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Debra A Green  
Park County Clerk

**PARK COUNTY, COLORADO  
BOARD OF COUNTY COMMISSIONERS  
Resolution No. 33**

**A RESOLUTION REPEALING AND REENACTING SECTIONS 4-200, 5-306, 5-307, 5-308, 5-309 and 5-310 OF THE PARK COUNTY LAND USE REGULATIONS.**

**BE IT RESOLVED BY THE PARK COUNTY BOARD OF COUNTY COMMISSIONERS, THAT:**

1. Sections 4-200, 5-306, 5-307, 5-308, 5-309 and 5-310 of the Park County Land Use Regulations are hereby repealed and reenacted to read as set forth in the attached Exhibit A.

Moved, seconded, and approved this 18<sup>th</sup> day of September, 2014.

**PARK COUNTY BOARD OF COUNTY COMMISSIONERS**

  
\_\_\_\_\_  
Mark Dowaliby, Chairperson

ATTEST:

  
\_\_\_\_\_  
~~County Clerk~~  
Deputy Clerk



**Frontage:** The width of a Lot abutting a public right-of-way measured at the front property line.

**Geologic Hazard:** A naturally occurring or man-made geologic condition or phenomenon that presents a risk or potential danger to life, health, or property of sufficient magnitude and probability as to affect the utilization of an area or tract of land.

**Geologist:** A person who is a graduate of an institution of higher education which is accredited by a regional or national accrediting agency, with a minimum of thirty semester (forty-five quarter) hours of undergraduate or graduate work in a field of geology and whose post-baccalaureate training has been in the field of geology with a specific record of an additional five years of geological experience to include no more than two years of graduate work.

**Glare:** A harsh or bright light or reflection that is significantly greater in intensity than lighting or reflective sources located on neighboring or surrounding properties.

**Golf Course:** A regulation course for the game of golf, which may or may not be accompanied by a country club, putting greens and practice areas, or golf driving ranges but does not include free-standing miniature courses (see Recreation Facility, Outdoor).

**Grazing Association:** A body of people organized for the purpose of permitting the grazing of livestock.

**Ground Water:** Subsurface water within and below the zone of continuous saturation.

**Group Home, Residential:** A use licensed by the State of Colorado as defined under 12 CCR 2509 - 8 program area 7 – Rules Regulating Residential Child Care Facilities. A "Residential Child Care Facility (RCCF)" shall provide 24 hour residential group care and treatment for five or more children.

**Group Home, Special:** A use licensed by the State of Colorado as defined under 12 CCR 2509 - 8 program area 7 – Specialized Group Facilities.

**Guest House:** An accessory Single Family Dwelling Unit used to house a property caretaker or visitors and guests of the occupants of the primary Dwelling Unit on a lot. Guest Houses must have a smaller Gross Floor Area than the primary Dwelling Unit and have lawful means of obtaining water and disposing of wastewater. No lot may contain more than one Guest House.

**Guest Ranch (Dude Ranch):** A type of ranch oriented towards visitors and tourism. A Guest Ranch is patterned after a western ranch, featuring indoor accommodations, camping, horseback riding, and other similar outdoor activities.

**Hazardous Materials:** Material(s) defined as: (a) explosive or hazardous by the Code of Federal Regulations at Title 49, Chapter 1, parts 173.50 through 173.389; (b) fireworks by C.R.S. §12-28-101(3); and (c) flammable liquids by C.R.S. § 42-1-102.

**Health Care Clinic:** An establishment open to the public and engaged in providing one or more human outpatient medical, clinical, dental, vision, pharmacy, chiropractic, physical therapy, alternative medicine, psychiatric, and other similar health care services together with accessory administrative offices.

**Heavy Vehicle and Equipment Storage Yard:** the parking, maintenance, and minor repair of vehicles used in off-site construction and excavation. This use must include an office structure of at least 500 square feet, be screened from adjacent lots or parcels with berms, vegetation, and/or fencing approved during plan review by the planning department and meet all other applicable requirements of these land use regulations. Any fuel storage must be aboveground, contained within a lipped impervious surface, of no more than five hundred gallons total capacity, and approved in writing by the local fire protection district.

**Historic Archeological Resources:** Historically significant artifacts remaining from past land uses, such as but not limited to tools, parts of buildings, and mining, building, and railroad sites.

**Mining Engineer:** a Colorado-licensed professional engineer with a documented academic and professional career in the theory, practice, and technology of extracting and processing minerals from a naturally occurring environment.

**Minimize:** For the purposes of these regulations, to "minimize" means to demonstrate that no alternative plan will result in a reduction of impact.

**Mixed Use Development:** A single Building containing more than one type of land use or a single development of more than one Building and use, where the different types of land uses are in close proximity, planned as a unified complementary whole and functionally integrated to share vehicular and pedestrian access and other infrastructure.

**Mobile Home:** A factory-assembled structure at least fourteen (14) feet wide without a permanent foundation, designed to be transported on its own wheels arriving at the site requiring no construction activities in order to be occupied. The unit is equipped with all the necessary service connections required in order for the unit to be occupied. Removal of the wheels and placement on a foundation does not change its classification as a Mobile Home. By definition, a Mobile Home includes any mobile factory-assembled structure constructed prior to the implementation of the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. § 5401 et seq.). Park County does not allow a Mobile Home to be used as a Principal or Accessory Building in any zone district except for the Mobile Home Park zone district. The term "Mobile Home" does not include travel trailers, fifth-wheel trailers, campers, camper buses, motor homes, modular homes, Recreational Vehicles, or Manufactured Homes.

**Model Home:** A structure temporarily used as a display and sales office for land or buildings within a development under current or imminent construction and not for general real estate business or any residential purpose.

**Mortuary or Funeral Home:** An establishment in which the deceased are prepared for burial or cremation. The facility may include a chapel for the conduct of funeral services and space for storage, display and sale of funeral equipment.

**Motor Vehicle:** An automobile, truck, bus, motorcycle, recreational vehicle or other conveyance designed and constructed for traveling on public streets.

**Museum:** A Building or institution, indoor or outdoor, for the exhibition of natural, scientific, or literary curiosities or works of art. The Building or institution must be designed and intended for use by the public and may include as an accessory use the sale of memorabilia related to the museum.

**Nursery:** An establishment where flowers, shrubbery, vegetables, trees, and other horticultural and floricultural products are grown for sale.

**Official Zoning Map:** The map and accompanying descriptive information adopted by the Board of County Commissioners pursuant to C.R.S. § 30-28-111 for purposes of regulating land use within Park County.

**Oil and Gas Production:** Development, buildings, structures, and other non-residential uses which are necessary and related to the exploration, extraction, and/or production of oil and natural gas such as drilling equipment, an accessory office, storage buildings, and oil and gas gathering systems.

**On-site Sewage Treatment System:** A sewage system installed on a lot or parcel and designed to collect and treat sewage generated from uses on that parcel designed, constructed, and operated in accordance with all local, state, and federal laws governing such systems, including but not limited to the Park County Individual Sewage Disposal System Regulations (see Appendix L).

**Open Space:** Any area permanently prohibited from development and intended primarily for one or more of the following: passive and undeveloped recreational use, preservation of rural and open character, protection of wildlife habitat, preservation of scenic views and natural features or environmental quality,

**Section 5-306 Rural Center Mixed Use (MU).**

Purpose. The purpose of the Rural Center Mixed Use Zone District (MU) is to accommodate a mix of residential and small scale commercial and office uses in keeping with the historic use of the unincorporated Rural Centers. Rural Centers are defined in Section 5-400. The Rural Center Mixed Use Zone District is restricted to application within identified Rural Center Overlay areas as identified in Division 4 of this Article 5.

**TABLE 5-306  
Schedule of Uses – Rural Center Mixed Use Zone District (MU)**

Use See Article IV for Definitions	SPECIAL REGULATIONS	USE AUTHORIZED AS:		
		Permitted	Conditional (See Division 5 Article V)	Temporary (See Division 6 Article V)
Bar or Tavern		X		
Bed & Breakfast	See Section 5-702	X		
Car Wash	With Applicable Local, State & Federal Permits	X		
Church In-home Neighborhood Scale		X	X	
Community / Central Water or Wastewater System	With Applicable Local, State & Federal Permits	X		
Conference & Retreat Facility	With Applicable Local, State & Federal License(s)	X		
County Facilities		X		
Craft Studio		X		
Crisis Center		X		
Day Care, Commercial or Home	With Applicable Local and/or State License(s)	X		
Dwelling Units Single Family		X		
Duplex		X		
Multi-family		X		
Educational Facility, Primary		X		
Educational Facility, Secondary (or Primary and Secondary)			X	
Educational Facility, Post-Secondary			X	
Educational Facility, Trade/Business School			X	
Emergency Services Facility			X	
Fraternal Organization	See Definition		X	
Group Home, Residential & Specialized	With Applicable Local, State & Federal License(s)		X	
Guest House		X		
Health Clinic		X		
Home Occupation Major		X		
Minor		X		
Hotel or Motel (Inn)		X		
Kennel			X	
Laundry & Dry-Cleaning Facility, Individual Service		X		
Laundry & Dry-Cleaning Plant, Commercial	With Applicable Local, State &		X	

Use See Article IV for Definitions	SPECIAL REGULATIONS	USE AUTHORIZED AS:		
		Permitted	Conditional (See Division 5 Article V)	Temporary (See Division 6 Article V)
Mortuary or Funeral Home		X		
Nursery Retail / Wholesale		X		
Outdoor Event				X
Park and Ride		X		
Parking Lot, Commercial			X	
Personal Services		X		
Professional Office		X		
Recreational Facility, Indoor		X		
Recreational Facility, Outdoor			X	
Refurbishing			X	
Restaurant		X		
Retail Store (Excluding Slaughterhouses)		X		
Shooting Range, Indoor			X	
Storage Structures		X		
Mixed Use Development		X		
Taxicab Service		X		
Telecommunication Facility	Special Use Permit Required. See Division 9 of Article V.			
Utility Facility, County or Minor		X		
Vehicle Repair Service		X		
Vehicle Sales or Rental			X	
Vehicle Service Station		X		
Veterinarian, Small or Large Animal		X		

**TABLE 5-306a  
New Lot Development Standards – Rural Center Mixed Use Zone District**

Standards	Maximum	Minimum
*Floor Area Per Unit – Principal Structure Residential		N/A
*Structure Height	40 Feet	
Setbacks – Principal & Accessory Structures (No more than two Accessory Structures per lot)		
Any Side From Any Watercourse		50 Feet
Any Side From Any Wetland		50 Feet
Front: Adjacent to State/Federal Highway		10 Feet
Front: Adjacent to All Other Roads		5 Feet
Side		0 Feet
Rear		5 Feet

\* Structures must meet applicable building codes.

**Section 5-307 Residential Estate Zone District (R-20).**

Purpose The purpose of the Residential Estate (R-20) Zone District is to protect lands for uses consistent with rural and low density residential uses accompanied, where conducted appropriately, by the keeping of livestock and smaller scale agricultural operations.

**TABLE 5-307  
Schedule of Uses- Residential Estate (R-20)**

Use See Article IV for Definitions	SPECIAL REGULATIONS	USE AUTHORIZED AS:		
		Permitted	Conditional (See Division 5 Article V)	Temporary (See Division 6 Article V)
Agriculture & Ranching	See Section 5-701	X		
Bed & Breakfast	See Section 5-702		X	
Camping	See Definitions	X		
Church In-home Neighborhood Scale		X	X	
Community Center			X	
Community / Central Water or Wastewater System	With Applicable Local, State & Federal Permits	X		
Construction Dwelling	See Section 5-705	X		
County Facilities		X		
Craft Studio		X		
Crisis Center			X	
Day Care, Home	With Applicable Local and/or State License(s)	X		
Dwelling Units, Duplex	See Table Footnote 1	X		
Emergency Services Facility	See Definitions		X	
Fraternal Organization	See Definitions		X	
Greenhouse (Commercial)			X	
Group Home, Residential & Specialized	With Applicable Local, State & Federal License(s)		X	
Guest House		X		
Kennel			X	
Nursery Retail / Wholesale			X	
Model Home (associated with 25 lot or larger Subdivision)				X
Recreational Facility, Indoor or Outdoor	With Applicable Local, State & Federal License(s)		X	
Riding Arena, Private Indoor Outdoor		X X		
Single Family Dwelling Unit & Accessory Structures* (Not more than 4 Accessory Structures) Home Occupation, Major Home Occupation, Minor	See Table Footnote 1	X X	X	
Stable, Private		X		
Telecommunication Facility	Special Use Permit Required. See Division 9 of Article V.			
Utility Facility County Major Minor		X X	X	

**Section 5-308 Residential Ranch Zone District (R-35).**

Purpose. The purpose of the Residential Ranch Zone District is to protect larger tracts of lands for residential use with smaller and accessory ranch or agricultural operations. This zone district is intended to be limited in its application to properties that were subdivided by the County or lawfully divided in accordance with the state statutory exemption for thirty-five (35) acre or larger tracts without County approval, but which also have established, reasonable, and safe access via publicly accessible roads conforming to applicable County road standards.

**TABLE 5-308  
Schedule of Uses – Residential Ranch Zone District (R-35)**

Use See Article IV for Definitions	SPECIAL REGULATIONS	USE AUTHORIZED AS:		
		Permitted	Conditional (See Division 5 Article V)	Temporary (See Division 6 Article V)
Agriculture & Ranching	See Section 5-701	X		
Bed & Breakfast	See Section 5-702		X	
Camping	See Definitions	X		
Church In-home Neighborhood Scale		X	X	
Community Center			X	
Community / Central Water or Wastewater System	With Applicable Local, State & Federal Permits	X		
Conference & Retreat Facility	With Applicable Local, State & Federal License(s)		X	
Construction Dwelling	See Section 5-705	X		
County Facilities		X		
Craft Studio		X		
Crisis Center			X	
Day Care, Home	With Applicable Local and/or State License(s)	X		
Dwelling Units, Duplex	See Table Footnote 1	X		
Emergency Services Facility			X	
Fraternal Organization	See Definitions		X	
Greenhouse (Commercial)			X	
Group Home, Residential & Specialized	With Applicable Local, State & Federal License(s)		X	
Guest House		X		
Guest Ranch			X	
Kennel			X	
Nursery Retail / Wholesale			X	
Recreational Facility, Indoor or Outdoor	With Applicable Local, State & Federal License(s)		X	
Riding Arena, Private Indoor Outdoor		X X		
Single Family Dwelling Unit & Accessory Structures* (Not more than 4 Accessory Structures) Home Occupation, Major Home Occupation, Minor	See Table Footnote 1	X X	X	
Stable, Private		X		
Telecommunication Facility	Special Use Permit Required. See Division 9 of Article V.			
Utility Facility				

Use See Article IV for Definitions	SPECIAL REGULATIONS	USE AUTHORIZED AS:		
		Permitted	Conditional (See Division 5 Article V)	Temporary (See Division 6 Article V)
Parking – Commercial			X	
Personal Services		X		
Private Club		X		
Professional Office		X		
Racetrack				
Animals			X	
Motorized Vehicles			X	
Recreational Facility, Indoor or Outdoor			X	
Recycling Facility		X		
Refurbishing		X		
Retail Store (Excluding Slaughterhouses)		X		
Restaurant		X		
Salvage Yard			X	
Sexually Oriented Business	See Section 5-509		X	
Shooting Range, Indoor			X	
Storage Units, Rental		X		
Taxi Cab Service		X		
Telecommunication Facility	Special Use Permit Required. See Division 9 of Article V.			
Utility Facility				
County		X		
Major			X	
Minor		X		
Vehicle Body Repair		X		
Vehicle Service Station		X		
Vehicle Repair Service		X		
Vehicle Sales or Rental		X		
Vehicle Storage Yard		X		
Veterinarian				
Small Animal		X		
Large Animal		X		
Warehouse		X		

**TABLE 5-309a  
New Lot Development Standards – Commercial Zone District**

Standards	Maximum	Minimum
Floor Area Per Unit – Principal Structure		N/A
>50 % of Lot 20% Slope or Less	N/A	5 Acres
>50 % of Lot 20% Slope or More	N/A	6 Acres
>50 % of Lot Greater than 30% Slope	N/A	8 Acres
*Structure Height	40 Feet	N/A
Setbacks – Principal and Accessory Structures (No more than two Accessory Structures per Lot)		
Any Side From Any Watercourse		50 FEET
Any Side From Any Wetland		50 FEET
Front: Adjacent to State/Federal Highway		10 FEET
Front: Adjacent to All Other Roads		5 FEET
Side		0 FEET
Rear		5 FEET

\* Structures must meet applicable building codes.

**Section 5-310 Industrial Zone District (I).**

- A. Purpose. This zoning district is created for the purpose of regulating lands for industrial uses.
- B. **Special Note:** The Industrial Zone District is intended for application to areas designated as appropriate for commercial and industrial development by the Park County Strategic Master Plan.

**TABLE 5-310  
Schedule of Uses – Industrial Zone District**

Use See Article IV for Definitions	SPECIAL REGULATIONS	USE AUTHORIZED AS:		
		Permitted	Conditional (See Division 5 Article V)	Temporary (See Division 6 Article V)
Community Waste Water System		X		
Crisis Center		X		
**Educational Facility, Trade/Business School			X	
***Emergency Services Facility			X	
**Fraternal Organization			X	
Group Home, Residential & Specialized	With Applicable Local, State & Federal License(s)		X	
Heavy Vehicle and Equipment Storage Yard		X		
Industrial Heavy Light		X	X	
Jail			X	
Landfill			X	
Medical Marijuana Retail Center/Retail Marijuana Store	With Applicable Local and/or State License(s)	X		
Medical & Retail Marijuana-Infused Products Manufacturing	With Applicable Local and/or State License(s)	X		
Mortuary, Funeral Home			X	
Nursery Retail / Wholesale		X		
Oil and Gas Production	Special Use Permit Required. See division 10 Of Article V			
Optional Premises Medical & Retail Marijuana Cultivation	With Applicable Local and/or State License(s)	X		
Park & Ride			X	
Pipeline, Gas or Slurry			X	
Recycling Facility			X	
Refurbishing		X		
Salvage Yard		X		
Shooting Range, Indoor		X		
Telecommunication Facility	Special Use Permit Required. See division 9 of Article V			
Transfer Station	With Applicable Local, State & Federal Permits	X		
***Utility Facility County ***Major Minor		X X	X	
Vehicle Body Repair		X		
Vehicle Center		X		
Vehicle Gas Station		X		
Vehicle Repair Service		X		
Vehicle Sales		X		
Vehicle Storage Yard		X		
Warehouse		X		

<sup>6</sup> See Division 4 of this Article V for Rural Center Overlay Areas