

1. Airports, Landing Strips, and Heliports
2. Animal Hospitals
3. Campgrounds, Commercial
4. Communications Towers, Commercial
5. Golf Course/Driving Range, Commercial
6. Kennel, Commercial
7. Outdoor Commercial Recreation
8. Trade Schools

3-08-04-05 PERMITTED CONDITIONAL INDUSTRIAL USES

The following conditional industrial uses are permitted in an Agricultural-1 District as noted above:

1. Extraction and Disposal Uses (Except Oil and Gas Drilling and Production shall be processed as a Special Use Permit unless the County elects to execute a Memorandum of Understanding; see Chapters 2 and 4).
2. Local and interurban passenger transit
3. Major Energy Facilities

3-08-05 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.

3-08-06 PROHIBITED USES

All uses: (1) not expressly identified as permitted uses in this Section; 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.

3-08-07 AREA AND HEIGHT STANDARDS

3-08-07-01 MINIMUM LOT SIZE REQUIREMENTS

The minimum lot size requirement in an Agricultural-1 District shall be 2.5 acres.

3-08-07-02 MINIMUM LOT WIDTH REQUIREMENTS

3-08-07-02-01 *MINIMUM WITH WELL AND INDIVIDUAL SEWAGE DISPOSAL SYSTEM*

The minimum width of a lot in an Agricultural-1 District with a well and individual sewage disposal system shall be one-hundred-fifty (150) feet.

3-08-07-02-02 *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.

3-08-07-03 SETBACK AND DIMENSIONAL REQUIREMENTS FOR A PRINCIPAL STRUCTURE

3-08-07-03-01 *MINIMUM FRONT SETBACK*

The minimum front setback for a principal structure in an Agricultural-1 District shall be thirty (30) feet.

3-08-07-03-02 *MINIMUM SIDE CORNER SETBACK*

The minimum side corner setback for a principal structure in an Agricultural-1 District shall be thirty (30) feet.

3-08-07-03-03 *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.

3-08-07-03-04 *MINIMUM REAR SETBACK*

The minimum rear setback for a principal structure in an Agricultural-1 District shall be twenty (20) feet.

3-08-07-03-05 *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.

3-08-07-03-06 *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 Transportation determines no additional right-of-way is required.

3-08-07-04 SETBACK AND DIMENSIONAL REQUIREMENTS FOR ACCESSORY STRUCTURES OR AGRICULTURE BUILDINGS

3-08-07-04-01 *MINIMUM FRONT SETBACK*

All accessory structures shall be setback 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.

3-08-07-04-02 *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.

3-08-07-04-03 *MINIMUM REAR SETBACK*

The minimum rear setback for accessory structures in an Agricultural-1 District shall be ten (10) feet.

3-08-07-04-04 *MINIMUM R.O.W. SETBACK*

All accessory structures shall be setback 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 Transportation determines no additional right-of-way is required.

3-08-07-04-05 *MINIMUM SETBACK FROM SECTION LINE FOR ALL ACCESSORY STRUCTURES*

The minimum setback from a section line for all accessory structures in an Agricultural-1 District shall be one-hundred-twenty (120) feet. Variations may be permitted if the Department of Transportation determines no additional right-of-way is required. Accessory buildings shall not be constructed prior to the principal dwelling on a lot.

3-08-07-05 MAXIMUM HEIGHT

3-08-07-05-01 *DWELLINGS AND ACCESSORY STRUCTURES*

The maximum height of dwellings and accessory structures in an Agricultural-1 District shall be thirty-five (35) feet.

3-08-07-05-02 *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.

3-08-07-06 MAXIMUM STRUCTURE COVERAGE

3-08-07-06-01 *LOT SERVED BY WELL AND INDIVIDUAL SEWAGE DISPOSAL SYSTEM*

The maximum structure coverage on a lot served by a well and individual sewage disposal system in an Agricultural-1 District shall be 6% of lot area.

3-08-07-06-02 *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 7.5% of lot area.

3-08-07-06-03 *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.

3-08-07-06-04 *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.

3-08-07-07 MINIMUM FLOOR AREA OF DWELLINGS

3-08-07-07-01 *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.

3-08-07-07-02 *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.

3-08-07-07-03 *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.

3-08-08 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-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 USES

The following uses are permitted uses in an Agricultural-2 District, subject to building permit review and approval. Only one (1) principal use shall be permitted per lot.

3-09-02-01 PERMITTED PRINCIPAL AGRICULTURAL USES

The following principal agricultural uses are permitted in an Agricultural-2 District as noted above:

1. Farming
2. Nurseries
3. Ranching
4. Equestrian Arena, Personal

3-09-02-02 PERMITTED PRINCIPAL RESIDENTIAL USES

The following principal residential uses are permitted in an Agricultural-2 District as noted above:

1. Single Family Dwelling
2. Group Living Facility (1 to 5 persons)

3-09-02-03 PERMITTED PRINCIPAL INSTITUTIONAL USES

The following principal institutional uses are permitted in an Agricultural-2 District as noted above:

1. Funeral Home/Mortuary ***Adopted by the BoCC on December 13, 2010**
2. Outdoor Public Uses (Excluding Cemeteries)

3-09-02-04 PERMITTED PRINCIPAL COMMERCIAL USES

The following principal commercial uses are permitted in an Agricultural-2 District as noted above:

1. Bed and Breakfast

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

3-09-04 PERMITTED CONDITIONAL USES

The following uses are permitted in an Agricultural-2 District, subject to the issuance of a Conditional Use Permit from the Board of County Commissioners and building permit review and approval:

3-09-04-01 PERMITTED CONDITIONAL AGRICULTURAL USES

The following conditional agricultural uses are permitted in an Agricultural-2 District as noted above:

1. Agricultural Support Businesses and Services
2. Agricultural Business
3. Equestrian Arena, Commercial

3-09-04-02 PERMITTED CONDITIONAL RESIDENTIAL USES

The following conditional residential uses are permitted in an Agricultural-2 District as noted above:

1. Two-Family Dwelling
2. Group Living Facility (in excess of 5 persons)

3. Group Living Facility (with more than 1 registered sex offender), including Group home for the developmentally disabled, and Group home for the elderly.

3-09-04-03 PERMITTED CONDITIONAL INSTITUTIONAL USES

The following conditional institutional uses are permitted in an Agricultural-2 District as noted above:

1. Funeral Home/Mortuary to include Cremation ***Adopted by the BoCC on December 13, 2010**
2. Institutional Care
3. Neighborhood Indoor Uses
4. Places of Worship
5. Outdoor Public Uses (Cemeteries) ***Adopted by the BoCC on December 13, 2010**
6. Public Service
7. Universities

3-09-04-04 PERMITTED CONDITIONAL COMMERCIAL USES

The following conditional commercial uses are permitted in an Agricultural-2 District as noted above:

1. Airports, Landing Strips, and Heliports
2. Animal Hospitals
3. Campgrounds, Commercial
4. Communications Towers, Commercial
5. Golf Course/Driving Range, Commercial
6. Kennel, Commercial
7. Outdoor Commercial Recreation
8. Parking Lot, Commercial
9. Trade Schools

3-09-04-05 PERMITTED CONDITIONAL INDUSTRIAL USES

The following conditional industrial uses are permitted in an Agricultural-2 District as noted above:

1. Extraction and Disposal Uses (Inert fills may be processed as a Special Use Permit, Conditional Use Permit or Certificate of Designation pursuant to Chapter 2; (Except Oil and Gas Drilling and Production shall be processed as a Special Use Permit unless the County elects to execute a Memorandum of Understanding; see Chapters 2 and 4).
2. Heavy Industry (Excluding Solid Waste Transfer Stations and Scrap Tire Recycling Facilities), including salvage yards, pickle manufacturing, and local and interurban passenger transit.
3. Major Energy Facilities

3-09-05 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.

3-09-06 PROHIBITED USES

All uses: (1) not expressly identified as permitted uses in this Section; 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.

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 Transportation 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 setback 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.

3-09-07-04-04 *MINIMUM R.O.W. SETBACK*

All accessory structures shall be setback 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 Transportation 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 Transportation 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 USES

The following uses are permitted uses in an Agricultural-3 District, subject to building permit review and approval. Only one (1) principal use shall be permitted per lot.

3-10-02-01 PERMITTED PRINCIPAL AGRICULTURAL USES

The following principal agricultural uses are permitted in an Agricultural-3 District as noted above:

1. Farming
2. Nurseries
3. Ranching
4. Equestrian Arena, Personal

3-10-02-02 PERMITTED PRINCIPAL RESIDENTIAL USES

The following principal residential uses are permitted in an Agricultural-3 District as noted above:

1. Single Family Dwelling
2. Group Living Facility (1 to 5 persons)

3-10-02-03 PERMITTED PRINCIPAL INSTITUTIONAL USES

The following principal institutional uses are permitted in an Agricultural-3 District as noted above:

1. Funeral Home/Mortuary ***Adopted by the BoCC on December 13, 2010**
2. Outdoor Public Uses

3. Places of Worship (subject to performance standards in Section 4-07-02-04)

3-10-02-04 PERMITTED PRINCIPAL COMMERCIAL USES

The following principal commercial uses are permitted in an Agricultural-3 District as noted above:

1. Bed and Breakfast

3-10-02-05 PERMITTED PRINCIPAL MARIJUANA ESTABLISHMENTS

The following principal marijuana establishments are permitted in an Agricultural-3 District as noted above:

1. Medical Marijuana Optional Premises Cultivation Operation
2. Retail Marijuana Cultivation Facility

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

3-10-04 PERMITTED CONDITIONAL USES

The following uses are permitted in an Agricultural-3 District, subject to the issuance of a Conditional Use Permit from the Board of County Commissioners and building permit review and approval:

3-10-04-01 PERMITTED CONDITIONAL AGRICULTURAL USES

The following conditional agricultural uses are permitted in an Agricultural-3 District as noted above:

1. Agricultural Support Businesses and Services
2. Agricultural Business
3. Equestrian Arena, Commercial

3-10-04-02 PERMITTED CONDITIONAL RESIDENTIAL USES

The following conditional residential uses are permitted in an Agricultural-3 District as noted above:

1. Two-Family Dwelling
2. Group Living Facility (in excess of 5 persons)
3. Group Living Facility (with more than 1 registered sex offender), including Group home for the developmentally disabled, and Group home for the elderly.

3-10-04-03 PERMITTED CONDITIONAL INSTITUTIONAL USES

The following conditional institutional uses are permitted in an Agricultural-3 District as noted above:

1. Funeral Home/Mortuary to include Cremation ***Adopted by the BoCC on December 13, 2010**
2. Halfway House ***Adopted by the BoCC on December 13, 2010**
3. Institutional Care
4. Jails and Prisons
5. Neighborhood Indoor Uses
6. Public Service
7. Universities

3-10-04-04 PERMITTED CONDITIONAL COMMERCIAL USES

The following conditional commercial uses are permitted in an Agricultural-3 District as noted above:

1. Airports, Landing Strips, and Heliports
2. Animal Hospitals
3. Campgrounds, Commercial
4. Communications Towers, Commercial
5. Golf Course/Driving Range, Commercial
6. Heavy Retail and Heavy Services
7. Kennel, Commercial
8. Outdoor Commercial Recreation

9. Parking Lot, Commercial
10. Racing Facilities
11. Services
12. Trade Schools

3-10-04-05 PERMITTED CONDITIONAL INDUSTRIAL USES

The following conditional industrial uses are permitted in an Agricultural-3 District as noted above:

1. Extraction and Disposal Uses (Inert fills may be processed as a Special Use Permit, Conditional Use Permit or Certificate of Designation pursuant to Chapter 2; Except Oil and Gas Drilling and Production shall be processed as a Special Use Permit unless the County elects to execute a Memorandum of Understanding; see Chapters 2 and 4.)
2. Heavy Industry (Excluding Solid Waste Transfer Stations and Scrap Tire Recycling Facilities)
3. Landscape Storage Yards
4. Light Industry, including bone reduction, and pickle manufacturing. (Excluding all other Light, Heavy and Moderate Manufacturing or Processing uses)
5. Major Energy Facilities
6. Recycling Facility ***Adopted by the BoCC on December 13, 2010**

3-10-05 PERMITTED SPECIAL/TEMPORARY USES

Special uses are permitted in an Agricultural-3 District, subject to the issuance of a Special Use Permit from the Board of Adjustment. Temporary uses are permitted in an Agricultural-3 District, subject to the issuance of a Temporary Use Permit from the Director of Community and Economic Development.

3-10-06 PROHIBITED USES

All uses: (1) not expressly identified as permitted uses in this Section; 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.

3-10-07 AREA AND HEIGHT STANDARDS

3-10-07-01 MINIMUM LOT SIZE REQUIREMENTS

The minimum lot size requirement in an Agricultural-3 District shall be thirty-five (35) acres.

3-10-07-02 MINIMUM LOT WIDTH REQUIREMENTS

The minimum width of a lot or parcel in an Agricultural-3 District shall be six hundred (600) feet.

3-10-07-03 SETBACK AND DIMENSIONAL REQUIREMENTS FOR A PRINCIPAL STRUCTURE

3-10-07-03-01 *MINIMUM FRONT SETBACK*

The minimum front setback for a principal structure in an Agricultural-3 District shall be fifty (50) feet.

3-10-07-03-02 *MINIMUM SIDE CORNER SETBACK*

The minimum side corner setback for a principal structure in an Agricultural-3 District shall be fifty (50) feet.

3-10-07-03-03 *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.

3-10-07-03-04 *MINIMUM REAR SETBACK*

The minimum rear setback for a principal structure in an Agricultural-3 District shall be twenty (20) feet.

3-10-07-03-05 *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.

3-10-07-03-06 *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-3 District shall be one-hundred-twenty (120) feet. Variations may be permitted if the Department of Transportation determines no additional right-of-way is required.

3-10-07-04 SETBACK AND DIMENSIONAL REQUIREMENTS FOR ACCESSORY STRUCTURES OR AGRICULTURE BUILDINGS

3-10-07-04-01 *MINIMUM FRONT SETBACK*

All accessory structures shall be setback 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.

3-10-07-04-02 *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.

3-10-07-04-03 *MINIMUM REAR SETBACK*

The minimum rear setback for accessory structures in an Agricultural-3 District shall be ten (10) feet.

3-10-07-04-04 *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.

3-10-07-04-05 *MINIMUM SETBACK FROM SECTION LINE FOR ALL ACCESSORY STRUCTURES*

The minimum setback from a section line for all accessory structures in an Agricultural-3 District shall be one-hundred-twenty (120) feet. Variations may be permitted if the Department of Transportation determines no additional right-of-way is required.

3-10-07-05 MAXIMUM HEIGHT

3-10-07-05-01 *DWELLINGS AND ACCESSORY STRUCTURES*

The maximum height of dwellings and accessory structures in an Agricultural-3 District shall be thirty-five (35) feet.

3-10-07-05-02 *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.

3-10-07-06 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.

3-10-07-07 MINIMUM FLOOR AREA OF DWELLINGS

3-10-07-07-01 *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.

3-10-07-07-02 *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.

3-10-07-07-03 *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.

3-10-08 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-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 USES

The following uses are permitted uses in a Residential Estate District, subject to building permit review and approval. Only one (1) principal use shall be permitted per lot.

3-11-02-01 PERMITTED PRINCIPAL AGRICULTURAL USES

The following principal agricultural uses are permitted in a Residential Estate District as noted above:

1. Traditional Farming

3-11-02-02 PERMITTED PRINCIPAL RESIDENTIAL USES

The following principal residential uses are permitted in a Residential Estate District as noted above:

1. Single Family Dwelling
2. Group Living Facility (1 to 5 persons)

3-11-02-03 PERMITTED PRINCIPAL INSTITUTIONAL USES

The following principal institutional uses are permitted in a Residential Estate District as noted above:

1. Outdoor Public Uses (Excluding Cemeteries) ***Adopted by the BOCC December 13, 2010**

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

3-11-04 PERMITTED CONDITIONAL USES

The following uses are permitted in a Residential Estate District, subject to the issuance of a Conditional Use Permit from the Board of County Commissioners and building permit review and approval.

3-11-04-01 PERMITTED CONDITIONAL RESIDENTIAL USES

The following conditional residential uses are permitted in a Residential Estate District as noted above:

1. Group Living Facility (in excess of 5 persons)
2. Group Living Facility (with more than 1 registered sex offender), including Group home for the developmentally disabled, and Group home for the elderly.

3-11-04-02 PERMITTED CONDITIONAL INSTITUTIONAL USES

The following conditional institutional uses are permitted in a Residential Estate District as noted above:

1. Institutional Care
2. Neighborhood Indoor Uses
3. Places of Worship
4. Public Service
5. Universities

3-11-04-03 PERMITTED CONDITIONAL COMMERCIAL USES

The following conditional commercial uses are permitted in a Residential Estate District as noted above:

1. Bed and Breakfast
2. Golf Courses/Driving Ranges, Commercial

3-11-04-04 PERMITTED CONDITIONAL INDUSTRIAL USES

The following conditional industrial uses are permitted in a Residential Estate District as noted above:

1. Extraction and Disposal Uses, Extraction Only (Except Oil and Gas Drilling and Production shall be processed as a Special Use Permit unless the County elects to execute a Memorandum of Understanding; see Chapters 2 and 4).
2. Major Energy Facilities

3-11-05 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.

3-11-06 PROHIBITED USES

All uses: (1) not expressly identified as permitted uses in this Section; 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.

3-11-07 AREA AND HEIGHT STANDARDS

3-11-07-01 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.

3-11-07-02 MINIMUM LOT WIDTH REQUIREMENTS

3-11-07-02-01 *MINIMUM WITH WELL AND INDIVIDUAL SEWAGE DISPOSAL SYSTEM*

The minimum width of a lot in a Residential Estate District with a well and individual sewage disposal system shall be one-hundred-fifty (150) feet.

3-11-07-02-02 *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.

3-11-07-03 SETBACK AND DIMENSIONAL REQUIREMENTS FOR A PRINCIPAL STRUCTURE

3-11-07-03-01 *MINIMUM FRONT SETBACK*

The minimum front setback for a principal structure in a Residential Estate District shall be thirty (30) feet.

3-11-07-03-02 *MINIMUM SIDE CORNER SETBACK*

The minimum side corner setback for a principal structure in a Residential Estate District shall be thirty (30) feet.

3-11-07-03-03 *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.

3-11-07-03-04 *MINIMUM REAR SETBACK*

The minimum rear setback for a principal structure in a Residential Estate District shall be twenty (20) feet.

3-11-07-03-05 *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 right-of-ways shall be thirty (30) feet.

3-11-07-03-06 *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 Transportation determines no additional right-of-way is required.

3-11-07-04 SETBACK AND DIMENSIONAL REQUIREMENTS FOR ACCESSORY STRUCTURES

3-11-07-04-01 *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.

3-11-07-04-02 *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.

3-11-07-04-03 *MINIMUM SIDE SETBACK*

The minimum side setback for accessory structures in a Residential Estate District shall be twenty (20) feet.

3-11-07-04-04 *MINIMUM REAR SETBACK*

The minimum rear setback for accessory structures in a Residential Estate District shall be ten (10) feet.

3-11-07-04-05 *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 right-of-ways shall be thirty (30) feet.

3-11-07-04-06 *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 Transportation determines no additional right-of-way is required.

3-11-07-05 MAXIMUM HEIGHT

3-11-07-05-01 *DWELLINGS*

The maximum height of dwellings in a Residential Estate District shall be thirty-five (35) feet.

3-11-07-05-02 *ACCESSORY STRUCTURES*

The maximum height of accessory structures in a Residential Estate District shall be twenty-five (25) feet.

3-11-07-06 MAXIMUM STRUCTURE COVERAGE

3-11-07-06-01 *LOT SERVED BY WELL AND INDIVIDUAL SEWAGE DISPOSAL SYSTEM*

The maximum structure coverage on a lot served by a well and individual sewage disposal system in a Residential Estate District shall be 12.5% of lot area.

3-11-07-06-02 *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.

3-11-07-06-03 *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.

3-11-07-06-04 *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 hangers shall meet the performance standards for aircraft hangers. Accessory buildings shall not be constructed prior to the principal dwelling on a lot.

3-11-07-07 MINIMUM FLOOR AREA OF DWELLINGS

The minimum floor area of dwellings in a Residential Estate District shall be eighteen hundred (1,800) square feet.

3-11-08 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 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-I-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 USES

The following uses are permitted uses in a Residential-1-C District, subject to building permit review and approval. Only one (1) principal use shall be permitted per lot.

3-13-02-01 PERMITTED PRINCIPAL AGRICULTURAL USES

The following principal agricultural uses are permitted in a Residential-1-C District as noted above:

1. Traditional Farming

3-13-02-02 PERMITTED PRINCIPAL RESIDENTIAL USES

The following principal residential uses are permitted in a Residential-1-C District as noted above:

1. Single Family Dwelling
2. Group Living Facility (1 to 5 persons)

3-13-02-03 PERMITTED PRINCIPAL INSTITUTIONAL USES

The following principal institutional uses are permitted in a Residential-1-C District as noted above:

1. Outdoor Public Uses (Excluding Cemeteries) ***Adopted by the BOCC December 13, 2010**

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

3-13-04 PERMITTED CONDITIONAL USES

The following uses are permitted in a Residential-1-C District, subject to the issuance of a Conditional Use Permit from the Board of County Commissioners and building permit review and approval.

3-13-04-01 PERMITTED CONDITIONAL RESIDENTIAL USES

The following conditional residential uses are permitted in a Residential-1-C District as noted above:

1. Manufactured Home Park
2. Group Living Facility (in excess of 5 persons)
3. Group Living Facility (with more than 1 registered sex offender), including Group home for the developmentally disabled, and Group home for the elderly.

3-13-04-02 PERMITTED CONDITIONAL INSTITUTIONAL USES

The following conditional institutional uses are permitted in a Residential-1-C District as noted above:

1. Institutional Care
2. Neighborhood Indoor Uses
3. Places of Worship
4. Public Service
5. Universities

3-13-04-03 PERMITTED CONDITIONAL COMMERCIAL USES

The following conditional commercial uses are permitted in a Residential-1-C District as noted above:

1. Bed and Breakfast
2. Golf Courses/Driving Ranges, Commercial

3-13-04-04 PERMITTED CONDITIONAL INDUSTRIAL USES

The following conditional industrial uses are permitted in a Residential-1-C District as noted above:

1. Extraction and Disposal Uses, Extraction Only (Except Oil and Gas Drilling and Production shall be processed as a Special Use Permit unless the County elects to execute a Memorandum of Understanding; see Chapters 2 and 4).
2. Major Energy Facilities

3-13-05 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.

3-13-06 PROHIBITED USES

All uses: (1) not expressly identified as permitted uses in this Section; 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.

3-13-07 AREA AND HEIGHT STANDARDS

3-13-07-01 MINIMUM LOT SIZE REQUIREMENTS

3-13-07-01-01 *CORNER LOTS*

The minimum lot size for corner lots in a Residential-1-C District shall be seventy-five hundred (7,500) square feet.

3-13-07-01-02 *INTERNAL LOTS*

The minimum lot size for internal lots in a Residential-1-C District shall be seven thousand (7,000) square feet.

3-13-07-02 MINIMUM LOT WIDTH REQUIREMENTS

3-13-07-02-01 *CORNER LOTS*

The minimum lot width for corner lots in a Residential-1-C District shall be seventy (70) feet.

3-13-07-02-02 *INTERNAL LOTS*

The minimum lot width for internal lots in a Residential-1-C District shall be sixty-five (65) feet.

3-13-07-03 SETBACK AND DIMENSIONAL REQUIREMENTS FOR A PRINCIPAL STRUCTURE

3-13-07-03-01 *MINIMUM FRONT SETBACK*

The minimum front setback for a principal structure in a Residential-1-C District shall be twenty (20) feet.

3-13-07-03-02 *MINIMUM SIDE CORNER SETBACK*

The minimum side corner setback for a principal structure in a Residential-1-C District shall be twenty (20) feet.

3-13-07-03-03 *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.

3-13-07-03-04 *MINIMUM REAR SETBACK*

The minimum rear setback for a principal structure in a Residential-1-C District shall be fifteen (15) feet.

3-13-07-03-05 *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 right-of-ways shall be twenty (20) feet.

3-13-07-03-06 *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 Transportation determines no additional right-of-way is required.

3-13-07-04 SETBACK AND DIMENSIONAL REQUIREMENTS FOR ACCESSORY STRUCTURES

3-13-07-04-01 *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.

3-13-07-04-02 *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.

3-13-07-04-03 *MINIMUM SIDE SETBACK*

The minimum side setback for accessory structures in a Residential-1-C District shall be five (5) feet.

3-13-07-04-04 *MINIMUM REAR SETBACK*

The minimum rear setback for accessory structures in a Residential-1-C District shall be five (5) feet.

3-13-07-04-05 *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 right-of-ways shall be twenty (20) feet.

3-13-07-04-06 *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 Transportation determines no additional right-of-way is required.

3-13-07-05 MAXIMUM HEIGHT

3-13-07-05-01 *DWELLINGS*

The maximum height of dwellings in a Residential-1-C District shall be twenty-five (25) feet.

3-13-07-05-02 *ACCESSORY STRUCTURES*

The maximum height of accessory structures in a Residential-1-C District shall be sixteen (16) feet.

3-13-07-06 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.

3-13-07-07 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.

3-13-08 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 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 USES

The following uses are permitted uses in a Residential-2 District, subject to building permit review and approval. Only one (1) principal use shall be permitted per lot.

3-14-02-01 PERMITTED PRINCIPAL AGRICULTURAL USES

The following principal agricultural uses are permitted in a Residential-2 District as noted above:

1. Traditional Farming

3-14-02-02 PERMITTED PRINCIPAL RESIDENTIAL USES

The following principal residential uses are permitted in a Residential-2 District as noted above:

1. Single Family Dwelling
2. Two-Family Dwelling
3. Group Living Facility (1 to 5 persons)

3-14-02-03 PERMITTED PRINCIPAL INSTITUTIONAL USES

The following principal institutional uses are permitted in a Residential-2 District as noted above:

1. Outdoor Public Uses (Excluding Cemeteries) ***Adopted by the BOCC December 13, 2010**

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

3-14-04 PERMITTED CONDITIONAL USES

The following uses are permitted in a Residential-2 District, subject to the issuance of a Conditional Use Permit from the Board of County Commissioners and building permit review and approval.

3-14-04-01 PERMITTED CONDITIONAL RESIDENTIAL USES

The following conditional residential uses are permitted in a Residential-2 District as noted above:

1. Manufactured Home Park
2. Group Living Facility (in excess of 5 persons)
3. Group Living Facility (with more than 1 registered sex offender), including Group home for the developmentally disabled, and Group home for the elderly.

3-14-04-02 PERMITTED CONDITIONAL INSTITUTIONAL USES

The following conditional institutional uses are permitted in a Residential-2 District as noted above:

1. Institutional Care
2. Neighborhood Indoor Uses
3. Places of Worship
4. Public Service
5. Universities

3-14-04-03 PERMITTED CONDITIONAL COMMERCIAL USES

The following conditional commercial uses are permitted in a Residential-2 District as noted above:

1. Golf Courses/Driving Ranges, Commercial

3-14-04-04 PERMITTED CONDITIONAL INDUSTRIAL USES

The following conditional industrial uses are permitted in a Residential-2 District as noted above:

1. Extraction and Disposal Uses, Extraction Only (Except Oil and Gas Drilling and Production shall be processed as a Special Use Permit unless the County elects to execute a Memorandum of Understanding; see Chapters 2 and 4).
2. Major Energy Facilities

3-14-05 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.

3-14-06 PROHIBITED USES

All uses: (1) not expressly identified as permitted uses in this Section; 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.

3-14-07 AREA AND HEIGHT STANDARDS

3-14-07-01 MINIMUM LOT SIZE REQUIREMENTS

3-14-07-01-01 *SINGLE FAMILY LOTS*

The minimum size of single family lots in a Residential-2 District shall be:

1. Corner Lots: seventy-five hundred (7,500) square feet
2. Internal Lot: seven thousand (7,000) square feet

3-14-07-01-02 *TWO-FAMILY LOTS*

The minimum size of two-family dwelling lots in a Residential-2 District shall be forty-five hundred (4,500) square feet per dwelling unit.

3-14-07-02 MINIMUM LOT WIDTH REQUIREMENTS

3-14-07-02-01 *SINGLE FAMILY LOTS*

The minimum width of single family lots in a Residential-2 District shall be:

1. Corner Lots: seventy (70) feet
2. Internal Lot: sixty-five (65) feet

3-14-07-02-02 *TWO-FAMILY LOTS*

The minimum width of two-family dwelling lots in a Residential-2 District shall be:

1. Corner Lots: fifty (50) feet where a two-family dwelling is constructed as a townhome (single dwelling unit on each lot) and one hundred (100) feet where a two-family dwelling is built on a single lot.
2. Internal Lot: forty-five (45) feet where a two-family dwelling is constructed as a townhome (single dwelling unit on each lot) and ninety (90) feet where a two-family dwelling is built on a single lot.

3-14-07-03 SETBACK AND DIMENSIONAL REQUIREMENTS FOR A PRINCIPAL STRUCTURE

3-14-07-03-01 *MINIMUM FRONT SETBACK*

The minimum front setback for a principal structure in a Residential-2 District shall be twenty (20) feet.

3-14-07-03-02 *MINIMUM SIDE CORNER SETBACK*

The minimum side corner setback for a principal structure in a Residential-2 District shall be twenty (20) feet.

3-14-07-03-03 *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.

3-14-07-03-04 *MINIMUM REAR SETBACK*

The minimum rear setback for a principal structure in a Residential-2 District shall be fifteen (15) feet.

3-14-07-03-05 *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 right-of-ways shall be twenty (20) feet.

3-14-07-03-06 *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 Transportation determines no additional right-of-way is required.

3-14-07-04 SETBACK AND DIMENSIONAL REQUIREMENTS FOR ACCESSORY STRUCTURES

3-14-07-04-01 *MINIMUM FRONT SETBACK*

The minimum front setback for accessory structures in a Residential-2 District shall be twenty (20) feet.

3-14-07-04-02 *MINIMUM SIDE CORNER SETBACK*

The minimum side corner setback for accessory structures in a Residential-2 District shall be twenty (20) feet.

3-14-07-04-03 *MINIMUM SIDE SETBACK*

The minimum side setback for accessory structures in a Residential-2 District shall be five (5) feet.

3-14-07-04-04 *MINIMUM REAR SETBACK*

The minimum rear setback for accessory structures in a Residential-2 District shall be five (5) feet.

3-14-07-04-05 *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 right-of-ways shall be twenty (20) feet.

3-14-07-04-06 *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 Transportation determines no additional right-of-way is required.

3-14-07-05 MAXIMUM HEIGHT

3-14-07-05-01 *DWELLINGS*

The maximum height of dwellings in a Residential-2 District shall be twenty-five (25) feet.

3-14-07-05-02 *ACCESSORY STRUCTURES*

The maximum height of accessory structures in a Residential-2 District shall be sixteen (16) feet.

3-14-07-06 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.

3-14-07-07 MINIMUM FLOOR AREA OF DWELLINGS

3-14-07-07-01 *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.

3-14-07-07-02 *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.

3-14-08 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 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 USES

The following uses are permitted uses in a Residential-3 District, subject to building permit review and approval. Only one (1) principal use shall be permitted per lot.

3-15-02-01 PERMITTED PRINCIPAL AGRICULTURAL USES

The following principal agricultural uses are permitted in a Residential-3 District as noted above:

1. Traditional Farming

3-15-02-02 PERMITTED PRINCIPAL RESIDENTIAL USES

The following principal residential uses are permitted in a Residential-3 District as noted above:

1. Multi-Family Dwelling
2. Group Living Facility (1 to 5 persons)

3-15-02-03 PERMITTED PRINCIPAL INSTITUTIONAL USES

The following principal institutional uses are permitted in a Residential-3 District as noted above:

1. Outdoor Public Uses (Excluding Cemeteries) ***Adopted by the BOCC December 13, 2010**

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

3-15-04 PERMITTED CONDITIONAL USES

The following uses are permitted in a Residential-3 District, subject to the issuance of a Conditional Use Permit from the Board of County Commissioners and building permit review and approval.

3-15-04-01 PERMITTED CONDITIONAL RESIDENTIAL USES

The following conditional residential uses are permitted in a Residential-3 District as noted above:

1. Single-Family Dwelling
2. Two-Family Dwelling
3. Manufactured Home Park
4. Group Living Facility (in excess of 5 persons), including Group home for the developmentally disabled, and Group home for the elderly.
5. Group Living Facility (with more than 1 registered sex offender)

3-15-04-02 PERMITTED CONDITIONAL INSTITUTIONAL USES

The following conditional institutional uses are permitted in a Residential-3 District as noted above:

1. Institutional Care
2. Neighborhood Indoor Uses
3. Places of Worship
4. Public Service

3-15-04-03 PERMITTED CONDITIONAL COMMERCIAL USES

The following conditional commercial uses are permitted in a Residential-3 District as noted above:

1. Golf Courses/Driving Ranges, Commercial

3-15-04-04 PERMITTED CONDITIONAL INDUSTRIAL USES

The following conditional industrial uses are permitted in a Residential-3 District as noted above:

1. Extraction and Disposal Uses, Extraction Only (Except Oil and Gas Drilling and Production shall be processed as a Special Use Permit unless the County elects to execute a Memorandum of Understanding; see Chapters 2 and 4).
2. Major Energy Facilities

3-15-05 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.

3-15-06 PROHIBITED USES

All uses: (1) not expressly identified as permitted uses in this Section; 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.

3-15-07 AREA AND HEIGHT STANDARDS

3-15-07-01 MINIMUM LOT SIZE REQUIREMENTS

3-15-07-01-01 *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.

3-15-07-01-02 *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.

3-15-07-02 MAXIMUM DENSITY

The maximum density in a Residential-3 District shall be fourteen (14) dwelling units per acre.

3-15-07-03 MINIMUM LOT WIDTH REQUIREMENTS

3-15-07-03-01 *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.

3-15-07-03-02 *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.

3-15-07-04 SETBACK AND DIMENSIONAL REQUIREMENTS FOR A PRINCIPAL STRUCTURE

3-15-07-04-01 *MINIMUM FRONT SETBACK*

The minimum front setback for a principal structure in a Residential-3 District shall be twenty (20) feet.

3-15-07-04-02 *MINIMUM SIDE CORNER SETBACK*

The minimum side corner setback for a principal structure in a Residential-3 District shall be twenty (20) feet.

3-15-07-04-03 *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.

3-15-07-04-04 *MINIMUM REAR SETBACK*

The minimum rear setback for a principal structure in a Residential-3 District shall be twenty (20) feet.

3-15-07-04-05 *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 right-of-ways shall be twenty (20) feet.

3-15-07-04-06 *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 Transportation determines no additional right-of-way is required.

3-15-07-05 SETBACK AND DIMENSIONAL REQUIREMENTS FOR ACCESSORY STRUCTURES

3-15-07-05-01 *MINIMUM FRONT SETBACK*

The minimum front setback for accessory structures in a Residential-3 District shall be twenty (20) feet.

3-15-07-05-02 *MINIMUM SIDE CORNER SETBACK*

The minimum side corner setback for accessory structures in a Residential-3 District shall be twenty (20) feet.

3-15-07-05-03 *MINIMUM SIDE SETBACK*

The minimum side setback for accessory structures in a Residential-3 District shall be five (5) feet.

3-15-07-05-04 *MINIMUM REAR SETBACK*

The minimum rear setback for accessory structures in a Residential-3 District shall be five (5) feet.

3-15-07-05-05 *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 right-of-ways shall be twenty (20) feet.

3-15-07-05-06 *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 Transportation determines no additional right-of-way is required.

3-15-07-06 MAXIMUM HEIGHT

3-15-07-06-01 *PRINCIPAL STRUCTURE*

The maximum height of a principal structure in a Residential-3 District shall be thirty-five (35) feet.

3-15-07-06-02 *ACCESSORY STRUCTURES*

The maximum height of accessory structures in a Residential-3 District shall be sixteen (16) feet.

3-15-07-07 MAXIMUM ACCESSORY BUILDING COVERAGE

The maximum accessory building coverage in a Residential-3 District shall be 80 square feet per dwelling unit.

3-15-07-08 MINIMUM FLOOR AREA OF DWELLINGS

3-15-07-08-01 *EFFICIENCY UNIT*

The minimum floor area of an efficiency unit in a Residential-3 District shall be four-hundred-fifty (450) square feet.

3-15-07-08-02 *ONE BEDROOM UNIT*

The minimum floor area of a one bedroom unit in a Residential-3 District shall be six hundred (600) square feet.

3-15-07-08-03 *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.

3-15-07-08-04 *THREE BEDROOM UNIT*

The minimum floor area of a three bedroom unit in a Residential-3 District shall be nine hundred (900) square feet.

3-15-07-08-05 *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.

3-15-08 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 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.

RESIDENTIAL-4 DISTRICT (R-4)

3-15-09 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.

3-15-10 PERMITTED PRINCIPAL USES

The following uses are permitted uses in a Residential-4 District, subject to building permit review and approval. Only one (1) principal use shall be permitted per lot.

3-15-10-01 PERMITTED PRINCIPAL AGRICULTURAL USES

The following principal agricultural uses are permitted in a Residential-4 District as noted above:

1. Traditional Farming

3-15-10-02 PERMITTED PRINCIPAL RESIDENTIAL USES

The following principal residential uses are permitted in a Residential-4 District as noted above:

1. Multi-Family Dwelling
2. Group Living Facility (1 to 5 persons)

3-15-10-03 PERMITTED PRINCIPAL INSTITUTIONAL USES

The following principal institutional uses are permitted in a Residential-4 District as noted above:

1. Outdoor Public Uses (Excluding Cemeteries) ***Adopted by the BOCC December 13, 2010**

3-15-11 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

3-15-12 PERMITTED CONDITIONAL USES

The following uses are permitted in a Residential-4 District, subject to the issuance of a Conditional Use Permit from the Board of County Commissioners and building permit review and approval.

3-15-12-01 PERMITTED CONDITIONAL RESIDENTIAL USES

The following conditional residential uses are permitted in a Residential-4 District as noted above:

1. Single-Family Dwelling
2. Two-Family Dwelling
3. Manufactured Home Park
4. Group Living Facility (in excess of 5 persons), including Group home for the developmentally disabled, and Group home for the elderly.
5. Group Living Facility (with more than 1 registered sex offender)

3-15-12-02 PERMITTED CONDITIONAL INSTITUTIONAL USES

The following conditional institutional uses are permitted in a Residential-4 District as noted above:

1. Institutional Care
2. Neighborhood Indoor Uses
3. Places of Worship
4. Public Service

3-15-12-03 PERMITTED CONDITIONAL COMMERCIAL USES

The following conditional commercial uses are permitted in a Residential-4 District as noted above:

1. Golf Courses/Driving Ranges, Commercial

3-15-12-04 PERMITTED CONDITIONAL INDUSTRIAL USES

The following conditional industrial uses are permitted in a Residential-4 District as noted above:

1. Extraction and Disposal Uses, Extraction Only (Except Oil and Gas Drilling and Production shall be processed as a Special Use Permit unless the County elects to execute a Memorandum of Understanding; see Chapters 2 and 4).
2. Major Energy Facilities

3-15-13 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.

3-15-14 PROHIBITED USES

All uses: (1) not expressly identified as permitted uses in this Section; 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.

3-15-15 AREA AND HEIGHT STANDARDS

3-15-15-01 MINIMUM LOT SIZE REQUIREMENTS

The minimum lot size in a Residential-4 District shall be two (2) acres.

3-15-15-02 MINIMUM DENSITY

The minimum density in a Residential-4 District shall be fourteen (14) dwelling units per acre.

3-15-15-03 MAXIMUM DENSITY

The maximum density in a Residential-4 District shall be thirty-five (35) dwelling units per acre.

3-15-15-04 MINIMUM LOT WIDTH REQUIREMENTS

The minimum lot width in a Residential-4 District shall be two hundred (200) feet.

3-15-15-05 SETBACK AND DIMENSIONAL REQUIREMENTS FOR A PRINCIPAL STRUCTURE

3-15-15-05-01 *MINIMUM FRONT SETBACK*

The minimum front setback for a principal structure in a Residential-4 District shall be fifty (50) feet.

3-15-15-05-02 *MINIMUM SIDE CORNER SETBACK*

The minimum side corner setback for a principal structure in a Residential-4 District shall be fifty (50) feet.

3-15-15-05-03 *MINIMUM SIDE SETBACK*

The minimum side setback for a principal structure in a Residential-4 District shall be twenty-five (25) feet.

3-15-15-05-04 *MINIMUM REAR SETBACK*

The minimum rear setback for a principal structure in a Residential-4 District shall be twenty (20) feet.

3-15-15-05-05 *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 right-of-ways shall be fifty (50) feet.

3-15-15-05-06 *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 Transportation determines no additional right-of-way is required.

3-15-15-06 SETBACK AND DIMENSIONAL REQUIREMENTS FOR ACCESSORY STRUCTURES

3-15-15-06-01 *MINIMUM FRONT SETBACK*

The minimum front setback for accessory structures in a Residential-4 District shall be fifty (50) feet.

3-15-15-06-02 *MINIMUM SIDE CORNER SETBACK*

The minimum side corner setback for accessory structures in a Residential-4 District shall be fifty (50) feet.

3-15-15-06-03 *MINIMUM SIDE SETBACK*

The minimum side setback for accessory structures in a Residential-4 District shall be five (5) feet.

3-15-15-06-04 *MINIMUM REAR SETBACK*

The minimum rear setback for accessory structures in a Residential-4 District shall be five (5) feet.

3-15-15-06-05 *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 right-of-ways shall be fifty (50) feet.

3-15-15-06-06 *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 Transportation determines no additional right-of-way is required.

3-15-15-07 MAXIMUM HEIGHT

3-15-15-07-01 *PRINCIPAL STRUCTURE*

The maximum height of a principal structure in a Residential-4 District shall be seventy (70) feet.

3-15-15-07-02 *ACCESSORY STRUCTURES*

The maximum height of accessory structures in a Residential-4 District shall be sixteen (16) feet.

3-15-15-08 MAXIMUM ACCESSORY BUILDING COVERAGE

The maximum accessory building coverage in a Residential-4 District shall be eighty (80) square feet per dwelling unit.

3-15-15-09 MINIMUM FLOOR AREA OF DWELLINGS

3-15-15-09-01 *EFFICIENCY UNIT*

The minimum floor area of an efficiency unit in a Residential-4 District shall be four-hundred-fifty (450) square feet.

3-15-15-09-02 *ONE BEDROOM UNIT*

The minimum floor area of a one bedroom unit in a Residential-4 District shall be six hundred (600) square feet.

3-15-15-09-03 *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.

3-15-15-09-04 *THREE BEDROOM UNIT*

The minimum floor area of a three bedroom unit in a Residential-4 District shall be nine hundred (900) square feet.

3-15-15-09-05 *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.

3-15-16 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 0, in which case the specific standard or requirement contained in Section 0 shall apply.

3-16 MOBILE HOME DWELLING DISTRICT (MH)

3-16-01 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.

3-16-02 PERMITTED PRINCIPAL USES

The following uses are permitted uses in a Mobile Home Dwelling District, subject to building permit review and approval. Only one (1) principal use shall be permitted per lot.

3-16-02-01 PERMITTED PRINCIPAL AGRICULTURAL USES

The following principal agricultural uses are permitted in a Mobile Home Dwelling District as noted above:

1. Traditional Farming

3-16-02-02 PERMITTED PRINCIPAL RESIDENTIAL USES

The following principal residential uses are permitted in a Mobile Home Dwelling District as noted above:

1. Single Family Dwelling
2. Mobile Home Parks

3-16-02-03 PERMITTED PRINCIPAL INSTITUTIONAL USES

The following principal institutional uses are permitted in a Mobile Home Dwelling District as noted above:

1. Outdoor Public Uses (Excluding Cemeteries) ***Adopted by the BOCC December 13, 2010**

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

3-16-04 PERMITTED CONDITIONAL USES

The following uses are permitted in a Mobile Home Dwelling District, subject to the issuance of a Conditional Use Permit from the Board of County Commissioners and building permit review and approval.

3-16-04-01 PERMITTED CONDITIONAL RESIDENTIAL USES

The following conditional residential uses are permitted in a Mobile Home Dwelling District as noted above:

1. Two-Family Dwelling
2. Multi-Family Dwelling
3. Manufactured Home Park
4. Group Living Facility (1 to 5 persons)
5. Group Living Facility (in excess of 5 persons), including Group home for the developmentally disabled, and Group home for the elderly
6. Group Living Facility (with more than 1 registered sex offender)

3-16-04-02 PERMITTED CONDITIONAL INSTITUTIONAL USES

The following conditional institutional uses are permitted in a Mobile Home Dwelling District as noted above:

1. Institutional Care
2. Neighborhood Indoor Uses
3. Places of Worship
4. Public Service

3-16-04-03 PERMITTED CONDITIONAL COMMERCIAL USES

The following conditional commercial uses are permitted in a Mobile Home Dwelling District as noted above:

1. Golf Courses/Driving Ranges, Commercial

3-16-04-04 PERMITTED CONDITIONAL INDUSTRIAL USES

The following conditional industrial uses are permitted in a Mobile Home Dwelling District as noted above:

1. Extraction and Disposal Uses, Extraction Only (Except Oil and Gas Drilling and Production shall be processed as a Special Use Permit unless the County elects to execute a Memorandum of Understanding; see Chapters 2 and 4).
2. Major Energy Facilities

3-16-05 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.

3-16-06 PROHIBITED USES

All uses: (1) not expressly identified as permitted uses in this Section; 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.

3-16-07 AREA AND HEIGHT STANDARDS

3-16-07-01 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.

3-16-07-02 MINIMUM LOT WIDTH REQUIREMENTS

3-16-07-02-01 *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.

3-16-07-02-02 *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.

3-16-07-03 SETBACK AND DIMENSIONAL REQUIREMENTS FOR A PRINCIPAL STRUCTURE

3-16-07-03-01 *MINIMUM FRONT SETBACK*

The minimum front setback for a principal structure in a Mobile Home Dwelling District shall be twenty (20) feet.

3-16-07-03-02 *MINIMUM SIDE CORNER SETBACK*

The minimum side corner setback for a principal structure in a Mobile Home Dwelling District shall be twenty (20) feet.

3-16-07-03-03 *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.

3-16-07-03-04 *MINIMUM REAR SETBACK*

The minimum rear setback for a principal structure in a Mobile Home Dwelling District shall be fifteen (15) feet.

3-16-07-03-05 *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 right-of-ways shall be twenty (20) feet.

3-16-07-03-06 *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 Transportation determines no additional right-of-way is required.

3-16-07-04 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.

3-16-07-05 SETBACK AND DIMENSIONAL REQUIREMENTS FOR ACCESSORY STRUCTURES

3-16-07-05-01 *MINIMUM FRONT SETBACK*

The minimum front setback for accessory structures in a Mobile Home Dwelling District shall be twenty (20) feet.

3-16-07-05-02 *MINIMUM SIDE CORNER SETBACK*

The minimum side corner setback for accessory structures in a Mobile Home Dwelling District shall be twenty (20) feet.

3-16-07-05-03 *MINIMUM SIDE SETBACK*

The minimum side setback for accessory structures in a Mobile Home Dwelling District shall be five (5) feet.

3-16-07-05-04 *MINIMUM REAR SETBACK*

The minimum rear setback for accessory structures in a Mobile Home Dwelling District shall be five (5) feet.

3-16-07-05-05 *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 right-of-ways shall be twenty (20) feet.

3-16-07-05-06 *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 Transportation determines no additional right-of-way is required.

3-16-07-06 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.

3-16-07-07 MAXIMUM ACCESSORY BUILDING COVERAGE

The maximum accessory building coverage in a Mobile Home Dwelling District shall be six hundred (600) square feet.

3-16-07-08 MINIMUM FLOOR AREA OF DWELLINGS

The minimum floor area of dwellings in a Mobile Home Dwelling District shall be six hundred (600) square feet.

3-16-08 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 Mobile Home Dwelling 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 COMMERCIAL-0 DISTRICT (C-0)

3-17-01 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.

3-17-02 PERMITTED PRINCIPAL USES

The following uses are permitted uses in a Commercial-0 District, subject to building permit review and approval. Only one (1) principal use shall be permitted per lot.

3-17-02-01 PERMITTED PRINCIPAL AGRICULTURAL USES

The following principal agricultural uses are permitted in a Commercial-0 District as noted above:

1. Nurseries
2. Traditional Farming

3-17-02-02 PERMITTED PRINCIPAL INSTITUTIONAL USES

The following principal institutional uses are permitted in a Commercial-0 District as noted above:

1. Institutional Care
2. Neighborhood Indoor Uses
3. Outdoor Public Uses (Excluding Cemeteries) ***Adopted by the BOCC December 13, 2010**
4. Places of Worship

3-17-02-03 PERMITTED PRINCIPAL COMMERCIAL USES

The following principal commercial uses when no more than two thousand (2,000) square feet per business, and provided there are no outdoor facilities, are permitted in a Commercial-0 District as noted above:

1. Animal Hospitals, No outdoor facilities

2. Automobile Service Stations
3. Bed and Breakfast Establishments
2. Commercial Retail
3. Convenience Retail Store
4. Office
5. Services

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. Commercial Uses, Accessory
2. Institutional, Accessory
3. Residential, Accessory

3-17-04 PERMITTED CONDITIONAL USES

The following uses are permitted in a Commercial-0 District, subject to the issuance of a Conditional Use Permit from the Board of County Commissioners and building permit review and approval.

3-17-04-01 PERMITTED CONDITIONAL RESIDENTIAL USES

The following conditional commercial uses are permitted in a Commercial-0 District as noted above:

1. Single-Family Dwelling
2. Two-Family Dwelling
3. Multi-Family Dwelling
4. Manufactured Home Parks

3-17-04-02 PERMITTED CONDITIONAL INSTITUTIONAL USES

The following conditional institutional uses are permitted in a Commercial-0 District as noted above:

1. Public Service
2. Universities

3-17-04-03 PERMITTED CONDITIONAL COMMERCIAL USES

The following conditional commercial uses are permitted in a Commercial-0 District as noted above:

1. Automobile Dealers
2. Campgrounds, Commercial
3. Communications Towers, Commercial
4. Commercial Retail in excess of two thousand (2,000) square feet per business
5. Convenience Store in excess of two thousand (2,000) square feet per business
6. Drive-In Establishments
7. Golf Course/Driving Range, Commercial
8. Lodging, Commercial in excess of two thousand (2,000) square feet per business
9. Massage Business
10. Office in excess of two thousand (2,000) square feet per business
11. Restaurants
12. Services in excess of two thousand (2,000) square feet per business

3-17-04-04 PERMITTED CONDITIONAL INDUSTRIAL USES

The following conditional industrial uses are permitted in a Commercial-0 District as noted above:

1. Alcoholic Beverage Manufacturing
2. Business Park Uses
3. Extraction and Disposal Uses, Extraction Only (Except Oil and Gas Drilling and Production shall be processed as a Special Use Permit unless the County elects to execute a Memorandum of Understanding; see Chapters 2 and 4).
4. Fuel, Oil Gasoline, and Petroleum Products (bulk storage and/or sale)
5. Major Energy Facilities

3-17-05 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

Commerical-0 District, subject to the issuance of a Temporary Use Permit from the Director of Community and Economic Development.

3-17-06 PROHIBITED USES

All uses: (1) not expressly identified as permitted uses in this Section; 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.

3-17-07 AREA AND HEIGHT STANDARDS

3-17-07-01 MINIMUM LOT SIZE REQUIREMENTS

There are no minimum lot size requirements in a Commercial-0 District.

3-17-07-02 MINIMUM LOT WIDTH REQUIREMENTS

The minimum lot width in a Commercial-0 District shall be seventy-five (75) feet.

3-17-07-03 SETBACK AND DIMENSIONAL REQUIREMENTS FOR A STRUCTURE

3-17-07-03-01 *MINIMUM FRONT SETBACK*

The minimum front setback for a structure in a Commercial-0 District shall be fifty (50) feet.

3-17-07-03-02 *MINIMUM SIDE CORNER SETBACK*

The minimum side corner setback for a structure in a Commercial-0 District shall be fifty (50) feet.

3-17-07-03-03 *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.

3-17-07-03-04 *MINIMUM REAR SETBACK*

The minimum rear setback for a structure in a Commercial-0 District shall be fifteen (15) feet.

3-17-07-03-05 *MINIMUM SETBACK FROM RESIDENTIALLY ZONED OR USED PROPERTY*

Not applicable

3-17-07-03-06 *MINIMUM R.O.W. SETBACK*

The minimum setback for all structures in a Commercial-0 District from an arterial right-of-way 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 fifty (50) feet.

3-17-07-03-07 *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 Transportation determines no additional right-of-way is required.

3-17-07-04 MAXIMUM HEIGHT

The maximum height of a structure in a Commercial-0 District shall be twenty-five (25) feet.

3-17-07-05 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.

3-17-07-06 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.

3-17-08 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 3-17, in which case the specific standard or requirement contained in Section 3-17 shall apply.

3-18 COMMERCIAL-1 DISTRICT (C-1)

3-18-01 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.

3-18-02 PERMITTED PRINCIPAL USES

The following uses are permitted uses in a Commercial-1 District, subject to building permit review and approval. Only one (1) principal use shall be permitted per lot.

3-18-02-01 PERMITTED PRINCIPAL AGRICULTURAL USES

The following principal agricultural uses are permitted in a Commercial-0 District as noted above:

1. Nurseries
2. Traditional Farming

3-18-02-02 PERMITTED PRINCIPAL INSTITUTIONAL USES

The following principal institutional uses are permitted in a Commercial-1 District as noted above:

1. Institutional Care
2. Neighborhood Indoor Uses
3. Outdoor Public Uses (Excluding Cemeteries) ***Adopted by the BOCC December 13, 2010**
4. Places of Worship

3-18-02-03 PERMITTED PRINCIPAL COMMERCIAL USES

The following principal commercial uses when less than two thousand (2,000) square feet per business are permitted in a Commercial-1 District as noted above:

1. Animal Hospitals (no outdoor facilities)
2. Automobile Service Stations
3. Bed and Breakfast Establishments

3. Commercial Retail
4. Convenience Retail Store
5. Lodging, Commercial
6. Office
7. Restaurants
8. Services

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, Accessory
3. Residential, Accessory

3-18-04 PERMITTED CONDITIONAL USES

The following uses are permitted in a Commercial-1 District, subject to the issuance of a Conditional Use Permit from the Board of County Commissioners and building permit review and approval.

3-18-04-01 PERMITTED CONDITIONAL RESIDENTIAL USES

The following conditional commercial uses are permitted in a Commercial-1 District as noted above:

1. Multi-Family Dwelling
2. Manufactured Home Parks

3-18-04-02 PERMITTED CONDITIONAL INSTITUTIONAL USES

The following conditional institutional uses are permitted in a Commercial-1 District as noted above:

1. Public Service
2. Universities

3-18-04-03 PERMITTED CONDITIONAL COMMERCIAL USES

The following conditional commercial uses are permitted in a Commercial-1 District as noted above:

1. Animal Hospitals with outdoor facilities
2. Automobile Dealers
3. Campgrounds, Commercial
4. Communications Towers, Commercial
5. Commercial Retail in excess of two thousand (2,000) square feet per business
6. Drive-In Facilities
7. Golf Course/Driving Range, Commercial
8. Indoor Commercial Recreation/Entertainment
9. Kennel, Commercial
10. Lodging, Commercial in excess of two thousand (2,000) square feet per business
11. Massage Business
12. Office in excess of two thousand (2,000) square feet per business
13. Outdoor Commercial Recreation
14. Parking Lot, Commercial
15. Restaurants in excess of two thousand (2,000) square feet per business
16. Services in excess of two thousand (2,000) square feet per business
17. Trade Schools

3-18-04-04 PERMITTED CONDITIONAL INDUSTRIAL USES

The following conditional industrial uses are permitted in a Commercial-1 District as noted above:

1. Alcoholic Beverage Manufacturing
2. Business Park Uses
3. Extraction and Disposal Uses, Extraction Only (Except Oil and Gas Drilling and Production shall be processed as a Special Use Permit unless the County elects to execute a Memorandum of Understanding; see Chapters 2 and 4).
4. Fuel, Oil, Gasoline, and Petroleum Products (bulk storage and/or sale)
5. Major Energy Facilities

3-18-05 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 Commerical-1 District, subject to the issuance of a Temporary Use Permit from the Director of Community and Economic Development.

3-18-06 PROHIBITED USES

All uses: (1) not expressly identified as permitted uses in this Section; 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.

3-18-07 AREA AND HEIGHT STANDARDS

3-18-07-01 MINIMUM LOT SIZE REQUIREMENTS

There are no minimum lot size requirements in a Commercial-1 District.

3-18-07-02 MINIMUM LOT WIDTH REQUIREMENTS

The minimum lot width in a Commercial-1 District shall be seventy-five (75) feet.

3-18-07-03 SETBACK AND DIMENSIONAL REQUIREMENTS FOR A STRUCTURE

3-18-07-03-01 *MINIMUM FRONT SETBACK*

The minimum front setback for a structure in a Commercial-1 District shall be fifty (50) feet.

3-18-07-03-02 *MINIMUM SIDE CORNER SETBACK*

The minimum side corner setback for a structure in a Commercial-1 District shall be fifty (50) feet.

3-18-07-03-03 *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.

3-18-07-03-04 *MINIMUM REAR SETBACK*

The minimum rear setback for a structure in a Commercial-1 District shall be fifteen (15) feet.

3-18-07-03-05 *MINIMUM SETBACK FROM RESIDENTIALLY ZONED OR USED PROPERTY*

Not applicable

3-18-07-03-06 *MINIMUM R.O.W. SETBACK*

The minimum setback for all structures in a Commercial-1 District from an arterial right-of-way 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 fifty (50) feet.

3-18-07-03-07 *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 Transportation determines no additional right-of-way is required.

3-18-07-04 MAXIMUM HEIGHT

The maximum height of a structure in a Commercial-1 District shall be twenty-five (25) feet.

3-18-07-05 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.

3-18-07-06 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.

3-18-08 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 3-18 in which case the specific standard or requirement contained in Section 3-18 shall apply.

3-19 COMMERCIAL-2 DISTRICT (C-2)

3-19-01 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.

3-19-02 PERMITTED PRINCIPAL USES

The following uses are permitted uses in a Commercial-2 District, subject to building permit review and approval. Only one (1) principal use shall be permitted per lot.

3-19-02-01 PERMITTED PRINCIPAL AGRICULTURAL USES

The following principal agricultural uses are permitted in a Commercial-2 District as noted above:

1. Nurseries
2. Traditional Farming

3-19-02-02 PERMITTED PRINCIPAL INSTITUTIONAL USES

The following principal institutional uses are permitted in a Commercial-2 District as noted above:

1. Institutional Care
2. Neighborhood Indoor Uses
3. Outdoor Public Uses (Excluding Cemeteries) ***Adopted by the BOCC December 13, 2010**
4. Places of Worship

3-19-02-03 PERMITTED PRINCIPAL COMMERCIAL USES

The following principal commercial uses with no more than ten thousand (10,000) square feet per use are permitted in a Commercial-2 District as noted above:

1. Animal Hospitals
2. Automobile Dealers
3. Automobile Service Stations

4. Bed and Breakfast Establishments
5. Commercial Retail
6. Convenience Retail Store
7. Drive-In Facilities
8. Golf Course/Driving Range, Commercial
9. Indoor Commercial Recreation/Entertainment
10. Lodging, Commercial
11. Office
12. Restaurants
13. Services

3-19-03 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

3-19-04 PERMITTED CONDITIONAL USES

The following uses are permitted in a Commercial-2 District, subject to the issuance of a Conditional Use Permit from the Board of County Commissioners and building permit review and approval.

3-19-04-01 PERMITTED CONDITIONAL INSTITUTIONAL USES

The following conditional institutional uses are permitted in a Commercial-2 District as noted above:

1. Public Service
2. Universities

3-19-04-02 PERMITTED CONDITIONAL COMMERCIAL USES

The following conditional commercial uses are permitted in a Commercial-2 District as noted above:

1. Campgrounds, Commercial

2. Communications Towers, Commercial
3. Heavy Retail and Heavy Services in excess of ten thousand (10,000) square feet (Excluding Automobile Dealers which are Permitted Principal Uses which are less than ten thousand (10,000) square feet).
4. Kennel, Commercial
5. Lodging, Commercial in excess of ten thousand (10,000) square feet
6. Massage Business
7. Office in excess of ten thousand (10,000) square feet
8. Outdoor Commercial Recreation
9. Parking Lot, Commercial
10. Services in excess of ten thousand (10,000) square feet
11. Trade Schools in excess of ten thousand (10,000) square feet

3-19-04-03 PERMITTED CONDITIONAL INDUSTRIAL USES

The following conditional industrial uses are permitted in a Commercial-2 District as noted above:

1. Alcoholic Beverage Manufacturing
2. Business Park Uses
3. Extraction and Disposal Uses, Extraction Only (Except Oil and Gas Drilling and Production shall be processed as a Special Use Permit unless the County elects to execute a Memorandum of Understanding; see Chapters 2 and 4).
4. Fuel, Oil, Gasoline, and Petroleum Products (bulk storage and/or sale)
5. Major Energy Facilities

3-19-05 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 Commerical-2 District, subject to the issuance of a Temporary Use Permit from the Director of Community and Economic Development.

3-19-06 PROHIBITED USES

All uses: (1) not expressly identified as permitted uses in this Section; 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.

3-19-07 AREA AND HEIGHT STANDARDS

3-19-07-01 MINIMUM LOT SIZE REQUIREMENTS

There are no minimum lot size requirements in a Commercial-2 District.

3-19-07-02 MINIMUM LOT WIDTH REQUIREMENTS

The minimum lot width in a Commercial-2 District shall be seventy-five (75) feet.

3-19-07-03 SETBACK AND DIMENSIONAL REQUIREMENTS FOR A STRUCTURE

3-19-07-03-01 *MINIMUM FRONT SETBACK*

The minimum front setback for a structure in a Commercial-2 District shall be fifty (50) feet.

3-19-07-03-02 *MINIMUM SIDE CORNER SETBACK*

The minimum side corner setback for a structure in a Commercial-2 District shall be fifty (50) feet.

3-19-07-03-03 *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.

3-19-07-03-04 *MINIMUM REAR SETBACK*

The minimum rear setback for a structure in a Commercial-2 District shall be fifteen (15) feet.

3-19-07-03-05 *MINIMUM SETBACK FROM RESIDENTIALLY ZONED OR USED PROPERTY*

Not applicable

3-19-07-03-06 *MINIMUM R.O.W. SETBACK*

The minimum setback for all structures in a Commercial-2 District from an arterial right-of-way 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 fifty (50) feet.

3-19-07-03-07 *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 Transportation determines no additional right-of-way is required.

3-19-07-04 MAXIMUM HEIGHT

The maximum height of a structure in a Commercial-2 District shall be thirty-five (35) feet.

3-19-07-05 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.

3-19-07-06 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.

3-19-08 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-2 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.

3-20 COMMERCIAL-3 DISTRICT (C-3)

3-20-01 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.

3-20-02 PERMITTED PRINCIPAL USES

The following uses are permitted uses in a Commercial-3 District, subject to building permit review and approval. Only one (1) principal use shall be permitted per lot.

3-20-02-01 PERMITTED PRINCIPAL AGRICULTURAL USES

The following principal agricultural uses are permitted in a Commercial-3 District as noted above:

1. Nurseries
2. Traditional Farming

3-20-02-02 PERMITTED PRINCIPAL INSTITUTIONAL USES

The following principal institutional uses are permitted in a Commercial-3 District as noted above:

1. Funeral Home/Mortuary ***Adopted by the BoCC on December 13, 2010**
2. Institutional Care
3. Neighborhood Indoor Uses
4. Outdoor Public Uses
5. Places of Worship

3-20-02-03 PERMITTED PRINCIPAL COMMERCIAL USES

The following principal commercial uses with no more than ten thousand (10,000) square feet per use are permitted in a Commercial-3 District as noted above:

1. Animal Hospitals
2. Automobile Dealers

3. Automobile Service Stations
4. Bed and Breakfast Establishments
5. Commercial Retail
6. Convenience Retail Store
7. Drive-In Facilities
8. Golf Course/Driving Range, Commercial
9. Indoor Commercial Recreation/Entertainment
10. Lodging, Commercial
11. Office
12. Restaurants13. Services
14. Trade Schools

3-20-02-04 PERMITTED MARIJUANA ESTABLISHMENTS

The following principal marijuana establishments are permitted in a Commercial-3 District as noted above:

1. Medical Marijuana Center
2. Retail Marijuana Store
3. Medical Marijuana Optional Premises Cultivation Operation
4. Retail Marijuana Cultivation Facility

3-20-02-05 PERMITTED PRINCIPAL INDUSTRIAL USES

1. Accessory Outdoor Storage (up to 25% of the building area) ***Adopted by the BoCC on December 13, 2010**

3-20-03 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

3-20-04 PERMITTED CONDITIONAL USES

The following uses are permitted in a Commercial-3 District, subject to the issuance of a Conditional Use Permit from the Board of County Commissioners and building permit review and approval.

3-20-04-01 PERMITTED CONDITIONAL INSTITUTIONAL USES

The following conditional institutional uses are permitted in a Commercial-3 District as noted above:

1. Funeral Home/Mortuary to include Cremation ***Adopted by the BoCC on December 13, 2010**
2. Public Service
3. Universities

3-20-04-02 PERMITTED CONDITIONAL COMMERCIAL USES

The following conditional commercial uses are permitted in a Commercial-3 District as noted above:

1. Campgrounds, Commercial
2. Communications Towers, Commercial
3. Business Park Uses
4. Heavy Retail and Heavy Services (Excluding Automobile Dealers which are a Permitted Principal Use)
4. Kennel, Commercial
5. Lodging, Commercial in excess of ten thousand (10,000) square feet
6. Massage Business
7. Office in excess of ten thousand (10,000) square feet
8. Outdoor Commercial Recreation in excess of ten thousand (10,000) square feet
9. Parking Lot, Commercial
10. Services in excess of ten thousand (10,000) square feet
11. Trade Schools in excess of ten thousand (10,000) square feet

3-20-04-03 PERMITTED CONDITIONAL INDUSTRIAL USES

The following conditional industrial uses are permitted in a Commercial-3 District as noted above:

1. Alcoholic Beverage Manufacturing. Business Park Uses
2. Extraction and Disposal Uses, Extraction Only (Except Oil and Gas Drilling and Production shall be processed as a Special Use Permit unless the County elects to execute a Memorandum of Understanding; see Chapters 2 and 4).
3. Fuel, Oil, Gasoline, and Petroleum Products (bulk storage and/or sale)
4. Major Energy Facilities

3-20-05 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 Commerical-3 District, subject to the issuance of a Temporary Use Permit from the Director of Community and Economic Development.

3-20-06 PROHIBITED USES

All uses: (1) not expressly identified as permitted uses in this Section; 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.

3-20-07 AREA AND HEIGHT STANDARDS

3-20-07-01 MINIMUM LOT SIZE REQUIREMENTS

There are no minimum lot size requirements in a Commercial-3 District.

3-20-07-02 MINIMUM LOT WIDTH REQUIREMENTS

The minimum lot width in a Commercial-3 District shall be seventy-five (75) feet.

3-20-07-03 SETBACK AND DIMENSIONAL REQUIREMENTS FOR A STRUCTURE

3-20-07-03-01 *MINIMUM FRONT SETBACK*

The minimum front setback for a structure in a Commercial-3 District shall be fifty (50) feet.

3-20-07-03-02 *MINIMUM SIDE CORNER SETBACK*

The minimum side corner setback for a structure in a Commercial-3 District shall be fifty (50) feet.

3-20-07-03-03 *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.

3-20-07-03-04 *MINIMUM REAR SETBACK*

The minimum rear setback for a structure in a Commercial-3 District shall be fifteen (15) feet.

3-20-07-03-05 *MINIMUM SETBACK FROM RESIDENTIALLY ZONED OR USED PROPERTY*

Not applicable

3-20-07-03-06 *MINIMUM R.O.W. SETBACK*

The minimum setback for all structures in a Commercial-3 District from an arterial right-of-way 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 fifty (50) feet.

3-20-07-03-07 *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 Transportation determines no additional right-of-way is required.

3-20-07-04 MAXIMUM HEIGHT

The maximum height of a structure in a Commercial-3 District shall be thirty-five (35) feet.

3-20-07-05 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.

3-20-07-06 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.

3-20-08 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-3 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.

3-21 COMMERCIAL-4 DISTRICT (C-4)

3-21-01 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.

3-21-02 PERMITTED PRINCIPAL USES

The following uses are permitted uses in a Commercial-4 District, subject to building permit review and approval. Only one (1) principal use shall be permitted per lot.

3-21-02-01 PERMITTED PRINCIPAL AGRICULTURAL USES

The following principal agricultural uses are permitted in a Commercial-4 District as noted above:

1. Nurseries
2. Traditional Farming

3-21-02-02 PERMITTED PRINCIPAL INSTITUTIONAL USES

The following principal institutional uses are permitted in a Commercial-4 District as noted above:

1. Funeral Home/Mortuary ***Adopted by the BoCC on December 13, 2010**
2. Institutional Care
3. Neighborhood Indoor Uses
4. Outdoor Public Uses
5. Places of Worship

3-21-02-03 PERMITTED PRINCIPAL COMMERCIAL USES

The following principal commercial uses are permitted in a Commercial-4 District as noted above:

1. Animal Hospitals
2. Automobile Dealers

3. Automotive Repair, including top, body, upholstery repair, paint, and tire re-treading shops
4. Automobile Service Stations
5. Bed and Breakfast Establishments
6. Commercial Retail
7. Convenience Retail Store
8. Drive-In Facilities
9. Golf Course/Driving Range, Commercial
10. Indoor Commercial Recreation/Entertainment
11. Lodging, Commercial
12. Office
13. Parking Lot, Commercial
14. Restaurants15. Services
16. Sexually Oriented Businesses subject to the requirements of Section 4-17
17. Trade Schools

3-21-02-04 PERMITTED PRINCIPAL INDUSTRIAL USES

The following principal institutional uses are permitted in a Commercial-4 District as noted above:

1. Accessory Outdoor Storage (up to 25% of the building area) ***Adopted by the BoCC on December 13, 2010**
2. Alcohol Beverage Manufacturing
3. Automotive Repair, including top, body, upholstery repair, paint, and tire re-treading shops
4. Business Park Uses

3-21-02-05 PERMITTED PRINCIPAL MARIJUANA ESTABLISHMENTS

The following principal marijuana establishments are permitted in a Commercial-4 District as noted above:

1. Medical Marijuana Center
2. Retail Marijuana Store
3. Medical Marijuana Optional Premises Cultivation Operation
4. Retail Marijuana Cultivation Facility

3-21-03 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 Uses, Accessory
3. Industrial Uses, Accessory

3-21-04 PERMITTED CONDITIONAL USES

The following uses are permitted in a Commercial-4 District, subject to the issuance of a Conditional Use Permit from the Board of County Commissioners and building permit review and approval.

3-21-04-01 PERMITTED CONDITIONAL AGRICULTURAL USES

The following conditional agricultural uses are permitted in a Commercial-4 District as noted above:

1. Agricultural Support Businesses and Services
2. Agricultural Businesses

3-21-04-02 PERMITTED CONDITIONAL INSTITUTIONAL USES

The following conditional institutional uses are permitted in a Commercial-4 District as noted above:

1. Funeral Home/Mortuary to include Cremation ***Adopted by the BoCC on December 13, 2010**
2. Public Service
3. Universities

3-21-04-03 PERMITTED CONDITIONAL COMMERCIAL USES

The following conditional commercial uses are permitted in a Commercial-4 District as noted above:

1. Campgrounds, Commercial
2. Communications Towers, Commercial
3. Heavy Retail and Heavy Services (Excluding Automobile Dealers and Automotive Repair which are a permitted principal use in the C-4 Zone District)

4. Kennel, Commercial
5. Massage Business
6. Outdoor Commercial Recreation
7. Racing Facilities

3-21-04-04 PERMITTED CONDITIONAL INDUSTRIAL USES

The following conditional industrial uses are permitted in a Commercial-4 District as noted above:

1. Extraction and Disposal Uses, Extraction Only (Except Oil and Gas Drilling and Production shall be processed as a Special Use Permit unless the County elects to execute a Memorandum of Understanding; see Chapters 2 and 4).
2. Major Energy Facilities

3-21-05 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 Commerical-4 District, subject to the issuance of a Temporary Use Permit from the Director of Community and Economic Development.

3-21-06 PROHIBITED USES

All uses: (1) not expressly identified as permitted uses in this Section; 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.

3-21-07 AREA AND HEIGHT STANDARDS

3-21-07-01 MINIMUM LOT SIZE REQUIREMENTS

There are no minimum lot size requirements in a Commercial-4 District.

3-21-07-02 MINIMUM LOT WIDTH REQUIREMENTS

The minimum lot width in a Commercial-4 District shall be one hundred (100) feet.

3-21-07-03 SETBACK AND DIMENSIONAL REQUIREMENTS FOR A STRUCTURE

3-21-07-03-01 *MINIMUM FRONT SETBACK*

The minimum front setback for a structure in a Commercial-4 District shall be fifty (50) feet.

3-21-07-03-02 *MINIMUM SIDE CORNER SETBACK*

The minimum side corner setback for a structure in a Commercial-4 District shall be fifty (50) feet.

3-21-07-03-03 *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.

3-21-07-03-04 *MINIMUM REAR SETBACK*

The minimum rear setback for a structure in a Commercial-4 District shall be fifteen (15) feet.

3-21-07-03-05 *MINIMUM SETBACK FROM RESIDENTIALLY ZONED OR USED PROPERTY*

Not applicable

3-21-07-03-06 *MINIMUM R.O.W. SETBACK*

The minimum setback for all structures in a Commercial-4 District from an arterial right-of-way 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 fifty (50) feet.

3-21-07-03-07 *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.

3-21-07-04 MAXIMUM HEIGHT

The maximum height of a structure in a Commercial-4 District shall be thirty-five (35) feet.

3-21-08 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-4 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.

3-22 COMMERCIAL-5 DISTRICT (C-5)

3-22-01 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.

3-22-02 PERMITTED PRINCIPAL USES

The following uses are permitted uses in a Commercial-5 District, subject to building permit review and approval. Only one (1) principal use shall be permitted per lot.

3-22-02-01 PERMITTED AGRICULTURAL USES

The following agricultural uses are permitted in a Commercial-5 District as noted above:

1. Agricultural Support Businesses and Services
2. Agricultural Businesses
3. Nurseries
4. Traditional Farming

3-22-02-02 PERMITTED PRINCIPAL INSTITUTIONAL USES

The following institutional uses are permitted in a Commercial-5 District as noted above:

1. Funeral Home/Mortuary ***Adopted by the BoCC on December 13, 2010**
2. Institutional Care
3. Neighborhood Indoor Uses
4. Outdoor Public Uses
5. Places of Worship

3-22-02-03 PERMITTED PRINCIPAL COMMERCIAL USES

The following principal commercial uses are permitted in a Commercial-5 District as noted above:

1. Animal Hospitals
2. Automobile Dealers
3. Automobile Service Stations
4. Bed and Breakfast Establishments
5. Commercial Retail
6. Convenience Retail Store
7. Drive-In Facilities
8. Golf Course/Driving Range, Commercial
9. Indoor Commercial Recreation/Entertainment
10. Lodging, Commercial
11. Office
12. Parking Lot, Commercial
13. Restaurants
14. Services
15. Sexually Oriented Businesses subject to the requirements of Section 4-17
16. Trade Schools

3-22-02-04 PERMITTED PRINCIPAL INDUSTRIAL USES

The following principal institutional uses are permitted in a Commercial-5 District as noted above:

1. Accessory Outdoor Storage (up to 25% of the building area) ***Adopted by the BoCC on December 13, 2010**
2. Alcoholic Beverage Manufacturing
3. Automotive Repair, including top, body, upholstery repair, paint, and tire re-treading shops
4. Business Park Uses

3-22-02-05 PERMITTED PRINCIPAL MARIJUANA ESTABLISHMENTS

The following principal marijuana establishments are permitted in a Commercial-5 District as noted above:

1. Medical Marijuana Center
2. Retail Marijuana Store
3. Medical Marijuana Optional Premises Cultivation Operation
4. Retail Marijuana Cultivation Facility

3-22-03 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 Uses, Accessory.
3. Industrial Uses, Accessory

3-22-04 PERMITTED CONDITIONAL USES

The following uses are permitted in a Commercial-5 District, subject to the issuance of a Conditional Use Permit from the Board of County Commissioners and building permit review and approval.

3-22-04-01 PERMITTED CONDITIONAL INSTITUTIONAL USES

The following conditional institutional uses are permitted in a Commercial-5 District as noted above:

1. Funeral Home/Mortuary to include Cremation ***Adopted by the BoCC on December 13, 2010**
2. Halfway House ***Adopted by the BoCC on December 13, 2010**
3. Jails and Prisons
4. Public Service
5. Universities

3-22-04-02 PERMITTED CONDITIONAL COMMERCIAL USES

The following conditional commercial uses are permitted in a Commercial-5 District as noted above:

1. Campgrounds, Commercial
2. Communications Towers, Commercial
3. Heavy Retail and Heavy Services (excluding Automotive Dealers and Automotive Repair which are a permitted principal use in the C-5 Zone District)
4. Kennel, Commercial
5. Massage Business
6. Off-Premise Advertising Devices
7. Outdoor Commercial Recreation
8. Racing Facilities

3-22-04-03 PERMITTED CONDITIONAL INDUSTRIAL USES

The following conditional industrial uses are permitted in a Commercial-5 District as noted above:

1. Accessory Outdoor Storage (in excess of 25% and up to 100% of the bldg. area) ***Adopted by the BoCC on December 13, 2010**
2. Extraction and Disposal uses, Extraction Only (Except Oil and Gas Drilling and Production shall be processed as a Special Use Permit unless the County elects to execute a Memorandum of Understanding; see Chapters 2 and 4).
3. Candy product manufacturing (for sale off premise)
4. Light Industrial (Excluding Automotive repair, including top, body, upholstery repair, paint, and tire re-treading shops which are permitted principal uses in the C-5 Zone District)
5. Light Manufacturing or Processing
6. Major Energy Facility

3-22-05 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 Commerical-5 District, subject to the issuance of a Temporary Use Permit from the Director of Community and Economic Development.

3-22-06 PROHIBITED USES

All uses: (1) not expressly identified as permitted uses in this Section; 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.

3-22-07 AREA AND HEIGHT STANDARDS

3-22-07-01 MINIMUM LOT SIZE REQUIREMENTS

There are no minimum lot size requirements in a Commercial-5 District.

3-22-07-02 MINIMUM LOT WIDTH REQUIREMENTS

The minimum lot width in a Commercial-5 District shall be one hundred (100) feet.

3-22-07-03 SETBACK AND DIMENSIONAL REQUIREMENTS FOR A STRUCTURE

3-22-07-03-01 *MINIMUM FRONT SETBACK*

The minimum front setback for a structure in a Commercial-5 District shall be fifty (50) feet.

3-22-07-03-02 *MINIMUM SIDE CORNER SETBACK*

The minimum side corner setback for a structure in a Commercial-5 District shall be fifty (50) feet.

3-22-07-03-03 *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.

3-22-07-03-04 *MINIMUM REAR SETBACK*

The minimum rear setback for a structure in a Commercial-5 District shall be fifteen (15) feet.

3-22-07-03-05 *MINIMUM SETBACK FROM RESIDENTIALLY ZONED OR USED PROPERTY*

Not applicable

3-22-07-03-06 *MINIMUM R.O.W. SETBACK*

The minimum setback for all structures in a Commercial-5 District from an arterial right-of-way 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 fifty (50) feet.

3-22-07-03-07 *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 Transportation determines no additional right-of-way is required.

3-22-07-04 MAXIMUM HEIGHT

The maximum height of a structure in a Commercial-5 District shall be thirty-five (35) feet.

3-22-08 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-5 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.

3-23 INDUSTRIAL-1 DISTRICT (I-1)

3-23-01 PURPOSE

The purpose of the Industrial-1 District is to provide a general commercial and restricted industrial district designed to provide for a variety of compatible business, warehouse, wholesale, offices and very limited industrial uses.

3-23-02 PERMITTED PRINCIPAL USES

The following uses are permitted uses in an Industrial-1 District, subject to building permit review and approval. Only one (1) principal use shall be permitted per lot.

3-23-02-01 PERMITTED PRINCIPAL AGRICULTURAL USES

The following principal agricultural uses are permitted in an Industrial-1 District as noted above:

1. Agricultural Support Businesses and Services
2. Agricultural Businesses
3. Farming
4. Nurseries
5. Ranching
6. Traditional Farming

3-23-02-02 PERMITTED PRINCIPAL INSTITUTIONAL USES

The following principal institutional uses are permitted in an Industrial-1 District as noted above:

1. Funeral Home/Mortuary ***Adopted by the BoCC on December 13, 2010**
2. Funeral Home/Mortuary to include Cremation ***Adopted by the BoCC on December 13, 2010**
3. Institutional Care
4. Neighborhood Indoor Uses
5. Outdoor Public Uses
6. Places of Worship

3-23-02-03 PERMITTED PRINCIPAL COMMERCIAL USES

The following principal commercial uses are permitted in an Industrial-1 District as noted above:

1. Animal Hospital
2. Automobile Service Stations
3. Bed and Breakfast Establishments
4. Commercial Retail
5. Convenience Retail Store
6. Drive-In Facilities
7. Golf Course/Driving Range, Commercial
8. Heavy Retail and Heavy Services
9. Indoor Commercial Recreation/Entertainment
10. Lodging, Commercial
11. Offices
12. Parking Lot, Commercial
13. Restaurants
14. Services
15. Sexually Oriented Businesses subject to the requirements of Section 4-17
16. Trade School

3-23-02-04 PERMITTED PRINCIPAL INDUSTRIAL USES

The following principal industrial uses are permitted in an Industrial-1 District as noted above:

1. Accessory Outdoor Storage (up to 25% of the bldg. area) ***Adopted by the BoCC on December 13, 2010**
2. Accessory Outdoor Storage (in excess of 25% and up to 100% of the bldg. area) ***Adopted by the BoCC on December 13, 2010**
3. Alcoholic Beverage Manufacturing
4. Automotive Repair, including top, body upholstery repair, paint, and re-treading shops
5. Business Park

6. Candy Product Manufacturing (for sale off premise)
7. Fuel, Oil, Gasoline, and Petroleum Products (Bulk Storage and/or Sale)
8. Glass or Glass Product Manufacturing
9. Landscape Storage Yard
10. Light Industry
11. Light Manufacturing or Processing
12. Lumber Mills, Planing Mills, and Storage of Logs
13. Moderate Manufacturing or Processing (Excluding Creosote Manufacturing or Treatment Plant, Forging Plant and Foundry, Mobile Home Manufacturing and Storage)
14. Pickle Manufacturing
15. Sugar and Beet Refining

3-23-02-05 PERMITTED PRINCIPAL MARIJUANA ESTABLISHMENTS

The following principal marijuana establishments are permitted in an Industrial-1 District as noted above:

1. Medical Marijuana Center
2. Retail Marijuana Store
3. Medical Marijuana Infused Products Manufacturer
4. Retail Marijuana Product Manufacturing Facility
5. Medical Marijuana Optional Premises Cultivation Operation
6. Retail Marijuana Cultivation Facility
7. Retail Marijuana Testing Facility

3-23-03 PERMITTED ACCESSORY USES

In association with a permitted principal use, the following accessory uses are permitted, subject to building permit review and approval.

1. Agricultural Uses, Accessory
2. Commercial Uses, Accessory
3. Industrial Uses, Accessory

3-23-04 PERMITTED CONDITIONAL USES

The following uses are permitted in an Industrial-1 District, subject to the issuance of a Conditional Use Permit from the Board of County Commissioners and building permit review and approval.

3-23-04-01 PERMITTED CONDITIONAL INSTITUTIONAL USES

The following conditional institutional uses are permitted in an Industrial-1 District as noted above:

5. Halfway House ***Adopted by the BoCC on December 13, 2010**
6. Jails and Prisons
3. Public Service
4. Universities

3-23-04-02 PERMITTED CONDITIONAL COMMERCIAL USES

The following conditional commercial uses are permitted in an Industrial-1 District as noted above:

1. Airports, Landing Strips, and Heliports
3. Campgrounds, Commercial
4. Communication Towers, Commercial
5. Kennel, Commercial
6. Massage Business
7. Off-Premise Advertising Devices
8. Outdoor Commercial Recreation
9. Racing Facilities

3-23-04-03 PERMITTED CONDITIONAL INDUSTRIAL USES

The following conditional industrial uses are permitted in an Industrial-1 District as noted above:

1. Outdoor Storage (in excess of 100% of the bldg. area) ***Adopted by the BoCC on December 13, 2010**
2. Boiler or tank works
3. Creosote Manufacturing or Treatment Plant

4. Extraction and Disposal Uses (Inert fills may be processed as a Special Use Permit, Temporary Use Permit or Certificate of Designation pursuant to Chapter 2 and 4; (Except Oil and Gas Drilling and Production shall be processed as a Special Use Permit unless the County elects to execute a Memorandum of Understanding; see Chapters 2 and 4).
5. Forging plant and foundry
6. Heavy Industry (Excluding Solid Waste Transfer Stations, Scrap Tire Recycling Facilities and Solid Waste Recycling Facilities and Excluding Alcoholic Beverage Manufacturing which is a permitted principal use in the I-1 Zone District)
7. Major Energy Facilities
8. Mobile Homes Manufacturing and Storage
9. Paint and Enamel Manufacturing
10. Recycling Facilities
11. Scrap Processing or Shredding Yard
12. Smelting or Refining of Metal
13. Tar and Waterproofing (materials manufacturing, treatment, and bulk storage)

3-23-05 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.

3-23-06 PROHIBITED USES

All uses: (1) not expressly identified as permitted uses in this Section; 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.

3-23-07 AREA AND HEIGHT STANDARDS

3-23-07-01 MINIMUM LOT SIZE REQUIREMENTS

The minimum lot size requirement shall be one (1) acre in an Industrial-1 District.

3-23-07-02 MINIMUM LOT WIDTH REQUIREMENTS

The minimum lot width in an Industrial-1 District shall be one hundred (100) feet.

3-23-07-03 SETBACK AND DIMENSIONAL REQUIREMENTS FOR A STRUCTURE

3-23-07-03-01 *MINIMUM FRONT SETBACK*

The minimum front setback for a structure in an Industrial-1 District shall be fifty (50) feet.

3-23-07-03-02 *MINIMUM SIDE CORNER SETBACK*

The minimum side corner setback for a structure in an Industrial-1 District shall be fifty (50) feet.

3-23-07-03-03 *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.

3-23-07-03-04 *MINIMUM REAR SETBACK*

The minimum rear setback for a structure in an Industrial-1 District shall be fifteen (15) feet.

3-23-07-03-05 *MINIMUM SETBACK FROM RESIDENTIALLY ZONED OR USED PROPERTY*

Not applicable

3-23-07-03-06 *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 fifty (50) feet.

3-23-07-03-07 *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 Transportation determines no additional right-of-way is required.

3-23-07-04 MAXIMUM HEIGHT

The maximum height of a structure in an Industrial-1 District shall be sixty (60) feet.

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 an Industrial-1 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.

3-24 INDUSTRIAL-2 DISTRICT (I-2)

3-24-01 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.

3-24-02 PERMITTED PRINCIPAL USES

The following uses are permitted uses in an Industrial-2 District, subject to building permit review and approval. Only one (1) principal use shall be permitted per lot.

3-24-02-01 PERMITTED PRINCIPAL AGRICULTURAL USES

The following principal agricultural uses are permitted in an Industrial-2 District as noted above:

1. Agricultural Support Businesses and Services
2. Agricultural Businesses
3. Farming
4. Nurseries
5. Ranching
6. Traditional Farming

3-24-02-02 PERMITTED PRINCIPAL INSTITUTIONAL USES

The following principal institutional uses are permitted in an Industrial-2 District as noted above:

1. Funeral Home/Mortuary ***Adopted by the BoCC on December 13, 2010**
2. Funeral Home/Mortuary to include Cremation ***Adopted by the BoCC on December 13, 2010**
3. Institutional Care
4. Neighborhood Indoor Uses
5. Outdoor Public Uses

3-24-02-03 PERMITTED PRINCIPAL COMMERCIAL USES

The following principal commercial uses are permitted in an Industrial-2 District as noted above:

1. Animal Hospitals
2. Automobile Service Stations
3. Bed and Breakfast Establishments
4. Commercial retail
5. Convenience Retail Store
6. Drive-In Facilities
7. Golf Course/Driving Range, Commercial
8. Heavy Retail and Heavy Services
9. Indoor Commercial Recreation/Entertainment
10. Lodging, Commercial Offices
11. Parking Lot, Commercial
12. Restaurants
13. Services
14. Sexually Oriented Businesses subject to the requirements of Section 4-17Trade Schools

3-24-02-04 PERMITTED PRINCIPAL INDUSTRIAL USES

The following principal industrial uses are permitted in an Industrial-2 District as noted above:

1. Accessory Outdoor Storage (up to 25% of the bldg. area) ***Adopted by the BoCC on December 13, 2010**
2. Accessory Outdoor Storage (in excess of 25% and up to 100% of the bldg. area) ***Adopted by the BoCC on December 13, 2010**
3. Outdoor Storage (in excess of 100% of the bldg. area) *See Outdoor Storage Performance Standards in Chapter 4 ***Adopted by the BoCC on December 13, 2010**
4. Boiler Tank Works
5. Business Park Uses

6. Fuel, Oil, Gasoline, and Petroleum Products (bulk storage and/or sale)
7. Felt Manufacturing
8. Landscape Storage Yard
9. Lubrication and Grease Manufacturing
10. Lumber mills, Planing Mills, and Storage of Logs
11. Pickle Manufacturing
12. Sugar and Beet Refining
13. Heavy Industry (Excluding Solid Waste Transfer Stations, Scrap Tire Recycling Facilities and Solid Waste Recycling Facilities)
14. Light Industry
15. Light Manufacturing and Processing
16. Moderate Manufacturing and Processing (Excluding Creosote Manufacturing or Treatment Plant, Forging Plant and Foundry

3-24-02-05 PERMITTED PRINCIPAL MARIJUANA ESTABLISHMENTS

The following principal marijuana establishments are permitted in an Industrial-2 District as noted above:

1. Medical Marijuana Center
2. Retail Marijuana Store
3. Medical Marijuana Infused Products Manufacturer
4. Retail Marijuana Product Manufacturing Facility
5. Medical Marijuana Optional Premises Cultivation Operation
6. Retail Marijuana Cultivation Facility
7. Retail Marijuana Testing Facility

3-24-03 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, Accessory
2. Industrial, Accessory

3-24-04 PERMITTED CONDITIONAL USES

The following uses are permitted in an Industrial-2 District, subject to the issuance of a Conditional Use Permit from the Board of County Commissioners and building permit review and approval.

3-24-04-01 PERMITTED CONDITIONAL INSTITUTIONAL USES

The following conditional institutional uses are permitted in an Industrial-2 District as noted above:

5. Halfway House ***Adopted by the BoCC on December 13, 2010**
6. Jails and Prisons
7. Places of Worship
8. Public Service
9. Universities

3-24-04-02 PERMITTED CONDITIONAL COMMERCIAL USES

The following conditional commercial uses are permitted in an Industrial-2 District as noted above:

1. Airports, Landing Strips, and Heliports
2. Campgrounds, Commercial
3. Communication Towers, Commercial
4. Kennel, Commercial
5. Massage Businesses
6. Off-Premise Advertising Devices
7. Outdoor Commercial Recreation
8. Racing Facilities

3-24-04-03 PERMITTED CONDITIONAL INDUSTRIAL USES

The following conditional industrial uses are permitted in an Industrial-2 District as noted above:

1. Outdoor Storage (in excess of 100% of the bldg. area) * See Outdoor Storage Performance Standards in Chapter 4 ***Adopted by the BoCC on December 13, 2010**

2. Creosote Manufacturing
3. Extraction and Disposal Uses (Inert fills may be processed as a Special Use Permit, Conditional Use Permit or Certificate of Designation pursuant to Chapter 2; Except Oil and Gas Drilling and Production shall be processed as a Special Use Permit unless the County elects to execute a Memorandum of Understanding; see Chapters 2 and 4.)
4. Forging Plant and Foundry
5. Heavy Manufacturing or Processing excluding, Boiler or Tank Works, Felt Manufacturing, Fuel, Oil, Gasoline and Petroleum Products (bulk storage and/or sale), Lubrication and Grease Manufacturing, Lumber Mills, Planing Mills, and Storage of Logs, Pickle Manufacturing, and Sugar and Beet Refining which are permitted principal uses in the_Industrial-2 Zone District
6. Major Energy Facilities

3-24-05 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.

3-24-06 PROHIBITED USES

All uses: (1) not expressly identified as permitted uses in this Section; 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.

3-24-07 AREA AND HEIGHT STANDARDS

3-24-07-01 MINIMUM LOT SIZE REQUIREMENTS

The minimum lot size requirement shall be two (2) acres in an Industrial-2 District.

3-24-07-02 MINIMUM LOT WIDTH REQUIREMENTS

The minimum lot width in an Industrial-2 District shall be one-hundred-twenty-five (125) feet.

3-24-07-03 SETBACK AND DIMENSIONAL REQUIREMENTS FOR A STRUCTURE

3-24-07-03-01 *MINIMUM FRONT SETBACK*

The minimum front setback for a structure in an Industrial-2 District shall be fifty (50) feet.

3-24-07-03-02 *MINIMUM SIDE CORNER SETBACK*

The minimum side corner setback for a structure in an Industrial-2 District shall be fifty (50) feet.

3-24-07-03-03 *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.

3-24-07-03-04 *MINIMUM REAR SETBACK*

The minimum rear setback for a structure in an Industrial-2 District shall be fifteen (15) feet.

3-24-07-03-05 *MINIMUM SETBACK FROM RESIDENTIALLY ZONED OR USED PROPERTY*

Not applicable

3-24-07-03-06 *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 fifty (50) feet.

3-24-07-03-07 *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 Transportation determines no additional right-of-way is required.

3-24-07-04 MAXIMUM HEIGHT

The maximum height of a structure in an Industrial-2 District shall be seventy-five (75) feet.

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 an Industrial-2 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.

3-25 INDUSTRIAL-3 DISTRICT (I-3)

3-25-01 PURPOSE

The purpose of the Industrial-3 District is to provide a heavy industrial district designed to accommodate most industrial enterprises.

3-25-02 PERMITTED PRINCIPAL USES

The following uses are permitted uses in an Industrial-3 District, subject to building permit review and approval. Only one (1) principal use shall be permitted per lot.

3-25-02-01 PERMITTED PRINCIPAL AGRICULTURAL USES

The following principal agricultural uses are permitted in an Industrial-3 District as noted above:

1. Agricultural Support Businesses and Services
2. Agricultural Businesses
3. Farming
4. Nurseries
5. Ranching
6. Traditional Farming

3-25-02-02 PERMITTED PRINCIPAL INSTITUTIONAL USES

The following principal institutional uses are permitted in an Industrial-3 District as noted above:

1. Funeral Home/Mortuary ***Adopted by the BoCC on December 13, 2010**
2. Funeral Home/Mortuary to include Cremation ***Adopted by the BoCC on December 13, 2010**
3. Institutional Care
4. Neighborhood Indoor Uses
5. Outdoor Public Uses

3-25-02-03 PERMITTED PRINCIPAL COMMERCIAL USES

The following principal commercial uses are permitted in an Industrial-3 District as noted above:

1. Animal Hospitals
2. Automobile Service Stations
3. Bed and Breakfast Establishments
4. Commercial Retail
5. Convenience Retail Store
6. Drive-In Facilities
7. Golf Course/Driving Range, Commercial
8. Heavy Retail and Heavy Services
9. Indoor Commercial Recreation/Entertainment
10. Lodging, Commercial
11. Offices
12. Parking Lot, Commercial
13. Restaurants
14. Services
15. Sexually Oriented Businesses subject to the requirements of Section 4-1716. Trade Schools

3-25-02-04 PERMITTED PRINCIPAL INDUSTRIAL USES

The following principal industrial uses are permitted in an Industrial-3 District as noted above:

1. Accessory Outdoor Storage (up to 25% of the bldg. area) ***Adopted by the BoCC on December 13, 2010**
2. Accessory Outdoor Storage (in excess of 25% and up to 100% of the bldg. area) ***Adopted by the BoCC on December 13, 2010**
3. Outdoor Storage (in excess of 100% of the bldg. area) *See Outdoor Storage Performance Standards in Chapter 4 ***Adopted by the BoCC on December 13, 2010**
4. Business Park Uses
5. Heavy Industrial (Excluding Solid Waste Transfer Station, Scrap Tire Recycling Facilities and Solid Waste Recycling Facilities)

6. Heavy Manufacturing and Processing (Excluding Acid Manufacturing, Asbestos Products Manufacturing, Bone Reduction, Caustic Soda Manufacturing, Coal, Coke Yards, or Coal Classifications, Fossil Fuel Manufacturing, Detergent, Soap and Byproducts Manufacturing Using Animal Fat, Disinfectant, Insecticide, or Poison Manufacturing, Distillation of Bone, Refuse, Grain, and Wood, Dye Manufacturing, Hazardous Waste Treatment Facility, Linseed Oil, Shellac, and Turpentine Manufacturing and Refinery, Lubrication and Grease Manufacturing, Oil Compounding, Paint and Enamel Manufacturing, Recycling Facilities, Scrap Processing or Shredding Yard, Smelting or Refining of Metal, and Tar and Waterproofing (materials manufacturing, treatment, and bulk storage).
7. Landscape Storage Yard
8. Light Industry
9. Light Manufacturing or Processing

3-25-02-05 PERMITTED PRINCIPAL MARIJUANA ESTABLISHMENTS

The following principal marijuana establishments are permitted in an Industrial-3 District as noted above:

1. Medical Marijuana Centers
2. Retail Marijuana Stores
3. Medical Marijuana Infused Products Manufacturers
4. Retail Marijuana Product Manufacturing Facilities
5. Medical Marijuana Optional Premises Cultivation Operations
6. Retail Marijuana Cultivation Facilities
7. Retail Marijuana Testing Facilities

3-25-03 MODERATE MANUFACTURING (EXCLUDING CREOSOTE MANUFACTURING OR TREATMENT PLANT)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

3-25-04 PERMITTED CONDITIONAL USES

The following uses are permitted in an Industrial-3 District, subject to the issuance of a Conditional Use Permit from the Board of County Commissioners and building permit review and approval.

3-25-04-01 PERMITTED CONDITIONAL INSTITUTIONAL USES

The following conditional institutional uses are permitted in an Industrial-3 District as noted above:

5. Halfway House ***Adopted by the BoCC on December 13, 2010**
6. Jails and Prisons
3. Places of Worship
4. Public Service
    5. Universities

3-25-04-02 PERMITTED CONDITIONAL COMMERCIAL USES

The following conditional commercial uses are permitted in an Industrial-3 District as noted above:

1. Airports, Landing Strips, and Heliports
2. Campgrounds , Commercial
3. Communication Towers, Commercial
4. Kennel, Commercial
5. Massage Business
6. Off-Premise Advertising Devices
7. Outdoor Commercial Recreation
8. Racing Facilities

3-25-04-03 PERMITTED CONDITIONAL INDUSTRIAL USES

The following conditional industrial uses are permitted in an Industrial-3 District as noted above:

1. Outdoor Storage (in excess of 100% of the bldg. area) *See Outdoor Storage Performance Standards in Chapter 4 ***Adopted by the BoCC on December 13, 2010**
2. Extraction and Disposal Uses (Inert fills may be processed as a Special Use Permit, Conditional Use Permit or a Certificate of Designation

pursuant to Chapter 2; Except Oil and Gas Drilling and Production shall be processed as a Special Use Permit unless the County elects to execute a Memorandum of Understanding; see Chapters 2 and 4.)

3. Heavy Manufacturing or Processing except, Abrasive Manufacturing, Boiler or Tank Works, Celluloid Manufacturing, Felt Manufacturing, Fuel, Oil, Gasoline, and Petroleum Products (Bulk Storage and/or Sale), Lumber Mills, Planing Mills, and Storage of Logs, Pickle Manufacturing, and Sugar and Beet Refining which are permitted principal uses in the I-3 Zone District.
4. Creosote manufacturing or treatment plant
5. Major Energy Facilities

3-25-05 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.

3-25-06 PROHIBITED USES

All uses: (1) not expressly identified as permitted uses in this Section; 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.

3-25-07 AREA AND HEIGHT STANDARDS

3-25-07-01 MINIMUM LOT SIZE REQUIREMENTS

The minimum lot size requirement shall be two (2) acres in an Industrial-3 District.

3-25-07-02 MINIMUM LOT WIDTH REQUIREMENTS

The minimum lot width in an Industrial-3 District shall be one-hundred-twenty-five (125) feet.

3-25-07-03 SETBACK AND DIMENSIONAL REQUIREMENTS FOR A STRUCTURE

3-25-07-03-01 *MINIMUM FRONT SETBACK*

The minimum front setback for a structure in an Industrial-3 District shall be fifty (50) feet.

3-25-07-03-02 *MINIMUM SIDE CORNER SETBACK*

The minimum side setback for a structure in an Industrial-3 District shall be fifty (50) feet.

3-25-07-03-03 *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.

3-25-07-03-04 *MINIMUM REAR SETBACK*

The minimum rear setback for a structure in an Industrial-3 District shall be fifteen (15) feet.

3-25-07-03-05 *MINIMUM SETBACK FROM RESIDENTIALLY ZONED OR USED PROPERTY*

Not applicable

3-25-07-03-06 *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 fifty (50) feet.

3-25-07-03-07 *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 Transportation determines no additional right-of-way is required.

3-25-07-04 MAXIMUM HEIGHT

The maximum height of a structure in an Industrial-3 District shall be ninety (90) feet.

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-3 District unless inconsistent with a provision contained in Section 3-25, in which case the specific standard or requirement contained in Section 3-25 shall apply.

Adams County adopted the following zoning regulations for a Transit Oriented Development (TOD) zone district on January 7, 2013.

3-26 TRANSIT-ORIENTED DEVELOPMENT DISTRICT AND STANDARDS (TOD)

3-26-01 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.

3-26-02 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.

3-26-03 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.

3-26-04 PERMITTED USES AND STRUCTURES

3-26-04-01 PERMITTED USES

The following uses are permitted in the TOD district with specific permits as indicated:

Table 3-26-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

Table 3-26-A: Permitted Uses			
Use Type	**Federal**	**Pecos Junction**	**Additional Standards**
Automobile Service Stations	See below		
Car washes	--	C	
Convenience stores with gas pumps where vehicles are serviced with minor repairs, oil changes, etc.	--	--	
Gas 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	

Table 3-26-A: Permitted Uses			
Use Type	**Federal**	**Pecos Junction**	**Additional Standards**
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	--	--	
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 determine to be environmentally mediated and safe for human habitation.		

3-26-05 SITE DEVELOPMENT AND USE MIX STANDARDS

3-26-05-01 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 3-26-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.) *described following this table*	--	--	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.

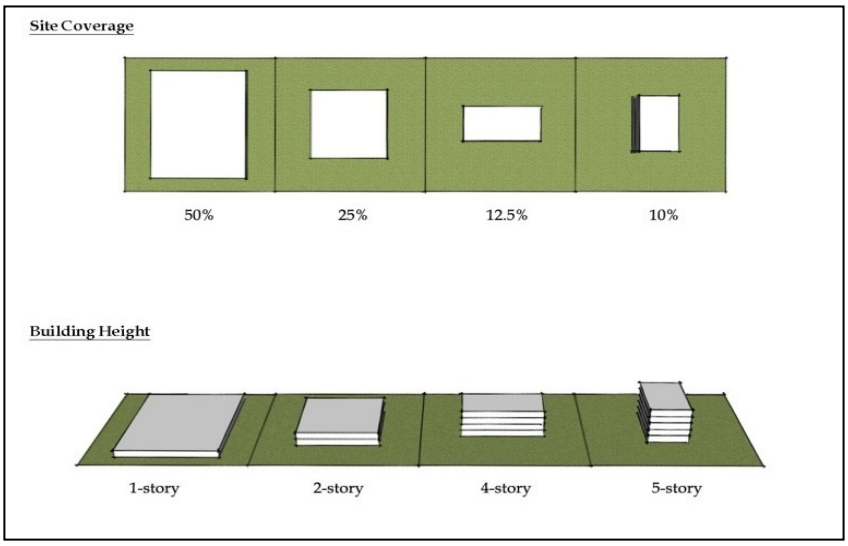

Figure 3-26-A: Illustration of FAR

Comment on Residential Density: The following photographs[1] 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 3-26-B: Mixed-density residential at approximately 12 dwelling units/acre

The images in Figure 3-26-C represent multiple family residential development at approximately 18 dwelling units/acre.

Figure 3-26-C: Multiple family residential development at approximately 18 dwelling units/acre

3-26-05-02 MIX OF USES

3-26-05-02-01 *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.

3-26-05-02-02 *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 3-26-D: Illustration of sample 20,000 sq. ft. structure

3-26-05-02-03 *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.

3-26-06 DESIGN AND DEVELOPMENT STANDARDS

3-26-06-01 NEIGHBORHOOD CONNECTIVITY

The following connectivity requirement shall apply in the TOD district.

3-26-06-01-01 *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.

3-26-06-01-02 *STREETS AND VEHICULAR CIRCULATION*

3-26-06-01-02-01 *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.

3-26-06-01-02-02 *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.

3-26-06-02 LANDSCAPING

The provisions of Section 4-16, *Landscaping*, apply to development within the TOD district except as provided otherwise in this section.

3-26-06-02-01 *BUFFERING APPLICABILITY*

The following bufferyard requirements shall be substituted for Section 4-16-18-01 when applied in the TOD district.

Table 3-26-C: Required Bufferyard

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

1. To use Table 3-26-C, an applicant identifies the use of his/her 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.2. 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.

2. 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.

3-26-06-02-02 *PARKING LOT LANDSCAPING*

3-26-06-02-02-01 *Applicability*

3-26-06-02-02-01-01 *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.

3-26-06-02-02-01-02 *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.

3-26-06-02-02-01-03 *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.

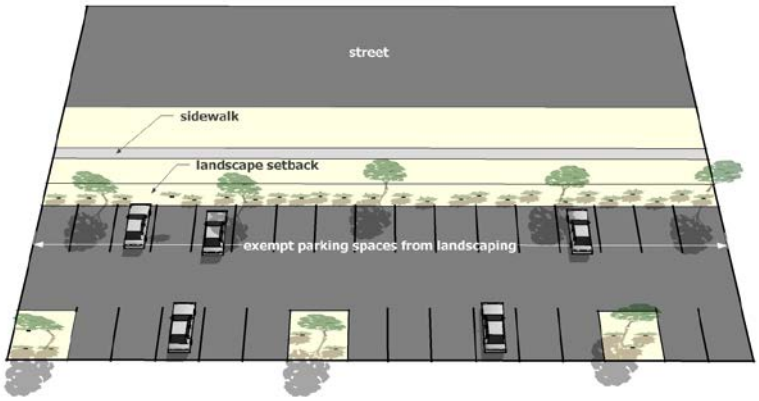

Fig. 3-26-E: Perimeter landscaping exception

3-26-06-02-02-02 *Interior Parking Area Landscaping*

3-26-06-02-02-02-01 *Required Landscape Area*

All surface parking lots shall incorporate the following interior landscaping:

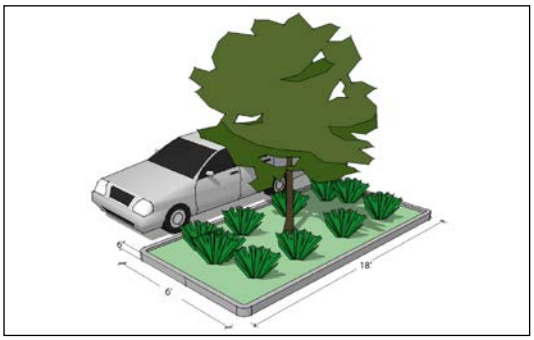

Fig. 3-26-F: Parking lot landscape terminus island

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 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.

3-26-06-02-02-02-02 *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.

3-26-06-02-02-02-03 *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.

3-26-06-02-02-02-04 *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.

3-26-06-03 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.

3-26-06-03-01 *APPLICABILITY*

3-26-06-03-01-01 *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.

3-26-06-03-01-02 *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.

3-26-06-03-01-03 *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.

3-26-06-03-02 *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 3-26-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

Table 3-26-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)**
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.

3-26-06-03-03 *MAXIMUM PARKING SPACES ALLOWED*

3-26-06-03-03-01 *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.

3-26-06-03-03-02 *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.

3-26-06-03-03-03 *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.

3-26-06-03-03-04 *Maximum Parking Waiver*

3-26-06-03-03-04-01 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.

3-26-06-03-03-04-02 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.

3-26-06-03-03-04-03 *Appeal*

The Community and Economic Development Director's determination on a maximum parking waiver application may be appealed to the Board of Adjustment.

3-26-06-03-03-05 *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.

3-26-06-03-03-05-01 *Pervious Surfaces or On-Site Stormwater Mitigation*

Where parking spaces in excess of the maximum specified in Table 3-26-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.

3-26-06-03-03-05-02 *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 3-26-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.

3-26-06-03-04 *ADJUSTMENTS AND ALTERNATIVES*

The minimum parking requirements listed in Table 3-26-D may be adjusted as follows:

3-26-06-03-04-01 *Sharing of Parking Spaces*

1. Where two land uses listed in separate use categories in Table 3-26-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 3-26-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 3-26-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 3-26-F: Shared Parking

(Add the two parking requirements and divide by these factors)

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.

3-26-06-03-04-02 *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

3-26-06-03-04-03 *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.

3-26-06-03-05 *BICYCLE PARKING*

3-26-06-03-05-01 *Required Number of Spaces*

Indoor or outdoor bicycle parking shall be provided as follows:

Table 3-26-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.	

3-26-06-03-05-02 *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.

3-26-06-04 MULTI-FAMILY DEVELOPMENT DESIGN STANDARDS

The design standards in this subsection apply to all multi-family development.

3-26-06-04-01 *SITE LAYOUT AND BUILDING ORIENTATION*

3-26-06-04-01-01 *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

Fig. 3-26-G: Courtyard Orientation

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:

Fig. 3-26-H: Perimeter Street Orientation

   a. Seasonal planting areas;
   b. Trees;
   c. Pedestrian-scaled lighting;
   d. Gazebos or other decorative shelters;
   e. Seating;
   f. Play structures for children; or
   g. Natural features or areas, unless the county determines that for preservation reasons the buildings should avoid the feature or area.

3-26-06-04-01-02 *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. 3-26-I: Ground-floor unit entrances

[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."

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.

3-26-06-04-01-03 *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.

3-26-06-04-02 *BUILDING DESIGN*

3-26-06-04-02-01 *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:

Fig. 3-26-J: Four-sided design

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.

3-26-06-04-02-02 *Maximum Number of Attached Units*

The maximum number of attached units in a series such as townhomes is six.

3-26-06-04-02-03 *Single-Family Attached Dwelling Façades*

1. The attached single-family dwellings in any one row structure shall be required to have distinctly different facades. No attached single-family structure facade shall be repeated more than once every four structures on the same side of the street.

Fig. 3-26-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.

3-26-06-04-02-04 *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;

Fig. 3-26-L: Multi-family building articulation

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.

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.

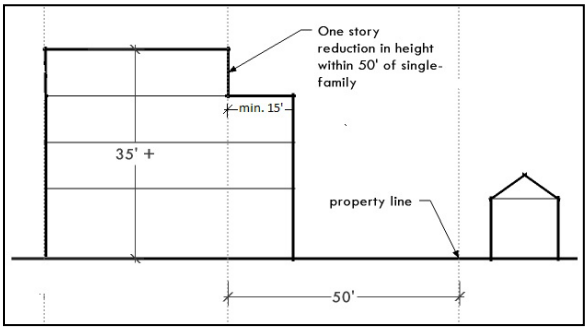

Fig. 3-26-M: Height transition adjacent to residential

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.

3-26-06-04-02-05 *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.

3-26-06-04-02-06 *Building Length*

The maximum length of any multifamily building shall be 180 feet.

3-26-06-04-02-07 *Transparency*

At least 20 percent of all walls facing a public street shall contain windows or doorways.

3-26-06-04-02-08 *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.

3-26-06-04-03 *PARKING LOCATION AND LAYOUT*

3-26-06-04-03-01 *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 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.

Fig. 3-26-N: Multi-family parking located behind primary structure

3-26-06-04-03-02 *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.

3-26-06-05 MIXED-USE/NON-RESIDENTIAL DESIGN STANDARDS

3-26-06-05-01 *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.*

3-26-06-05-02 *SITE LAYOUT AND BUILDING ORGANIZATION*

3-26-06-05-02-01 *Private Common Spaces*

3-26-06-05-02-01-01 *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. 3-26-O: Private common space

3-26-06-05-02-01-02 *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.

3-26-06-05-02-01-03 *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.

3-26-06-05-02-01-04 *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.

3-26-06-05-02-02 *Building Orientation*

3-26-06-05-02-02-01 *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.

3-26-06-05-02-02-02 *Multi-Building Developments*

Fig. 3-26-P: Buildings arranged to create pedestrian-friendly spaces

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.

3-26-06-05-02-02-03 *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).

3-26-06-05-02-03 *Weather Protection for Pedestrian Areas*

3-26-06-05-02-03-01 *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.

3-26-06-05-02-03-02 *Snow Storage*

Snow storage areas shall be separated from and shall not overlap or encroach upon pedestrian walkways or sidewalks.

3-26-06-05-02-03-03 *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.

3-26-06-05-03 STREETSCAPE DESIGN AND CHARACTER

3-26-06-05-03-01 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.

3-26-06-05-03-02 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.

Fig. 3-26-Q: Delineation of Sidewalk Area

3-26-06-05-03-02-01 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 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.

3-26-06-05-03-02-02 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.

3-26-06-05-03-02-03 *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.

3-26-06-05-03-03 *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:

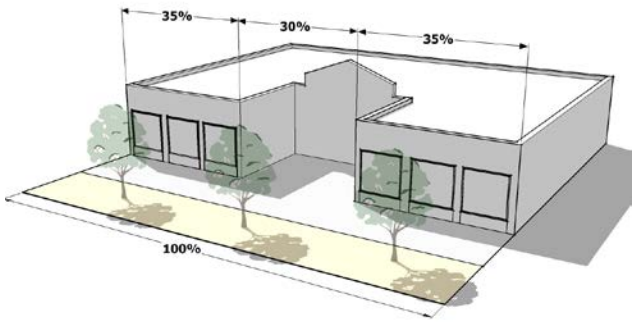

Fig. 3-26-R: Building set to sidewalk clear area

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.

3-26-06-05-03-04 *Sidewalk Entries*

3-26-06-05-03-04-01 *Spacing*

Sidewalk entries shall be provided to all buildings and individual units that front on the sidewalk.

3-26-06-05-03-04-02 *Sidewalk Entry Hierarchy*

Entrances into residential buildings in mixed-use areas are encouraged to follow a hierarchy of sizes and functions as follows:

Fig. 3-26-S: Secondary entry

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.

3-26-06-05-03-05 *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.

3-26-06-05-03-06 *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.

3-26-06-05-03-07 *Ground-Floor Uses*

3-26-06-05-03-07-01 *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

Fig. 3-26-T: Active street-level uses and outdoor gathering spaces

active environment for pedestrians and support residential and office uses located within the same building (on upper floors) or nearby.

3-26-06-05-03-07-02 *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.

3-26-06-05-03-08 *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.

3-26-06-05-04 *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.

3-26-06-05-04-01 *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.

3-26-06-05-04-02 *Parking Location*

Unless specifically permitted in these standards, off-street parking is prohibited between the principal street and the corresponding street-facing facade line.

3-26-06-05-04-03 *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.

3-26-06-05-04-04 *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:

3-26-06-05-04-04-01 *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.

3-26-06-05-04-04-02 ***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.

3-26-06-05-04-04-03 ***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 street or open to public view shall not:

Fig.3-26-U: Parking structure wrapped with active uses

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.

3-26-06-05-05 *BUILDING DESIGN*

3-26-06-05-05-01 *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.

3-26-06-05-05-02 *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.

Fig. 3-26-V: Franchise design consistent with surrounding structures

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,

k. Integral planters that incorporate landscaped areas or seating areas, and

l. Public art/sculptures.

3-26-06-05-05-03 *Building Materials and Colors*

3-26-06-05-05-03-01 *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.

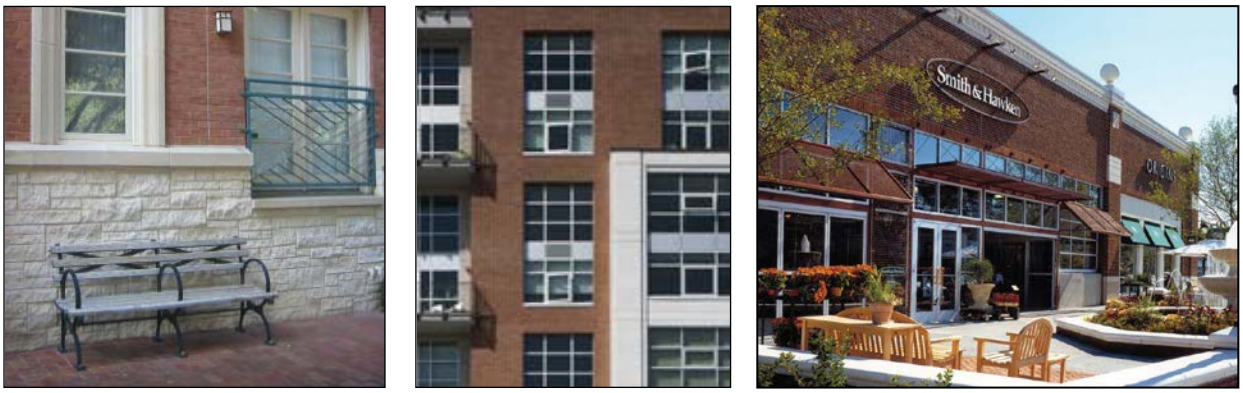

Fig. 3-26-W: Mix of building materials

3-26-06-05-05-03-02 *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.

3-26-06-05-05-03-03 *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.

3-26-06-05-05-03-04 *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.

3-26-06-05-05-04 *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.

3-26-06-05-06 *BUILDING MASSING AND FORM*

3-26-06-05-06-01 *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, 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.

Fig. 3-26-X: Vertical articulation

3-26-06-05-06-02 *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;

Fig. 3-26-Y: Appropriate transition in building height and mass

5. Protected and recessed entries; and
6. Vertical accents or focal points.

3-26-06-05-06-03 *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 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.

3-26-06-05-06-04 *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.

Fig. 3-26-Z Entrance design

3-26-06-05-06-05 *Roofs*

3-26-06-05-06-05-01 *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.

3-26-06-05-06-05-02 *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.

3-26-06-05-06-05-03 *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.

3-26-06-05-06-06 *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.

3-26-06-05-07 *RESIDENTIAL COMPATIBILITY STANDARDS*

3-26-06-05-07-01 *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.

3-26-06-05-07-02 *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).

3-26-06-05-07-03 *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.

3-26-06-05-07-04 *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. 3-26-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.

3-26-06-05-07-05 *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.

3-26-06-05-07-06 *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.

3-26-06-05-07-07 *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.

3-26-06-05-07-08 *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. 3-26-BB: LID stormwater management feature

3-27 CONSERVATION DISTRICT (CO)

3-27-01 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.

3-27-02 PERMITTED PRINCIPAL USES

The following uses are permitted uses in a Conservation District, subject to review and approval of a building permit.

3-27-02-01 PERMITTED PRINCIPAL AGRICULTURAL USES

The following principal agricultural uses are permitted in a Conservation District as noted above:

1. Farming, No structures
2. Nurseries, No structures
3. Ranching, No structures
4. Traditional Farming, No structures

3-27-02-02 PERMITTED PRINCIPAL INSTITUTIONAL USES

The following principal institutional uses are permitted in a Conservation District as noted above:

1. Outdoor Public Uses, No structures (Excluding Cemeteries) ***Adopted by the BoCC on December 13, 2010**

3-27-03 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

3-27-04 PERMITTED CONDITIONAL USES

The following uses are permitted in a Conservation District, subject to the issuance of a Conditional Use Permit from the Board of County Commissioners and building permit review and approval.

3-27-04-01 PERMITTED CONDITIONAL AGRICULTURAL USES

The following conditional agricultural uses are permitted in a Conservation District as noted above:

1. Farming, with structures
2. Nurseries, with structures
3. Ranching, with structures

3-27-04-02 PERMITTED CONDITIONAL RESIDENTIAL USES

The following conditional residential uses are permitted in a Conservation District as noted above:

1. Single Family Dwelling

3-27-04-03 PERMITTED CONDITIONAL INSTITUTIONAL USES

The following conditional institutional uses are permitted in a Conservation District as noted above:

1. Outdoor Public Uses, with structures
2. Public Service

3-27-04-04 PERMITTED CONDITIONAL INDUSTRIAL USES

The following conditional institutional uses are permitted in a Conservation District as noted above:

1. Major Energy Facility

3-27-05 PERMITTED SPECIAL/TEMPORARY USES

Special uses are permitted in a Conservation District, subject to the issuance of a Special Use Permit from the Board of Adjustment. Temporary uses are permitted in a Conservation District, subject to the issuance of a Temporary Use Permit from the Director of Community and Economic Development.

3-27-06 PROHIBITED USES

All uses: (1) not expressly identified as permitted uses in this Section, 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.

3-27-07 AREA AND HEIGHT STANDARDS

3-27-07-01 MINIMUM LOT SIZE REQUIREMENTS

There are no minimum lot size requirements in a Conservation District.

3-27-07-02 MINIMUM LOT WIDTH REQUIREMENTS

There are no minimum lot width requirements in a Conservation District.

3-27-07-03 LOT SETBACK AND DIMENSIONAL REQUIREMENTS

3-27-07-03-01 *MINIMUM FRONT SETBACK*

The minimum front setback for a structure in a Conservation District shall be thirty (30) feet.

3-27-07-03-02 *MINIMUM SIDE CORNER SETBACK*

The minimum side corner setback for a structure in a Conservation District shall be thirty (30) feet.

3-27-07-03-03 *MINIMUM SIDE SETBACK*

The minimum side setback for a structure in a Conservation District shall be twenty (20) feet.

3-27-07-03-04 *MINIMUM REAR SETBACK*

The minimum rear setback for a structure in a Conservation District shall be twenty (20) feet.

3-27-07-03-05 *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.

3-27-07-04 MAXIMUM HEIGHT

The height of a structure in a Conservation District shall be established by Conditional Use Permit.

3-27-08 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 3-26, in which case the specific standard or requirement contained in Section 3-26 shall apply.

3-28 PUBLIC LANDS, PARKS, OPEN SPACE, AND FACILITIES DISTRICT (PL)

3-28-01 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.

3-28-02 PERMITTED PRINCIPAL USES

The following uses are permitted uses in a Public Lands, Parks, Open Space, and Facilities District, subject to building permit review and approval.

3-28-02-01 PERMITTED PRINCIPAL AGRICULTURAL USES

The following principal agricultural uses are permitted in a Public Lands, Parks, Open Space, and Facilities District as noted above:

1. Farming
2. Nurseries
3. Ranching
4. Traditional Farming

3-28-02-02 PERMITTED PRINCIPAL INSTITUTIONAL USES

The following principal institutional uses are permitted in a Public Lands, Parks, Open Space, and Facilities District as noted above:

1. Institutional Care
2. Neighborhood Indoor Uses
3. Outdoor Public Uses (Excluding Cemeteries) ***Adopted by the BoCC on December 13, 2010**
4. Public Services
5. Universities

3-28-03 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

3-28-04 PERMITTED CONDITIONAL USES

The following uses are permitted in a Public Lands, Parks, Open Space, and Facilities District, subject to the issuance of a Conditional Use Permit from the Board of County Commissioners and building permit review and approval:

3-28-04-01 PERMITTED CONDITIONAL INSTITUTIONAL USES

The following conditional institutional uses are permitted in a Public Lands, Parks, Open Space, and Facilities District as noted above:

1. Halfway House ***Adopted by the BoCC on December 13, 2010**
2. Jails and Prisons

3-28-04-02 PERMITTED CONDITIONAL COMMERCIAL USES

The following conditional commercial uses are permitted in a Public Lands, Parks, Open Space, and Facilities District as noted above:

1. Airports, Landing Strips and Heliports

3-28-05 PERMITTED SPECIAL/TEMPORARY USES

Special uses are permitted in a Public Lands, Parks, Open Space, and Facilities District, subject to the issuance of a Special Use Permit from the Board of Adjustment. Temporary uses are permitted in a Public Lands, Parks, Open Space, and Facilities District, subject to the issuance of a Temporary Use Permit from the Director of Community and Economic Development.

3-28-06 PROHIBITED USES

All uses: (1) not expressly identified as permitted uses in this Section, 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.

3-28-07 AREA AND HEIGHT STANDARDS

3-28-07-01 MINIMUM LOT SIZE REQUIREMENTS

There are no minimum lot size requirements in a Public Lands, Parks, Open Space, and Facilities District.

3-28-07-02 MINIMUM LOT WIDTH REQUIREMENTS

There are no minimum lot width requirements in a Public Lands, Parks, Open Space, and Facilities District.

3-28-07-03 LOT SETBACK AND DIMENSIONAL REQUIREMENTS

3-28-07-03-01 *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 or the same as the minimum front setback requirement for the adjacent zone district, whichever is greater.

3-28-07-03-02 *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 or the same as the minimum side corner setback requirement for the adjacent zone district, whichever is greater.

3-28-07-03-03 *MINIMUM SIDE SETBACK*

The minimum side 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 side setback requirement for the adjacent zone district, whichever is greater.

3-28-07-03-04 *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.

3-28-07-03-05 *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 eighty (80) feet. Variations may be permitted if full right-of-way has already been acquired by the County for section lines.

3-28-07-04 MAXIMUM HEIGHT

3-28-07-04-01 *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.

3-28-07-04-02 *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.

3-28-08 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 3-28, in which case the specific standard or requirement contained in Section 3-28 shall apply.

3-29 PLANNED UNIT DEVELOPMENT (P.U.D.)

3-29-01 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.

3-29-02 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.

3-29-02-01 MINIMUM SITE AREA

The minimum site area within a P.U.D. shall be one (1) acre.

3-29-02-02 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.

3-29-02-03 MINIMUM LOT SIZE REQUIREMENTS

The minimum lot size shall be established by P.U.D.

3-29-02-04 MINIMUM LOT WIDTH REQUIREMENTS

The minimum lot width shall be established by P.U.D.

3-29-02-05 MINIMUM SETBACKS

The minimum required setbacks shall be established by P.U.D.

3-29-02-06 MAXIMUM HEIGHT

The maximum height of structures shall be established by P.U.D.

3-29-03 GENERAL SITE DESIGN STANDARDS

The following general site design standards shall be met by all P.U.D.s.

3-29-03-01 SUPERIOR DESIGN

3-29-03-01-01 *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.

3-29-03-01-02 *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.

3-29-03-01-03 *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.

3-29-03-01-04 *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.

3-29-03-02 ROADS

3-29-03-02-01 *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.

3-29-03-02-02 *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.

3-29-03-03 PEDESTRIAN AND BICYCLE AMENITIES

3-29-03-03-01 *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.

3-29-03-03-02 *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.

3-29-03-04 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.

3-29-03-05 OPEN SPACE

3-29-03-05-01 *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.

3-29-03-05-02 *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.

3-29-03-05-03 *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.

3-29-03-05-04 *CONCENTRATION OF OPEN SPACE*

Where practical, open space shall be concentrated in large usable areas.

3-29-03-05-05 *CONTIGUITY OF OPEN SPACE*

Where possible, open space shall connect to adjacent off-site open space areas and designated greenways.

3-29-03-05-06 *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.

3-29-03-05-07 *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.

3-29-03-05-08 *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.

3-29-03-05-09 *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.

3-29-03-05-10 *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.

3-29-03-06 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.

3-29-03-06-01 *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.

3-29-03-06-02 *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 Front Range Airport;
    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

3-29-03-06-03 *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 Front Range Airport 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.

3-29-03-06-04 *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.

3-29-03-06-05 *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

National 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.

3-30 AVIATION (AV)

3-30-01 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.

3-30-02 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.

3-30-03 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, take off 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

3-30-04 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.

3-30-05 AREA AND HEIGHT STANDARDS

3-30-05-01 MINIMUM LOT SIZE REQUIREMENTS

Established by the Airport Layout Plan.

3-30-05-02 SETBACK FOR STRUCTURES, RUNWAYS, TAXIWAYS, TAKE OFF AND LANDING AREAS

3-30-05-02-01 *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.

3-30-05-02-02 *SETBACK FOR HELICOPTER TAKE OFF AND LANDING AREAS*

The setback for helicopter take off and landing areas in an Aviation District shall be three hundred (300) feet.

3-30-05-02-03 *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 take off and landing areas to the nearest residential uses and structures in an Aviation District shall be thirteen hundred (1,300) feet from the take off and landing areas.

3-30-05-02-04 *MINIMUM FRONT SETBACK*

The minimum front setback for structures in an Aviation District shall be established by a P.U.D.

3-30-05-02-05 *MINIMUM SIDE CORNER SETBACK*

The minimum side corner setback for structures in an Aviation District shall be established by a P.U.D.

3-30-05-02-06 *MINIMUM SIDE SETBACK*

The minimum side setback for structures in an Aviation District shall be established by a P.U.D.

3-30-05-02-07 *MINIMUM REAR SETBACK*

The minimum rear setback for structures in an Aviation District shall be established by a P.U.D.

3-30-05-02-08 *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.

3-30-05-02-09 *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.

3-30-05-03 GENERAL SITE DESIGN AND PERFORMANCE STANDARDS

The following general site design and performance standards shall be met by all uses within an Aviation District.

3-30-05-03-01 *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.

3-30-05-03-02 *ACCESSORY STORAGE*

3-30-05-03-02-01 *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.

3-30-05-03-02-02 *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.

3-30-05-03-02-03 *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.

3-30-05-03-03 *FENCING*

A perimeter fence sixty (60) inches or taller shall be erected to surround the Aviation District area.

3-30-06 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.

3-31 DENVER INTERNATIONAL AIRPORT (DIA)

3-31-01 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.

3-31-02 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.

3-31-03 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

3-31-04 GENERAL SITE DESIGN AND PERFORMANCE STANDARDS

The following general site design and performance standards shall be met by all uses within the DIA District.

3-31-04-01 ROAD AND TRAILS

No road or trail may be closer than twenty-seven hundred (2,700) feet from the end of any runway.

3-31-04-02 INTERFERENCE OF USE

Uses may not interfere with airport operations, nor interfere with aerial approaches.

3-32 AIRPORT HEIGHT OVERLAY (AHO)

3-32-01 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.

3-32-02 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.

3-32-03 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.

3-32-04 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.

3-32-04-01 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.

3-32-04-02 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.

3-32-04-03 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.

3-32-04-04 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.

3-32-04-05 EASEMENT REQUIRED TO OBTAIN BUILDING PERMIT

A signed and recorded aviation easement must be filed prior to issuance of a building permit.

3-32-05 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 3-32, in which case the specific standard or requirement contained in Section 3-32 shall apply.

3-33 AIRPORT INFLUENCE ZONE (AIZ)

3-33-01 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.

3-33-02 BOUNDARIES

The Airport Influence Zone includes all land impacted by the location of the Front Range Airport 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.

3-33-03 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.

3-33-04 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.

3-33-05 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.

3-33-05-01 RESTRICTION AREA ONE

No structures designed for full or part-time occupation for residential, commercial, institutional, or industrial uses shall be permitted.

3-33-05-02 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.

3-33-05-03 FEDERAL AVIATION ADMINISTRATION STANDARDS

All uses and building plans are subject to FAA Obstruction and Approach Zone Regulations (Part 77).

3-33-05-04 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.

3-33-05-05 USES NOT TO INTERFERE WITH AVIATION

3-33-05-05-01 *NO EMISSIONS*

Uses must not produce steam, smoke, or otherwise pose a hazard to aviators.

3-33-05-05-02 *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.

3-33-05-05-03 *NOT ATTRACTIVE TO WILDLIFE*

Uses must lack the potential of attracting birds and other wildlife species which may pose a hazard to flight operations.

3-33-06 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 3-33, in which case the specific standard or requirement contained in Section 3-33 shall apply.

3-34 AIRPORT NOISE OVERLAY (ANO)

3-34-01 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.

3-34-02 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.

3-34-03 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.

3-34-04 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

3-34-05 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.

3-34-05-01 RESIDENTIAL USES

3-34-05-01-01 *NO NEW RESIDENTIAL ZONING*

No residential rezoning shall be considered or approved.

3-34-05-01-02 *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 Statues, as amended.

3-34-05-01-03 *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.

3-34-05-01-04 *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

3-34-05-01-05 *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.

3-34-05-02 AFFIDAVIT REQUIRED TO OBTAIN BUILDING PERMIT

A signed “Aircraft Activity Covenant with Disclosure” must be filed prior to issuance of a building permit.

3-34-05-03 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.

3-34-05-04 USES NOT TO INTERFERE WITH AVIATION

3-34-05-04-01 *NO EMISSIONS*

Uses must not produce steam, smoke, or otherwise pose a hazard to aviators.

3-34-05-04-02 *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.

3-34-05-04-03 *NOT ATTRACTIVE TO WILDLIFE*

Uses must lack the potential of attracting birds and other wildlife species which may pose a hazard to flight operations.

3-34-06 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 3-33, in which case the specific standard or requirement contained in Section 3-33 shall apply.

3-35 FLAMMABLE GAS OVERLAY (FGO)

3-35-01 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.

3-35-02 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.

3-35-03 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.

3-35-04 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.

3-35-05 REVIEW RESPONSIBILITIES

3-35-05-01 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.

3-35-05-02 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.

3-35-05-03 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.

3-35-05-04 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**

3-35-05-05 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 3-34-06-01, 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).

3-35-06 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):

3-35-06-01 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.

3-35-06-02 SAFETY PRACTICES DURING CONSTRUCTION

If it has not been demonstrated flammable gas is not present, the following health and safety practices shall be followed:

1. 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.

2. 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.

3. 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.

4. A dry chemical fire extinguisher, ABC rated, will be provided on all equipment used in the landfill.

5. 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.

6. Exhaust blowers will be used where trenches show a concentration of 1% flammable gas or a concentration of less than 19.5% oxygen.

7. Smoking will not be permitted in any area within one hundred (100) feet of the excavation.

8. Personnel will be kept upwind of any open trench unless the trench is continuously monitored.

9. 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).

10. 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.

3-35-06-03 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.

3-35-06-04 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.

3-35-07 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.

3-35-07-01 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).

3-35-08 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.

3-36 FLOOD CONTROL OVERLAY (FCO)

3-36-01 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.

3-36-02 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.

3-36-03 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 reports listed below are adopted by reference and declared to be part of these standards and regulations.

1. "Flood Hazard Area Delineation – Brantner Gulch and Tributaries," prepared through Urban Drainage and Flood Control District by Sellards and Grigg, Inc., dated January 1983.

2. "Flood Hazard Area Delineation, Big Dry Creek: Westminster Area," prepared for Urban Drainage and Flood Control District by Greiner Engineering, dated December, 1988, and supplemented by "Flood Hazard Area Delineation, Big Dry Creek (Adams County)," prepared for Urban Drainage and Flood Control District by Muller Engineering Company, dated November, 1986 and supplemented by "Flood Hazard Area Delineation, Big Dry Creek (Adams County) North Area Tributaries," prepared for Urban Drainage and Flood Control District by Wright Water Engineers, Inc., dated July 1989. That portion of Morris Creek and Morris Creek South Upstream of Station 42 + 25, as shown on sheets 14, 15, 16, and 17 of the study would not be adopted but would be replaced by sheets 1 of 2 and 2 of figure 5 of the "Morris Run Flood Hazard Area Delineation" prepared by Resource Consultants, Inc., revised December 4, 1990.
3. "Hidden Lake Drainageway 100 Year Floodplain Revisions," prepared for Urban Drainage and Flood Control District by Hydro-Triad Ltd., dated May 1986.
4. "Flood Hazard Area Delineation – Second Creek and Third Creek," prepared through the Urban Drainage and Flood Control District by Gingery Associates, dated February 1976.
5. "Major Drainageway Planning – First Creek Phase B, Volumes I and II," prepared through the Urban Drainage and Flood Control District by Engineering Consultants, Inc., dated March 1977.
6. "Flood Hazard Area Delineation – South Platte River, Adams County, Colorado," prepared through Urban Drainage and Flood Control District by CDM, dated April 2005, as supplemented by item #7.
7. "Flood Hazard Area Delineation – South Platte River, Sand Creek to Oxford Avenue," prepared through Urban Drainage and Flood Control District by Wright Water Engineers, dated September 1985.
8. "Major Drainageway Planning – Grange Hall Creek, Phase B Report," prepared through Urban Drainage and Flood Control District by Hydro Triad, Ltd., dated December 1977.
9. "Flood Hazard Delineation – Little Dry Creek," prepared through Urban Drainage and Flood Control District by Merrick and Company, dated June 1978.
10. "Flood Hazard Area Delineation – Broomfield Area," prepared through Urban Drainage and Flood Control District by Wright-McLaughlin Engineers, dated June 1979.
11. "Flood Hazard Area Delineation – Direct Flow Area 0054," prepared through Urban Drainage and Flood Control District by Merrick and Company, dated October 1979.

12. "Flood Hazard Area Delineation – Clear Creek , Adams County," prepared through Urban Drainage and Flood Control District by Ayres Associates, dated December 2005.
13. "Flood Hazard Area Delineation, Todd Creek," prepared for Urban Drainage and Flood Control District by Muller Engineering, dated December 1985.
14. "Flood Hazard Area Delineation, Quail Creek and Tributaries and McKay Lake Basin," prepared for Urban Drainage and Flood Control District by Greenhorne & O'Mara, Inc, dated July 1986.
15. "Flood Hazard Area Delineation, Beebe Draw and Left Bank Tributaries," prepared for Urban Drainage and Flood Control District by Kiowa Engineering Corporation, dated July 1993.
16. "Flood Hazard Area Delineation, Coyote Run and Upper Box Elder Creek," prepared through Urban Drainage and Flood Control District by CH2MHill, dated December 1995.
17. "Flood Hazard Area Delineation, Lower Box Elder Creek Watershed," prepared through Urban Drainage and Flood Control District by Wright Water Engineers, Inc., dated September 2001.
18. The areas of special flood hazard identified by the Federal Emergency Management Agency in a scientific and engineering report entitled, "The Flood Insurance Study for Adams County, Colorado and Incorporated Areas, dated March 5, 2007 with accompanying Flood Insurance Rate Maps (FIRM).

3-36-03-01 LOCATION OF STUDIES

The flood hazard area delineation studies listed above are on file at the Adams County Department of Transportation.

3-36-03-02 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.

3-36-03-03 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.

3-36-03-04 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.

3-36-03-04-01 *OBTAINING A BOUNDARY INTERPRETATION*

3-36-03-04-01-01 *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.

3-36-03-04-01-02 *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.

3-36-03-04-01-03 *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.

3-36-03-05 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.

3-36-03-06 AMENDMENTS AND REVISIONS TO FLOOD HAZARD BOUNDARY MAPS

3-36-03-06-01 *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.

3-36-03-06-02 *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.**

3-36-03-06-03 *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.

3-36-03-06-04 *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.

3-36-04 GENERAL ADMINISTRATION

3-36-04-01 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.

3-36-04-02 REPORTING

3-36-04-02-01 *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.

3-36-04-02-02 *REPORTING VARIANCES*

Variances to these standards and regulations shall be reported to FEMA annually by the Director of Community and Economic Development.

3-36-04-03 FLOODPLAIN ADMINISTRATOR

The Director of Community and Economic Development or his designee shall be responsible for administering the Flood Control Overlay Zone District.

3-36-05 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.

3-36-06 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.

3-36-07 GENERAL PROVISIONS

3-36-07-01 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.

3-36-07-02 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.**

3-36-07-03 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.

3-36-07-04 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.

3-36-07-05 GENERAL PERFORMANCE STANDARDS

3-36-07-05-01 *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.

3-36-07-05-02 *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.**

3-36-07-06 PERFORMANCE STANDARDS IN FLOODWAY

3-36-07-06-01 *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.

3-36-07-06-02 *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.

3-36-07-06-03 *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.

3-36-07-06-04 *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.

3-36-07-06-05 *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.

3-36-07-07 PERFORMANCE STANDARDS IN FLOOD STORAGE AREA AND FLOODWAY (FLOOD CONTROL OVERLAY)

3-36-07-07-01 *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.*

3-36-07-07-02 *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.

3-36-07-07-03 *CONSTRUCTION MATERIALS AND METHODS*

3-36-07-07-03-01 *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.

3-36-07-07-03-02 *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.

3-36-07-07-03-03 *Minimize Flood Damage*

All new construction and substantial improvements shall be constructed using methods and practices to minimize flood damage.

3-36-07-07-03-04 *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;

a. 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;

b. Have an adequate drainage system to allow floodwaters to drain from the interior area of the crawlspace following a flood;

c. Be anchored to prevent flotation, collapse, or lateral movement of the structure and be capable of resisting the hydrostatic and hydrodynamic loads;

d. Be constructed with materials and utility equipment resistant to flood damage;

e. Be constructed using methods and practices to minimize flood damage;

f. 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

g. 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.

3-36-07-07-04 *UTILITIES*

3-36-07-07-04-01 *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.

3-36-07-07-04-02 *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.

3-36-07-07-04-03 *Individual Sewage Disposal*

Individual sewage disposal systems are prohibited within the Flood Control Overlay Zone District.

3-36-07-07-05 *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.

3-36-07-07-06 *FILLS AND DEPOSITS*

3-36-07-07-06-01 *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.

3-36-07-07-06-02 *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).

3-36-07-07-06-03 *Not Restrict Flood Waters*

No fill shall restrict floodwaters from reaching the major watercourse in an area.

3-36-07-07-06-04 *Fill Protected by Rip-Rap*

The fill or other materials shall be protected against erosion by riprap, strong vegetative cover or bulkheading.

3-36-07-07-07 *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.

3-36-07-07-08 *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.

3-36-07-07-09 *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.

3-36-07-07-09-01 *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.

3-36-07-07-09-02 *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.

3-36-07-07-10 *MANUFACTURED HOMES PLACED/REPLACED IN EXISTING MANUFACTURED HOME PARKS OR MANUFACTURED HOME SUBDIVISIONS DEVELOPED PRIOR TO MAY 1, 1990*

3-36-07-07-10-01 *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.

3-36-07-07-10-02 *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.

3-36-07-07-11 *NON-RESIDENTIAL STRUCTURES*

3-36-07-07-11-01 *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.

3-36-07-07-11-02 *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.

3-36-07-07-12 *EXTRACTION/EXCAVATION OF SAND AND GRAVEL*

3-36-07-07-12-01 *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).

3-36-07-07-12-02 *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).

3-36-07-07-12-03 *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.

3-36-07-07-13 *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.

3-36-07-07-14 *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.

3-36-07-07-15 *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.

3-36-07-07-15-01 *No Expansion of Nonconforming Uses*

No such use shall be expanded or enlarged except in conformity with the provisions of these standards and regulations.

3-36-07-07-15-02 *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.

3-36-07-07-15-03 *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.

3-36-07-07-15-04 *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.

3-36-07-07-15-05 *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

3-37 MINERAL CONSERVATION OVERLAY (MCO)

3-37-01 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.

3-37-02 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.

3-37-03 AREAS EXEMPTED FROM THESE RESTRICTIONS

3-37-03-01 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.

3-37-03-02 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.

3-37-04 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 3-37-06-12.
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.

3-37-05 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.

3-37-06 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.

3-37-06-01 MINING PERMIT REQUIRED

All mining operations shall have a permit to excavate issued by the State of Colorado prior to beginning mineral extraction.

3-37-06-02 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.

3-37-06-03 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.

3-37-06-04 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.

3-37-06-05 HAULING ROADS

Hauling roads within the premises shall be maintained in a reasonably dust free condition.

3-37-06-06 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.

3-37-06-07 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.

3-37-06-08 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.

3-37-06-09 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.

3-37-06-10 EXCAVATION PIT FLOOR

The floor of excavation pits whether wet or dry shall be left in a reasonably smooth condition.

3-37-06-11 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.

3-37-06-12 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.

3-37-06-13 NOISE

All operations shall conform to noise, vibration, and other standards in the performance standards section of these standards and regulations.

3-37-06-14 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.

3-37-06-15 AIR EMISSIONS

All air emissions shall conform to standards established by the Colorado Department of Public Health and Environment.

3-37-06-16 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.

3-37-06-17 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.

3-37-06-18 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.

3-37-06-19 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.

3-37-06-20 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.

3-37-07 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

3-37-08 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 3-37, in which case the specific standard or requirement contained in Section 3-37 shall apply.

3-38 NATURAL RESOURCES CONSERVATION OVERLAY (NRCO) DISTRICT

3-38-01 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.

3-38-02 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.

3-38-03 NRCO DISTRICT MAP

3-38-03-01 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.

3-38-03-02 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.

3-38-04 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 3-38, unless exempted. Exemptions are as follows:

3-38-04-01 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.

3-38-04-02 AGRICULTURAL OPERATIONS

Agricultural operations and uses shall be exempt.

3-38-05 STANDARDS

All development within the NRCO District shall comply with the following standards:

3-38-05-01 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 determine 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.

3-38-05-02 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.

3-38-05-02-01 *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