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PARK COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS

Resolution No. 2016 - 20

A RESOLUTION REPEALING AND REENACTING SECTION 4-200 DEFINITIONS; ADDING SECTIONS 5-712 and 5-713 OF THE PARK COUNTY LAND USE REGULATIONS.

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

1. Tables 5-712 and 5-713, Article 5, Division 3 are added; and Section 4-200 of the Park County Land Use Regulations are hereby repealed and reenacted to read as set forth in the attached Exhibit A.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 26th day of May, 2016.

PARK COUNTY BOARD OF COUNTY COMMISSIONERS

Mike Brazell, Chairperson

ATTEST:

Park County Clerk & Recorder

COUNTY CLERK • PARK COUNTY, COLO.

Exhibit A

Park County Land Use Regulation Revisions, May 26, 2016

Section 4-200, Definitions

Accessory Structure: A structure or building customarily and commonly associated with and clearly subordinate to a lawfully existing Principal Building located on the same Lot. For Lots less than thirty-five (35) acres, an Accessory Structure is not permitted unless a Principal Building is in existence and use on the same Lot, or a building permit for such Principal Building has been obtained. An Accessory Structure, regardless of the existence of a Primary Structure, is permitted on parcels thirty-five (35) acres or larger. Truck trailers are prohibited as accessory structures. Shipping/storage containers may be used as accessory structures only during active, permitted construction or on lots 160 acres or greater, with certain restrictions. See Section 5-713.

Camping: Temporary, non-commercial lodging by a lot owner or owners. No tent, trailer, recreational vehicle, or other camping unit may be permanently affixed to the ground.

Camping Unit: A tent, tent trailer, travel trailer, camping trailer, pickup camper, motor home, and any other device or vehicular type structure for use as temporary living quarters or shelter during periods of recreation, vacation, leisure time, or travel.

Section 5-304 Residential Zone District (R).

Purpose. The purpose of the Residential Zone District is to provide for residential neighborhoods comprised of detached, single-family dwellings at relatively low density. See Section 5-701 for Animal Regulations.

TABLE 5-304
Schedule of Uses – Residential 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)
Bed & Breakfast	See Section 5-702		X	
Camping	See Section 5-712			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 Facility		X		
Crisis Center			X	
Day Care, Home	With Applicable Local and/or State License(s)	X		
Dwelling Units, Duplex*			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 Definitions		X	
Golf Course	With Applicable Local, State & Federal Permits		X	
Group Home, Residential & Specialized	With Applicable Local, State & Federal License(s)		X	
Guest House			X	
Model Home (associated with 25 lot or larger Subdivision)				X
Recreational Facility, Indoor or Outdoor	With Applicable Local, State & Federal License(s)		X	
Single Family Dwelling Unit & Accessory Structures* (Not more than 2 Accessory Structures) Home Occupation, Minor Home Occupation, Major		X X	 X	
Telecommunication Facility	Special Use Permit Required. See Division 9 of Article V.			
Utility Facility County Major Minor		X X	 X 	

* A Single Family Residence or a Duplex, but not both, can occupy a lot.

Section 5-305 Mountain Residential Zone District (MR).

Purpose. The purpose of the Mountain Residential Zone District is to accommodate residential use in certain mountain areas and to provide for neighborhoods comprised of detached single family dwellings, with standards, similar to those in the Residential (R) Zoned District, but providing for certain additional and varying standards.

TABLE 5-305
Schedule of Uses – Mountain Residential Zone District (MR)

Use See Article IV for Definitions	SPECIAL REGULATIONS	USE AUTHORIZED AS:		
		Permitted	Conditional (See Division 5 Article V)	Temporary (See Division 6 Article V)
Camping	See Section 5-712			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		
Crisis Center			X	
Day Care, Home	With Applicable Local and/or State License(s)	X		
Dwelling Units, Duplex	See Table Footnote 2	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 Definitions		X	
Golf Course	With Applicable Local, State & Federal Permits		X	
Group Home, Residential & Specialized	With Applicable Local, State & Federal License(s)		X	
Guest House			X	
Model Home (associated with 25 lot or larger Subdivision)				X
Recreational Facility, Indoor or Outdoor			X	
Riding Arena, Private Indoor Outdoor		 X X		
Single Family Dwelling Unit & Accessory Structures* (Not more than 2 Accessory Structures) Home Occupation, Major Home Occupation, Minor Livestock (Horses Only)	See Table Footnote 1	X X X	 X	
Stable. Private		X		
Telecommunication Facility	Special Use Permit Required. See Division 9 of Article V.			

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 Section 5-712			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	
Model Home (associated with 25 lot or larger Subdivision)				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 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 Section 5-712			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 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			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	
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.			

Section 5-311 Mining Zone District (M).

Purpose. This zoning district is created for the purpose of protecting lands for the extraction of mineral deposits. Limited residential use is permitted only where the owner of such use recognizes and understands that the residential character of the property may be adversely impacted by the predominant mining use.

TABLE 5-311
Schedule of Uses – Mining 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)
Bed & Breakfast			X	
Camping	See Section 5-712			X
Emergency Services Facility			X	
Fraternal Organization	See Definitions		X	
Heavy Industrial Use, Mining Related	See Table Footnote 1	X		
Heavy Industrial Use, Road Construction Related	See Art. V Div. 6			X
Mining Associated Housing (Permanent)			X	
Mining	See Table Footnote 1	X		
Museum		X		
Oil and Gas Operations	Special Use Permit Required. See Division 10 of Article V.			
Onsite Processing of Minerals	See Table Footnote 1	X		
Retail Store		X		
Single Family Dwelling Unit (Not Related to Mining or Oil & Gas Production)	See Footnotes 2 & 4		X	
Sand and Gravel Extraction	See Table Footnote 1	X		
Telecommunications Facility	Special Use Permit Required. See Division 9 of Article V.			
Utility Facility				
County		X		
Major			X	
Minor		X		

TABLE 5-311a
New Lot Development Standards – Mining Zone District (M)

Standards	Maximum	Minimum
Floor Area Per Unit – Principal Structure*		
Mining Associated Structure		N/A
Residential		N/A
*Structure Height		
Non-Residential	65 Feet	
Mining Associated Housing	35 Feet	
Setbacks – Principal & Accessory Structures (No more than four Accessory Structures related to Mining use and no more than two Accessory Structures related to Residential use per lot.)		
For Any Property Line Adjacent to Another Mining (M) Zone District		None
For Any Property Line Adjacent to a Zone District other than Mining (M) Zone District		50 Feet
Setbacks – Earth Disturbance and Extraction Activity		
For Any Property Line Adjacent to Another Mining (M) Zone District		None
For Any Property Line Adjacent to a Zone District other than Mining (M) Zone District		50 Feet
Any Side From Any Watercourse		50 Feet
Any Side From Any Wetland		50 Feet

E. Small Solar Energy System Permissibility and Standards. Small Solar Energy Systems are a permitted use in all zone districts subject to structural height and setback requirements and building code requirements. They are not considered accessory structures for the purpose of any numerical limit on accessory structures. Small Solar Energy Systems shall remain painted or finished as originally done by the manufacturer. Repainting or refinishing for maintenance purposes shall replicate the original appearance, or may be done for camouflaging purposes if approved by an administrative decision of the Planning Director.

F. Small Hydroelectric Energy System Permissibility and Standards. Small Hydroelectric Energy Systems are a permitted use in all zone districts subject to compliance with applicable local, state, and federal codes and regulations. They are not considered accessory structures for the purpose of any numerical limit on accessory structures.

G. Small Geothermal Energy System Permissibility and Standards. Small Geothermal Energy Systems are a permitted use in all zone districts subject to compliance with applicable local, state, and federal codes and regulations. They are not considered accessory structures for the purpose of any numerical limit on accessory structures.

Section 5-712 – Camping on Vacant Residential (MR, R, R-20, R-35) and Mining (M) Parcels.

A. Purpose. This section governs the review and conduct of camping on residential-zoned (R, MR, R-20, R-35) and Mining-zoned (M) parcels without a permitted dwelling unit. These regulations are necessary to ensure that the use is conducted in a manner that is consistent with the land use regulations, protects the public health and safety, and ensures compatibility with surrounding parcels, and that adequate safety and emergency services can be provided.

B. Property owners shall be permitted to camp on their own property for up to fourteen (14) cumulative days in a calendar year without a permit.

C. Property owners may be granted a permit to camp for up to thirty (30) consecutive days in a calendar year, with one (1) 30-day renewal in any calendar year, under the following conditions.

1. No more than two camping units per lot are allowed.

2. Camping activities shall comply with all structure setbacks for the zone district.

3. Sewage shall be disposed of either at an off-site facility or by means of an on-site system. In either case, the facility or system must be currently permitted or approved by Park County.

4. Trash shall be managed on-site, and removed from the site regularly during camping and upon completion of camping. Bear resistant containers are highly recommended.

5. Camping units shall have current licensing and registration and be in operable road worthy condition, as applicable.

6. Camping units must be removed when not being used under an active camping permit.

7. Legal, permitted access is required per Article VII, Division 2, Section 7-204.

8. Posted address is required in accordance with Article VII, Division 12, Section 7-1207.

One additional 30-day permit renewal may be granted if a permitted on-site wastewater treatment system, consisting of a septic tank and soil treatment area, is used for sanitation.

D. Property owners with adjacent parcels cannot relocate to other parcels to circumvent the time limitations described in paragraphs B and C, above.

E. Camping Permits. No-fee Temporary Use Permits for camping more than fourteen (14) cumulative days per year may be issued upon application to the Development Services Department. In addition to the Temporary Use Permit application requirements described in Article V, Division 6, and Sections 5-600 to 605, the following requirements apply.

1. Applications must be submitted at least fourteen (14) days prior to commencement of camping.

2. The permit shall be posted on the required address post, visible at all times.

3. By applying for a camping permit, the applicant(s)/owner(s) authorizes the County to access the parcel(s) to verify compliance.

F. Camping Units on property with no legal primary structure at the time of the passage of these regulations are hereby declared a non-conforming use, and must be removed from that property within six (6) months of that date. Camping Units remaining on the property after six months shall become an illegal non-conforming use, subject to enforcement by the County.

Section 5-713 – Storage Containers.

A. Purpose. This section governs the use of shipping containers (also known as storage containers) as accessory structures.

1. Permits are required. Permit applications can be obtained from, and are available through, Development Services. The type of permit required and associated permit requirements are dependent upon the proposed use of the structure and modification of the container.

2. No stacking of containers is allowed.

3. Storage containers shall be subject to the structure setbacks applicable to the zone district in which the container is located.

4. Visual mitigation shall be provided so that the container blends with the surroundings, and may consist of berming, fencing, cladding, or painting acceptable to the Director of Development Services or designee. The Planning Department may offer suggestions for visual mitigation.

Storage containers are allowed for storage of materials and tools on parcels of any size during active, permitted construction activities, with prior approval of the County. Such storage containers must be removed prior to obtaining a Certificate of Occupancy.