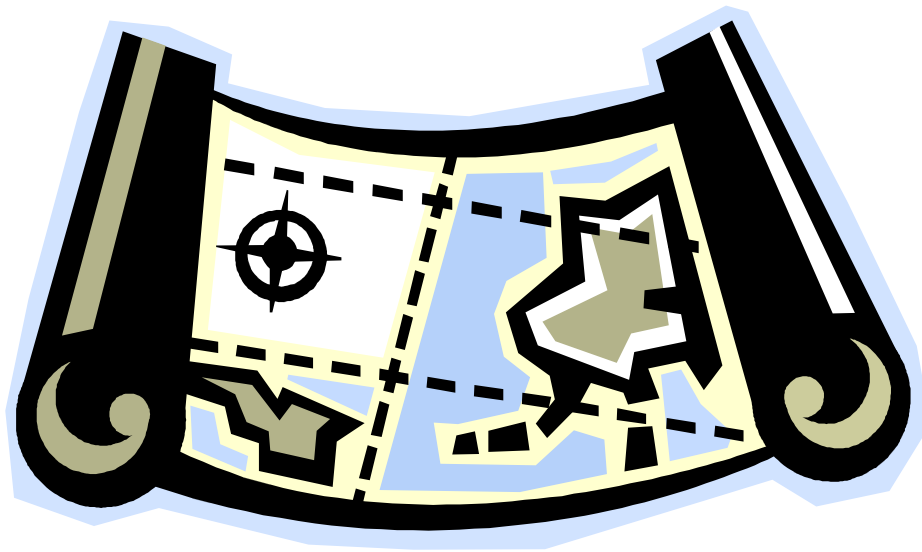


GRAND COUNTY ZONING REGULATIONS



**LAST AMENDED
May 23, 2014**

GRAND COUNTY ZONING REGULATIONS
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SECTION I
APPLICATION OF REGULATIONS

Except as hereinafter provided, no building or other structure, or land shall be used and no building or other structure shall be erected, reconstructed, or structurally altered except in conformance with the regulations herein specified for the district in which such building, structure or use is located, nor shall a yard or lot area be reduced in dimension to an amount less than the minimum requirements specified by these Regulations.

SECTION II
MAP DISTRICTS

2.1 ESTABLISHMENT OF DISTRICTS

In order to carry out provisions of this Regulation, Grand County, Colorado is hereby and in the future may be divided into the following zoning districts:

- E - Estate District**
- R - Residential District**
- A - Accommodations District**
- F - Forestry and Open District**
- M - Mobile Home District**
- T - Tourist**
- B - Business District**
- U - Unclassified**

2.2 BOUNDARIES

The boundaries of these districts are established as shown on area maps on file in the Department of Planning and Zoning, which maps and all future amendments thereto are hereby made a part of these Regulations.

Unless otherwise defined on the zoning area maps, district boundary lines are lot lines; the centerlines of streets, roads; highway rights-of-way; alleys; railroad rights-of-way or such lines extended; section lines; municipal corporate lines; centerlines of stream beds; or other lines drawn to scale on the zoning area maps.

SECTION III
E - ESTATE DISTRICT

3.1 DECLARATION OF INTENT – ESTATE DISTRICT

It is the purpose is to provide areas for low density, single-family residential use; to stabilize and protect the characteristics of these areas; to maintain a suitable environment for family living. Uses by Right in the Estate District include:

USES PERMITTED

- (1) Single - Family dwellings;
- (2) Schools, and churches;
- (3) Parks, playgrounds and golf courses;
- (4) Accessory uses and structures as defined in Section XIII;
- (5) Reservoirs and dams engineered to contain one hundred (100) acre feet of water or less;
- (6) Water diversion structures, ditches, and pipeline structures engineered to convey fifteen (15) cubic feet of water per second of time or less;
- (7) Private riding stables;
- (8) Small Wind Energy System thirty five (35) feet in height and below that comply with the provisions contained within Section 11.8 (10);
- (9) Telecommunications infrastructure thirty five (35) feet in height and below that comply with the provisions contained within Section 11.8 (7) as well as those systems deemed rooftop designs. All applicable building permit requirements apply;
- (10) Short Term Rentals in compliance with Section 14.8 Supplementary Regulations.

USES PERMITTED BY SPECIAL REVIEW

- (1) Reservoirs and dams engineered to contain more than one hundred (100) acre feet of water;
- (2) Water diversion structures, ditches and pipeline structures engineered to convey more than fifteen (15) cubic feet of water per second of time;
- (3) Public utility facilities, excluding business offices and repair facilities;
- (4) Facilities for a trans-basin diversion;
- (5) Golf Courses;
- (6) Small Wind Energy System above thirty five (35) feet in height and/or more than one (1) small wind energy system on any single parcel of land;
- (7) Telecommunications infrastructure above thirty five (35) feet in height and not deemed a rooftop design.

3.2 MINIMUM AREA OF LOT

For each principal use:

- (1) On un-subdivided land two (2) acres.
- (2) On subdivided land not served by public water and public sewage facilities one (1) acre.
- (3) On subdivided land served by either public water or public sewage facilities 20,000 sq. ft.
- (4) On subdivided land served by both public water and public sewage facilities 10,000 sq. ft.

3.3 MINIMUM LOT WIDTH

For each principal use:

- (1) On un-subdivided land 200 feet
- (2) On subdivided land not served by public water and public sewage facilities 150 feet
- (3) On subdivided land served by either public water or public sewage facilities 75 feet
- (4) On subdivided land served by both public water and public sewage facilities 75 feet

3.4	MINIMUM FRONT YARD	30 feet
3.5	MINIMUM SIDE YARD	10 feet
3.6	MINIMUM REAR YARD	20 feet
3.7	MAXIMUM HEIGHT OF BUILDINGS	35 feet
3.8	WATER QUALITY SETBACK	Setback from the edge of a water body shall be a minimum of 30 feet.

SECTION IV
R - RESIDENTIAL DISTRICT

4.1 DECLARATION OF INTENT - RESIDENTIAL ZONE DISTRICT

It is the purpose of the Residential Zone to provide areas for single-family residential use as well as multi-family residential use; to ensure other community facilities are available to properly serve said residential developments; to leave ample area available for on-site parking, recreational and outdoor activity areas; and to protect the existing character of the area to which said zone district is applied.

USES PERMITTED

- (1) Single- family dwellings;
- (2) Multiple-family dwellings;
- (3) Boarding and rooming houses, rest homes, and bed and breakfasts each containing no more than five (5) total bedrooms provided a commercial well or municipal owner water system is available for service;
- (4) Schools, and churches;
- (5) Private riding stables;
- (6) Parks and playgrounds;
- (7) Accessory uses and structures as defined in Section XIII;
- (8) Reservoirs and dams engineered to contain one hundred (100) acre feet of water or less; Water diversion structures, ditches and pipeline structures engineered to convey fifteen (15) cubic feet of water per second of time or less;
- (9) Small Wind Energy System thirty five (35) feet in height and below that comply with the provisions contained within Section 11.8 (10);
- (10) Telecommunications infrastructure thirty five (35) feet in height and below that comply with the provisions contained within Section 11.8 (7) as well as those systems deemed rooftop designs. All applicable building permit requirements apply;
- (11) Short Term Rentals in compliance with Section 14.8 Supplementary Regulations.

USES PERMITTED BY SPECIAL REVIEW

- (1) Reservoirs and dams engineered to contain more than one hundred (100) acre feet of water;
- (2) Water diversion structures, ditches and pipeline structures engineered to convey more than fifteen (15) cubic feet of water per second of time;
- (3) Public utility facilities, excluding business offices and repair facilities;
- (4) Facilities for a trans-basin diversion;
- (5) Golf Courses;
- (6) Bed and breakfasts, rooming and boarding houses, and rest homes with over five (5) total bedrooms;
- (7) Small Wind Energy System above thirty five (35) feet in height and/or more than one (1) small wind energy system on any single parcel of land;
- (8) Telecommunications infrastructure above thirty five (35) feet in height and not deemed a rooftop design.

4.2 MINIMUM AREA OF LOT - For each principal use:

- (1) On un-subdivided land two (2) acres
- (2) On subdivided land not served by public water and public sewage facilities 30,000 sq. ft.
- (3) On subdivided land served by either public water or public sewage facilities 15,000 sq. ft.
- (4) On subdivided land served by both public water and public sewage facilities 7,000 sq. ft.

4.3 MINIMUM LOT WIDTH - For each principal use:

- (1) On un-subdivided land 200 feet
- (2) On subdivided land not served by public water and public sewage facilities 120 feet
- (3) On subdivided land served by either public water or public sewage facilities 60 feet
- (4) On subdivided land served by both public water and public sewage facilities 60 feet

4.4	MINIMUM FRONT YARD	30 feet
4.5	MINIMUM SIDE YARD	5 feet
4.6	MINIMUM REAR YARD	20 feet
4.7	MAXIMUM HEIGHT OF BUILDINGS	35 feet
4.8	WATER QUALITY SETBACK	Setback from the edge of a water-body shall be a minimum of 30 feet.

SECTION V
A - ACCOMMODATIONS DISTRICT

5.1 DECLARATION OF INTENT - ACCOMMODATIONS ZONE DISTRICT

The purpose of the Accommodations Zone is to provide lodging facilities with accessory uses to serve the traveling public, mainly to be located along federal and state highways. Residential uses are permitted in this zone district.

USES PERMITTED

- (1) Single-family dwellings;
- (2) Multiple-family dwellings;
- (3) Boarding and rooming houses, rest homes, and bed and breakfasts (any bed and breakfast, rooming house or boarding house that wishes to have over five (5) total bedrooms must be constructed or modified to meet R-1 requirements of the current County Building Code); provide a commercial well or municipal owner water system is available for service;
- (4) Schools, and churches;
- (5) Offices and Clinics and other structures in which a professional occupation is located, provided the uses generate twenty (20) or less ADT's and that the uses are not obnoxious, offensive, or objectionable because of excessive noise, odors, dust or vibration;
- (6) Parks and playgrounds;
- (7) Accessory uses and structures as defined in Section XIII;
- (8) Hotels, motels, lodges, resort cabins, short term rentals, including incidental businesses within the principal buildings; incidental businesses may include places serving food and beverages, newsstands, gift shops, sports shops and conference facilities provided that: All such businesses are clearly incidental to the primary use;
- (9) Outdoor recreational areas and incidental facilities, provided all such uses retain natural environmental conditions, do not involve the storage of equipment outside of a building and are not obnoxious, offensive or objectionable because of excessive noise, odors, dust or vibration;
- (10) Reservoirs and dams engineered to contain one hundred (100) acre feet of water or less;
- (11) Water diversion structures, ditches, and pipeline structures engineered to convey fifteen (15) cubic feet of water per second of time or less;
- (12) Small Wind Energy System thirty five (35) feet in height and below that comply with the provisions contained within Section 11.8 (10);
- (13) Telecommunications infrastructure thirty five (35) feet in height and below that comply with the provisions contained within Section 11.8 (7) as well as those systems deemed rooftop designs. All applicable building permit requirements apply.

USES PERMITTED BY SPECIAL REVIEW

- (1) Camping;
- (2) Reservoirs and dams engineered to contain more than one hundred (100) acre feet of water;
- (3) Water diversion structures, ditches and pipeline structures engineered to convey more than fifteen (15) cubic feet of water per second of time;
- (4) Public utility facilities, excluding business offices and repair facilities;
- (5) Facilities for a trans-basin diversion;
- (6) Golf Courses;
- (7) Commercial outdoor Recreational areas and accessory facilities;
- (8) Private Riding Stables;
- (9) Small Wind Energy System above thirty five (35) feet in height and/or more than one (1) small wind energy system on any single parcel of land;
- (10) Telecommunications infrastructure above thirty five (35) feet in height and not deemed a rooftop design.

5.2	MINIMUM AREA OF LOT	one (1) acre
5.3	MINIMUM LOT WIDTH	150 feet
5.4	MINIMUM FRONT YARD	30 feet
5.5	MINIMUM SIDE YARD	10 feet
5.6	MINIMUM REAR YARD	20 feet
5.7	MAXIMUM HEIGHT OF BUILDINGS	35 feet
5.8	WATER QUALITY SETBACK	Setback from the edge of a water body shall be a minimum of 30 feet

SECTION VI
F - FORESTRY AND OPEN DISTRICT

6.1 DECLARATION OF INTENT - FORESTRY AND OPEN ZONE DISTRICT

The purpose of the Forestry and Open Zone District is to protect lands suitable for agricultural and related uses including uses related to forestry, mining and recreation after additional permitting. Higher impact uses are allowed when permitted and mitigated properly. Low density single-family residential uses are permitted in this zone district.

USES PERMITTED

- (1) Single-family dwellings;
- (2) Schools, churches and hospitals;
- (3) Offices and Clinics and other structures in which a professional occupation is located, provided the uses generate twenty (20) or less ADT's and that the uses are not obnoxious, offensive, or objectionable because of excessive noise, odors, dust or vibration;
- (4) Parks and playgrounds;
- (5) Outdoor recreational areas and incidental facilities, provided all such uses retain natural environmental conditions, do not involve the storage of equipment outside of a building and are not obnoxious, offensive or objectionable because of excessive noise, odors, dust or vibration;
- (6) Accessory uses and structures as defined in Section XIII;
- (7) Lodges and resort cabins, including incidental business within the principal building; incidental businesses may include conference facilities provided that said conference facilities are clearly incidental to the primary use. Bed and breakfasts with no more than five (5) total bedrooms; must be constructed or modified to meet R-1 requirements of the current County Building Code); provided a commercial well or municipal owner water system is available for service;
- (8) Private riding stables;
- (9) Commercial feed yards, fur farms, kennels, veterinary hospitals, and commercial riding stables, provided all such uses are located at least five hundred feet (500) from schools, churches, and dwellings on other lots;
- (10) Reservoirs and dams engineered to contain one hundred (100) acre feet of water or less;
- (11) Water diversion structures, ditches and pipeline structures engineered to convey fifteen (15) cubic feet of water per second of time or less;
- (12) Small Wind Energy System thirty five (35) feet in height and below that comply with the provisions contained within Section 11.8 (10);
- (13) Telecommunications infrastructure thirty five (35) feet in height and below that comply with the provisions contained within Section 11.8 (7) as well as those systems deemed rooftop designs. All applicable building permit requirements apply;
- (14) Short Term Rentals in compliance with Section 14.8 Supplementary Regulations.

USES PERMITTED BY SPECIAL REVIEW

- (1) Camping;
- (2) Airports;
- (3) Cemeteries;
- (4) Sanitary landfills, composting facilities, transfer stations, recycling centers, and junk yards;
- (5) Lumber and ore mills;
- (6) Mines, quarries, sand & gravel operations, concrete batch plants, and asphalt plants;
- (7) Reservoirs and dams engineered to contain more than one hundred (100) acre feet of water;
- (8) Water diversion structures, ditches and pipeline structures engineered to convey more than fifteen (15) cubic feet of water per second of time;
- (9) Public utility facilities, excluding business offices and repair facilities;
- (10) Facilities for a trans-basin diversion;
- (11) Construction businesses, heavy equipment storage areas, earth moving businesses;
- (12) Commercial greenhouses and nurseries;

- (13) Camps and lodges with over five (5) bedrooms;
- (14) Bed and Breakfasts, rooming and boarding houses, and rest homes with over five (5) bedrooms;
- (15) Indoor storage of recreational vehicles;
- (16) Commercial outdoor storage facilities, including recreational vehicles;
- (17) Golf Courses;
- (18) Commercial outdoor recreational areas and accessory facilities;
- (19) Oil and gas exploration and production;
- (20) Small Wind Energy System above thirty five (35) feet in height and/or more than one (1) small wind energy system on any single parcel of land;
- (21) Telecommunications infrastructure above thirty five (35) feet in height and not deemed a rooftop design.

6.2 MINIMUM AREA OF LOT

- (1) Located Outside the Growth Boundary as defined in the Grand County Master Plan; Five (5) acres
- (2) Located Inside the Growth Boundary as defined in the Grand County Master Plan; Two (2) acres

6.3 MINIMUM LOT WIDTH 200 feet

6.4 MINIMUM FRONT YARD 30 feet

6.5 MINIMUM SIDE YARD 10 feet

6.6 MINIMUM REAR YARD 20 feet

6.7 MAXIMUM HEIGHT OF BUILDING 35 feet

6.8 WATER QUALITY SETBACK Setback from the edge of a water body shall be a minimum of 30 feet.

SECTION VII
M - MOBILE HOME DISTRICT

7.1 DECLARATION OF INTENT - MOBILE ZONE DISTRICT

The purpose of this zone district is to allow the use and placement of mobile homes and travel trailers on either a permanent or temporary basis. Mobile homes and travel trailers are restricted to this zone district except as allowed by Section XI. Residential uses are permitted in this zone district.

USES PERMITTED:

- (1) Single-family dwellings;
- (2) Individual mobile homes;
- (3) Multiple-family dwellings;
- (4) Boarding and rooming houses, rest homes, and bed and breakfasts, each containing no more than five (5) total bedrooms; provided a commercial well or municipal water system is available for service;
- (5) Schools, churches and hospitals;
- (6) Parks and playgrounds;
- (7) Accessory uses and structures as defined in Section XIII;
- (8) Reservoirs and dams engineered to contain one hundred (100) acre feet of water or less;
- (9) Water diversion structures, ditches, and pipeline structures engineered to convey fifteen (15) cubic feet of water per second of time or less;
- (10) Small Wind Energy System thirty five (35) feet in height and below that comply with the provisions contained within Section 11.8 (10);
- (11) Telecommunications infrastructure thirty five (35) feet in height and below that comply with the provisions contained within Section 11.8 (7) as well as those systems deemed rooftop designs. All applicable building permit requirements apply;
- (12) Short Term Rentals in compliance with Section 14.8 Supplementary Regulations.

USES PERMITTED BY SPECIAL REVIEW

- (1) Mobile home parks;
- (2) Bed and Breakfasts, rooming and boarding houses, and rest homes with over five (5) bedrooms;
- (3) Small Wind Energy System above thirty five (35) feet in height and/or more than one (1) small wind energy system on any single parcel of land;
- (4) Telecommunications infrastructure above thirty five (35) feet in height and not deemed a rooftop design.

7.2 MINIMUM AREA OF LOT

For all uses permitted in the "M" district and individual mobile homes

- (1) On un-subdivided land two (2) acres
- (2) On subdivided land not served by public water and public sewage facilities 30,000 sq. ft.
- (3) On subdivided land served by either public water or public sewage facilities 15,000 sq. ft.
- (4) On subdivided land served by both public water and public sewage facilities 7,500 sq. ft.

7.3 MINIMUM LOT WIDTH:

For all uses permitted in the "M" district and individual mobile homes

- (1) On un-subdivided land 200 feet
- (2) On subdivided land not served by public water and public sewage facilities 120 feet
- (3) On subdivided land served by either public water or public sewage facilities 60 feet
- (4) On subdivided land served by both public water and public sewage facilities 60 feet

7.4	MINIMUM FRONT YARD	30 feet
7.5	MINIMUM SIDE YARD	5 feet
7.6	MINIMUM REAR YARD	20 feet
7.7	MAXIMUM HEIGHT OF BUILDINGS	35 feet
7.8	WATER QUALITY SETBACK	Setback from the edge of a water body shall be a minimum of 30 feet.

SECTION VIII
T - TOURIST DISTRICT

8.1 DECLARATION OF INTENT - TOURIST ZONE DISTRICT

The purpose of the Tourist Zone is to provide areas to accommodate related retail businesses to serve the traveling and recreation oriented public; mainly located along federal and state highways. Residential uses are permitted in this zone district.

USES PERMITTED:

- (1) Single-family dwellings;
- (2) Multiple-family dwellings.
- (3) Boarding and rooming houses, rest homes, and bed and breakfasts (any bed and breakfast, rooming house or boarding house that wishes to have over five (5) total bedrooms must be constructed or modified to meet R-1 requirements of the current County Building Code);
- (4) Schools, churches and hospitals;
- (5) Medical and dental offices and clinics;
- (6) Parks and playgrounds;
- (7) Outdoor recreational areas provided all such uses retain natural environmental conditions, do not involve the storage of equipment outside of a building and are not obnoxious, offensive or objectionable because of excessive noise, odors, dust or vibration;
- (8) Accessory uses and structures as defined in Section XIII;
- (9) Hotels, motels, lodges, resort cabins, short term rentals and conference facilities including accessory businesses within the principal buildings;
- (10) Private riding stables and commercial riding stables provided all such uses are located at least one hundred feet (100') from schools, churches and dwellings on other lots;
- (11) Commercial uses, including but not limited to the following provided that all previous listed uses do not allow objectionable or obnoxious amounts of noise, odor, dust, smoke, vibration or other similar causes to be disseminated beyond individual lot lines, and that all outdoor storage areas are completely screened including:
 - Antique Stores
 - Bakeries
 - Banks
 - Barber and Beauty Shops
 - Clothing Stores
 - Drug Stores
 - Eating and Drinking Establishments
 - Florists
 - Grocery Stores
 - Home Improvement Stores
 - Mini-Storage Warehouse Facilities
 - Retail and Rental Sporting Goods Stores
 - Indoor Theatres
- (12) Reservoirs and dams engineered to contain one hundred (100) acre feet of water or less;
- (13) Water diversion structures, ditches and pipeline structures engineered to convey fifteen (15) cubic feet of water per second of time or less;
- (14) Small Wind Energy System thirty five (35) feet in height and below that comply with the provisions contained within section 11.8 (10);
- (15) Telecommunications infrastructure thirty five (35) feet in height and below that comply with the provisions contained within Section 11.8 (7) as well as those systems deemed rooftop designs. All applicable building permit requirements apply.

USES PERMITTED BY SPECIAL REVIEW:

- (1) Camping;
- (2) Reservoirs and dams engineered to contain more than one hundred (100) acre feet of water;
- (3) Water diversion structures, ditches and pipeline structures engineered to convey more than fifteen (15) cubic feet of water per second of time;
- (4) Public utility facilities, excluding business offices and repair facilities;
- (5) Facilities for a trans-basin diversion;
- (6) Camps and lodges with over five (5) bedrooms;
- (7) Bed and Breakfasts, rooming and boarding houses, and rest homes with over five (5) bedrooms;
- (8) Commercial outdoor recreational areas and accessory facilities;
- (9) Gasoline stations;
- (10) Automotive repair facilities;
- (11) Cleaning and dyeing shops;
- (12) Marinas;
- (13) Small Wind Energy System above thirty five (35) feet in height and/or more than one (1) small wind energy system on any single parcel of land;
- (14) Telecommunications infrastructure above thirty five (35) feet in height and not deemed a rooftop design.

8.2	MINIMUM AREA OF LOT	one (1) acre
8.3	MINIMUM LOT WIDTH	150 feet
8.4	MINIMUM FRONT YARD	30 feet
8.5	MINIMUM SIDE YARD	10 feet
8.6	MINIMUM REAR YARD	20 feet
8.7	MAXIMUM HEIGHT OF BUILDINGS	35 feet
8.8	WATER QUALITY SETBACK	Setback from the edge of a water body shall be a minimum of 30 feet.

SECTION IX
B - BUSINESS DISTRICT

9.1 DECLARATION OF INTENT - BUSINESS ZONE DISTRICT

The purpose of the Business District is to provide areas designed for retail shopping convenience of persons residing in the County as well as from more distant places. The Business District is designated to provide a wide range of commercial uses. There may be some emphasis upon wholesale and business services. Light manufacturing and some types of processing are also permitted.

USES PERMITTED

- (1) Single -family dwellings;
- (2) Multiple-family dwellings;
- (3) Boarding and rooming houses, rest homes, and bed and breakfasts (any bed and breakfast, rooming house or boarding house that wishes to have over five (5) total bedrooms, must be constructed or modified to meet R-1 requirements of the current County Building Code);
- (4) Hotels, motels, lodges, resort cabins, short term rentals and conference facilities including accessory business within the principal buildings;
- (5) Schools, churches and hospitals;
- (6) Medical and dental offices and clinics;
- (7) Parks and playgrounds;
- (8) Small Wind Energy System thirty five (35) feet in height and below that comply with the provisions contained within Section 11.8 (10);
- (9) Accessory uses and structures as defined in Section XIII;
- (10) Outdoor recreational areas provided all such uses retain natural environmental conditions, do not involve the storage of equipment outside of a building and are not obnoxious, offensive or objectionable because of excessive noise, odors, dust or vibration;
- (11) Any general commercial activity, retail or wholesale, including but not limited to the following:
 - Antique Shops
 - Bakeries
 - Banks
 - Barber and Beauty Shops
 - Bottling Works
 - Clothing Stores
 - Construction Businesses, Heavy Equipment Storage Area and Earth-Moving Businesses
 - Dairies
 - Drug Stores
 - Eating and Drinking Establishments
 - Florists
 - Furniture Repair and Sales
 - Commercial Nurseries and Retail Greenhouses
 - Grocery Stores
 - Home Improvement Stores
 - Light Manufacturing
 - Mini-Storage Warehouse Facilities
 - Personal Service Shops
 - Retail and Rental Stores
 - Theatres, Indoor
 - Warehouse Facilities

Provided that all previous listed uses do not allow objectionable or obnoxious amounts of noise, odor, dust, smoke, vibration or other similar causes to be disseminated outside the "B" – Business District.

- (12) Reservoirs and dams engineered to contain one hundred (100) acre feet of water or less;
- (13) Water diversion structures, ditches and pipeline structures engineered to convey fifteen (15) cubic feet of water per second of time or less;
- (14) Small Wind Energy Systems thirty five (35) feet in height and below that comply with the provisions contained within section 11.8 (10);
- (15) Telecommunications infrastructure thirty five (35) feet in height and below that comply with the provisions contained within Section 11.8 (7) as well as those systems deemed rooftop designs. All applicable building permit requirements apply.

USES PERMITTED BY SPECIAL REVIEW

- (1) Camping;
- (2) Mobile Home Parks;
- (3) Reservoirs and dams engineered to contain more than one hundred (100) acre feet of water;
- (4) Water diversion structures, ditches and pipeline structures engineered to convey more than fifteen (15) cubic feet of water per second of time;
- (5) Public utility facilities, excluding business offices and repair facilities;
- (6) Facilities for a trans-basin diversion;
- (7) Commercial outdoor recreational areas and accessory facilities;
- (8) Gasoline stations;
- (9) Automotive repair facilities;
- (10) Cleaning and dyeing shops;
- (11) Automobile sales;
- (12) Marinas;
- (13) Small Wind Energy System above thirty five (35) feet in height and/or more than one (1) small wind energy system on any single parcel of land;
- (14) Telecommunications infrastructure above thirty five (35) feet in height and not deemed a rooftop design;
- (15) Adult Oriented Uses

9.2	MINIMUM AREA OF LOT	one (1) acre
9.3	MINIMUM LOT WIDTH	50 feet
9.4	MINIMUM FRONT YARD	30 feet
9.5	MINIMUM SIDE YARD	0 feet
	(Except when adjacent to residential use, public rights-of-way, and/or when roof drainage is to side yard)	10 feet
9.6	MINIMUM REAR YARD	10 feet
9.7	MAXIMUM HEIGHT OF BUILDINGS	35 feet
9.8	WATER QUALITY SETBACK	Setback from the edge of a water body shall be a minimum of 30 feet.

SECTION X
U - UNCLASSIFIED DISTRICT

10.1 DECLARATION OF INTENT - UNCLASSIFIED ZONE DISTRICT

This district permits all uses not otherwise prohibited by law, except that the following uses shall only be permitted to the provisions of Section XI of these regulations.

USES PERMITTED

All uses not otherwise prohibited by law, except that the following uses shall only be permitted pursuant to the provisions of Section XI of these Regulations:

- alfalfa dehydrators;
- automobile wrecking yards;
- cement, lime or gypsum manufacturing;
- chemical plants;
- fertilizer manufacturing;
- fireworks or explosives manufacturing;
- garbage, offal or dead animal dumping or reduction operations;
- glue manufacturing or fat rendering or distillation of bones;
- junkyards;
- slaughter houses and packing houses;
- smelting of ore;
- public utility facilities, excluding business offices and repair facilities;
- reservoirs and dams, if engineered to contain more than one hundred (100) acre feet of water;
- water diversion structures, ditches and pipeline structures, if engineered to convey more than fifteen (15) cubic feet of water per second of time;
- facilities for a trans-basin diversion;
- Small Wind Energy System thirty five (35) feet in height and below that comply with the provisions contained within section 11.8 (10);
- Telecommunications infrastructure thirty five (35) feet in height and below that comply with the provisions contained within Section 11.8 (7) as well as those systems deemed rooftop designs. All applicable building permit requirements apply.

USES PERMITTED BY SPECIAL REVIEW

- (1) Small Wind Energy System above thirty five (35) feet in height and/or more than one (1) small wind energy system on any single parcel of land;
- (2) Telecommunications infrastructure above thirty five (35) feet in height and not deemed a rooftop design.

In general, all uses which may be obnoxious, offensive or hazardous or detrimental to the public welfare by the emission of unusual and excessive amounts of dust, smoke, fumes, gas, noxious odors or noises; and any addition to any of the foregoing uses.

10.2	MINIMUM LOT AREA	two (2) acres
10.3	MINIMUM LOT WIDTH	200 feet
10.4	MINIMUM FRONT YARD	30 feet
10.5	MINIMUM SIDE YARD	10 feet
10.6	MINIMUM REAR YARD	30 feet
10.7	MAXIMUM HEIGHT OF BUILDINGS	35 feet

**10.8 MINIMUM DISTANCE OF ANY BUSINESS OR
INDUSTRIAL USE FROM AN ADJOINING ZONING
DISTRICT BOUNDARY**

200 feet

10.9 WATER QUALITY SETBACK

Setback from the edge of a water body
shall be a minimum of 30 feet.

SECTION XI
USES PERMITTED BY SPECIAL REVIEW AND TEMPORARY USES

11.1 PURPOSE - USES PERMITTED BY SPECIAL REVIEW

Due to their unusual and unique features which, in certain situations, could be injurious to the health, safety or welfare of inhabitants of Grand County, Special Uses shall be permitted in the designated zoning districts only after receiving favorable approval of the Board of County Commissioners.

11.2 CONDITIONS AND GUARANTEES

Prior to the granting of any special use, the Planning Commission may recommend and the County Board shall stipulate such conditions and restrictions, upon the establishment, location, construction, maintenance and operation of the special use as are deemed necessary for the protection of the public health, safety and welfare. Any Special Use Permit granted by the Board of County Commissioners may incorporate such conditions as it deems necessary to require compliance with the standards for issuing permits as set forth in this Section XI.

Prior to issuance of a Special Use Permit pursuant to this section, the Planning Commission and Board of County Commissioners shall consider the following:

- (a) The visual, environmental, physiographic and socioeconomic characteristics of the land to be used;
- (b) Evaluation of the broad ecosystems, topography, soils, hydrology, geology, vegetation, wildlife, climate and unique fractures so that approved special use shall result in the least possible adverse impacts within any zoning district;
- (c) Such uses shall serve an obvious public need;
- (d) Satisfactory proof shall be given that areas will be properly maintained;

11.3 REVIEW PROCEDURE

Prior to submittal of a Special Use Permit Application, the applicant is required to have a pre-application meeting with the Department of Planning and Zoning. This conference will be to discuss the general suitability of the request and specific submittal requirements.

Unless waived by the Board of County Commissioners (BOCC) pursuant to the provisions contained in Section XI, no application for a Special Use Permit shall be scheduled for consideration by the Board of County Commissioners of Grand County until all of the required material is first filed with the Grand County Planning and Zoning Department. The Board of County Commissioners will be guided in their review by the provisions and purposes of these regulations, by the unique conditions of the surrounding neighborhood, and by the countywide need for each use. No use shall be granted under this section without a public hearing being held thereon; notice of which, including a description of the property, the proposed use, and the time and place of hearing, has first been published at least once in a newspaper of general circulation within the area where the property is located and has been mailed to all property owners within five hundred (500) feet of the proposal, at least twenty (20) days prior to the scheduled hearing. The cost of the certified mailing and of publishing notice of the proposed hearing date shall be paid by the applicant for the Special Use Permit.

11.4 MINERAL ESTATES NOTIFICATION

The Applicant shall certify that notice has been provided to the mineral estate owner pursuant to C.R.S. § 24-65.5-101 et al., for any Special Use Permit Application pursuant to Section XI of these Regulations where such applications are in anticipation of new surface development. The notice shall include the time and place of the initial hearing before the Planning Commission, nature of the hearing, location of the property that is the subject of the hearing, and name of the applicant. The name and the address of the mineral estate owner are required to be provided within said certification of notice. Grand County shall, pursuant to C.R.S. § 24-6-402 (7) et. al., provide notice of subsequent hearings to Mineral Estate Owners who register for such notification.

11.5 FEES

In order to assign the burden of review to an applicant seeking a Special Use Permit, the Board of County Commissioners shall consider and, if found advisable, adopt a specific fee schedule to defray the costs to Grand County for the review of a Special Use Permit pursuant to this Section XI. A fee schedule is published annually by the Department of Planning and Zoning.

11.6 AMENDMENTS AND RENEWAL

A permit amendment will be considered when there are changes to the original permit, and will be reviewed by the Board of County Commissioners.

An Administrative amendment will be considered when there are changes to the original permit, such as but not limited to a change in the name of the Permittee or other minor changes that do not otherwise affect the operation of the permit. An Administrative amendment shall only require an approval by Resolution by the Board of County Commissioners.

Permit renewals will be reviewed by the Board of County Commissioners following a twenty (20) day public notice.

11.7 REVOCATION

If the Permittee fails to comply with the conditions of the permit, the County Board may, upon no less than ten (10) days notice in writing to the Permittee, conduct a public hearing to consider actions regarding the permit including but not limited to revocation. Notice shall be deemed to have been furnished at the time of the mailing to the Permittee at the address shown on the Permit.

11.8 SPECIAL USES

The following provisions are required for the applicable Special Uses as allowed within these regulations:

(1) Camping areas are subject to the following additional provisions:

- (a) Such areas may be occupied only by persons using mobile homes, travel trailers, truck campers and tents for overnight or short duration camping;
- (b) Each mobile home space shall be at least three thousand (3,000) square feet in area; each space for travel trailers, truck campers and tents shall be at least one thousand five hundred (1500) square feet in area;
- (c) Each space shall be at least thirty feet (30') in width;
- (d) Each camping area shall provide a central water supply and shall have one (1) sewerage system;
- (e) The source, quality, quantity, distribution system, volume and method of storage of water and the method of collection and treatment of sewage and waste water shall be approved by the Colorado State Department of Public Health;
- (f) No dependent mobile home, travel trailer, truck camper or tent shall be located more than two hundred feet (200') from a service building;
- (g) Provisions shall be made for adequate all weather walkways to each space.

(h) Camping

Purpose: The purpose of this is to provide for the non-commercial use of an individual self contained recreational vehicle or other camping shelter (such as a tent) on property consisting of 35 acres or more.

- i) Exemptions: Any seasonal work crews and/or outfitting type business.
- ii) Compensation: there shall be no compensation to the owner of parcel involved.
- iii) Time Limit: the travel trailer, recreational vehicle, camper or other camping shelter may only be used for camping for a period that does not exceed a total of 14 days during any consecutive three months on the same parcel.
- iv) Utilities: Utilities are not permitted to be extended to the camping unit.

(2) **Airports, cemeteries, radio transmitting stations, sanitary landfill operations, and junk yards, subject to the following additional provisions:**

- (a) Such uses shall serve an obvious public need;
- (b) Sufficient distance shall separate such uses from damaging abutting property;
- (c) Satisfactory proof shall be given that such areas will be properly maintained.

(3) **Lumber and ore mills, mines, quarries and sand and gravel operations subject to the following additional provisions:**

- (a) Truck traffic to and from such uses shall not create hazards in developed Estate, Residential, Accommodations and Tourist areas;
- (b) Truck traffic to and from such uses shall not unduly damage public roads;
- (c) A satisfactory general rehabilitation plan for the land shall be submitted prior to the start of operations and implemented thereafter.
- (d) Quarry, sand and gravel operations shall require a well permit issued by the Office of the State Engineer if groundwater is exposed or water is required for operations.
- (e) A CDOT access permit is acquired, if necessary.

(4) **Mobile home parks subject to the following additional provisions:**

- (a) Complete engineering plans and specifications shall be prepared to adequately describe all proposed improvements;
- (b) Conditions of soils, groundwater level, drainage and topography shall not create hazards;
- (c) The site shall not be exposed to objectionable smoke, noise, odors or other adverse influences, and no portion subject to unpredictable and/or sudden flooding or erosion;
- (d) Exposed ground surfaces in all parts of every mobile home park shall be paved or covered with stone screenings or other solid material, or protected with a vegetative growth that is capable of preventing soil erosion and of eliminating objectionable dust;

- (e) Mobile homes shall be separated from each other and from other buildings and structures by at least fifteen feet (15');
 - (f) All mobile homes shall be located at least twenty-five (25') from any park property boundary line;
 - (g) In all parks accommodating or designed to accommodate twenty-five (25) or more mobile homes, there shall be one (1) or more recreation areas which shall be easily accessible to all park residents;
 - (h) All parks shall be furnished with adequate lighting units;
 - (i) All streets shall be paved with a smooth, hard and dense surface which shall be at least twenty-four feet (24') in width;
 - (j) All parks shall be provided with safe, convenient, all-season pedestrian access of adequate width for intended uses;
 - (k) An accessible, adequate, safe and potable supply of water shall be provided in each mobile home park. Where a public supply of water of satisfactory quantity, quality and pressure is available, connection shall be made thereto and its supply used exclusively. When a satisfactory public water supply is not available, a private water supply system may be developed and used as approved by the Colorado State Department of Public Health;
 - (l) An adequate and safe sewerage system shall be provided in all mobile home parks for conveying and disposing of all sewage. Such systems shall be designed, constructed and maintained in accordance with regulations of the Colorado State Department of Public Health;
 - (m) Every park shall contain an electrical wiring system consisting of wiring, fixtures, equipment and appurtenances which shall be installed and maintained in accordance with applicable codes and regulations governing such systems;
 - (n) For every twenty (20) dependent mobile homes the following facilities shall be provided in a service building: two (2) toilets for each sex, one (1) shower for each sex, and a service sink;
 - (o) All refuse shall be stored in fly tight, watertight, bear and rodent proof containers, which shall be located not more than one hundred fifty feet (150') from each mobile home space. Containers shall be provided in sufficient number and capacity to properly store all refuse;
 - (p) Grounds, buildings and structures shall be maintained free of insect and rodent harborage and infestation;
 - (q) Natural gas piping systems and liquefied petroleum gas systems shall be installed and maintained in accordance with applicable codes and regulations governing such systems.
- (5) **Individual mobile homes for occupancy of the owners, operators or employees of owners or operators, of an agricultural use subject to the following additional provisions:**
- (a) The Board of County Commissioners in the granting of permits under this provision, shall determine that the proposed permit will promote the continuation of agriculture within Grand County and in the granting of said permits, they will be guided by the principle that

this provision has been enacted for the purpose of promoting the traditional American concepts relating to the family ranch traditionally operated in Grand County.

- (b) The Board of County Commissioners shall determine that the applicant and/or the occupant of the proposed mobile home is in fact engaged in an agricultural use and regardless of who the applicant may be, the Board shall determine that the occupant of the mobile home is an integral part of an agricultural operation.
 - (c) The Board of County Commissioners shall determine that the applicant is the owner of, or has control of, by lease, option, contract or otherwise, a minimum tract of land used primarily for an agricultural operation, before a permit shall be issued or renewed.
 - (d) Upon application for a permit the Board of County Commissioners shall require a minimum deposit of two hundred fifty dollars (\$250.00) cash or certified funds. Said deposit shall be held in escrow by the Board to defray any expenses which may be incurred to enforce the conditions of any permit granted or remove any mobile home which is not removed by the owner or applicant upon termination of the permit. If no permit is granted or if the permit terminates and all conditions thereof are complied with, then and in that event, the two hundred fifty dollars (\$250.00) deposit shall be returned to the applicant.
 - (e) No permit shall be granted or renewed if the Board of County Commissioners determines that the proposed occupancy is for temporary employees rather than permanent employees.
 - (f) No permit shall be granted until applicant has provided evidence, satisfactory to the Board of County Commissioners, that adequate water and sanitation facilities are available at the site selected by the applicant for location of the mobile home.
 - (g) In order to renew the permit, the permit holder must request the renewal in writing and provide a notarized affidavit which states the name(s) of the occupant(s) of the mobile home and his (their) position of employment with the farm or ranch operation. Said information shall be sent to the Department of Planning and Zoning at least thirty (30) days prior to the permit termination date. The Planning Director shall determine whether the applicant is still in compliance with the original permit. If the applicant is clearly in compliance with the permit requirements, staff shall renew the permit for a period of five (5) years. If the Planning Director determines that the applicant is not in compliance with the original permit, or if the Planning Director receives written complaints concerning the permitted use, staff shall schedule a meeting with the Board of County Commissioners for its determination as to whether the permit shall be renewed.
- (6) **Public utility facilities, excluding business offices and repair facilities, subject to the following provisions:**
- (a) To avoid unnecessary administrative complexity for the providing of public utility services to individuals, construction, extension and location of public utility lines for permanent central service plants to individual users which are capable of serving no more than seventy-five (75) dwellings shall not require a special permit. Except that electrical transmission lines designed to transmit a nominal voltage of 34,500 volts (34.5 kV) or less, natural gas pipelines that transmit gas at 75 pounds per square inch (75 PSI) or less, and communication lines that do not connect wire centers (telephone exchanges) or receiver sites shall not require a special permit. This exemption, from the provisions of this section, shall not be cumulative and to effect this provision the Grand County Planning Commission or the Board of County Commissioners of Grand County may request from all or any class of public utilities, or a utility of any class, a certification by map of such utility

or utilities used and useful central service plant. All approved facilities or extensions shall become a part of a utility's central service plant.

- (b) Public utility facilities existing in zoning districts at the time of the adoption of these Regulations, that is the twenty first (21st) day of June, 1977, shall be considered permanent facilities and a permitted nonconforming use unless and until abandoned. Any construction, extension or relocation not exempt pursuant to (a) above shall require a Special Use Permit and the provisions of Section 15.6 relating to enlargement of a building containing a non-conforming use shall not apply to public utility facilities.
- (c) Prior to issuance of a Special Use Permit pursuant to this section, the Planning Commission and Board of, County Commissioners shall consider the visual, environmental, physiographic and socioeconomic characteristics of the land to be used including evaluation of broad ecosystems, topography, soils, hydrology, geology, vegetation, wildlife, climate and unique fractures so that approved sites or routes result in the least possible adverse impacts within any zoning district as well as among those zoning districts necessary for the entire facility.
- (d) The proposed location of a public utility facility, in view of the substantial ownership of land by the United States of America and the State of Colorado within Grand County, shall maximize the use of federal and state owned land and applicant shall demonstrate the maximum use of such lands for the proposed construction, extension and location of a public utility facility after considering all alternatives including, but not limited to, not constructing the facility, burial of normally above-ground facilities, and consolidation, realignment, relocation or unitization with other facilities. All proposed public utility facilities shall serve an obvious public need.
- (e) All proposed public utility lines shall be routed and constructed (by special techniques if necessary) wherever possible to: maximize use of federal and state owned lands; minimize damage to private landowners over which the line passes and adjacent to the proposed line; avoid paralleling of major transportation routes; cross any such transportation routes at as close to a right angle as possible; avoid "tunnel" effect of clearing which would be visible from a population concentration or major transportation route; avoid clear stripping of right-of-way; avoid soils particularly subject to erosion; avoid historic and archeological sites; avoid visually unique scenic vistas and unique natural phenomenon; avoid adverse impact on wildlife and fish and their habitat; preserve as much as possible the natural landscape; minimize conflict with existing and planned uses shown on the County master plan map; maximize the natural screening potential of vegetation and topography; avoid crossing or use interference with a fishery; avoid isolated stands of spruce, fir and aspen, streams, lakes and ponds; avoid skylines visible from a population concentration or major transportation route; and, to minimize alteration of the slope or aspect of any hillside.
- (f) All construction of proposed extensions of public utility facilities, wherever possible, shall: reflect avoidance of the applicable impacts of (e) above; provide for re-compaction to restore the original density of disturbed ground; provide for restoration and revegetation of the original slope of hillsides and ridge cuts and future maintenance of such restoration and revegetation after construction; and by innovative construction techniques minimize the width of clearing and cuts, including installation of normally buried facilities above ground where such might be less disturbing to the sum of criteria of these sections.
- (g) All extensions of public utility facilities shall give due regard to topsoil, to geologic and watershed characteristics, to which end all extensions shall: consider geologic and natural hazard areas including floodplain and, if applicable, wildfire areas; reflect selection to minimize adverse impact on subsequent development of mineral resources or mineral

resource areas; approved or planned reservoir sites; and deposit of construction aggregate. Historic and archeological sites and discoveries should be treated pursuant to guidelines therefore approved by the County of Grand or other entity having statutory jurisdiction.

- (h) The Board of County Commissioners may adopt, and may from time to time amend, administrative guidelines consistent with the above principals.

(7) **Telecommunications:**

- (a) Telecommunication related Facilities and Support Structures located within Grand County shall be subject, but not limited, to the following additional requirements:
 - i) Such uses shall serve an obvious public need.
 - ii) Coverage information shall be submitted detailing the areas of Grand County that will benefit from the proposed telecommunication facilities.
 - iii) All telecommunication carriers shall comply with the requirements of the Grand County Emergency Telephone Service Authority.
 - iv) Collocation on existing facilities and at existing sites is encouraged.
 - v) An Alternative Site Analysis shall be provided for proposed telecommunication facilities. This analysis shall address alternative strategies which may minimize the number, size, and adverse visual and environmental impacts of facilities necessary to provide services to Grand County. Further, it shall explain the rationale for selection of the proposed site in view of the relative merits of any of the feasible alternatives. Thus, enabling the county to determine the benefits and impacts associated with each proposal, in relation to possible alternative.
 - vi) Detailed Site Plan – all scaled infrastructure specific to each proposed location which shall include types of adjacent land uses, surrounding topography and vegetation, and height of proposed tower.
 - vii) Sufficient distance shall separate such uses from damaging abutting property. The intent and purpose being to ensure that visual impacts associated with the provision of telecommunication facilities be mitigated in relation to site location, design, and height. The applicant shall assess the cumulative impacts of the proposed facility on surrounding areas and uses, and identify and include all feasible mitigation measures consistent with the technological requirements of the proposed telecommunication service.
 - (1) Aesthetics – All telecommunication towers and support structures shall be located as close to the ground as possible to reduce visual impact, without compromising the function of the structure. Placement of telecommunication facilities on top of ridge lines and other visually sensitive areas are discouraged, unless otherwise proven to be a critical location for network and/or service plan and visual impacts can be properly mitigated. The incorporation of “stealth” tower design, which attempts to mimic/blend in with surrounding features, shall be addressed within each application. If “stealth” design is not incorporated within the proposal, rationale for not including this type of design shall be included.
 - (2) A Visual Simulation specific to the request shall be presented in the form of Computer / Photo Visual representations, Balloon Tests, Scaled Models, or other

medium which visually identifies the proposal in relation to the surrounding site characteristics.

- (3) Materials/Colors – all components and infrastructure of each telecommunication facility shall be constructed of non-reflective materials and painted to blend into the natural environment and backdrop of each site to minimize visual impacts and furthermore be repainted as necessary. The color shall be selected by the Grand County Department of Planning & Zoning or other appropriate decision-making body on a site specific basis.

viii) An executed lease agreement shall be provided prior to issuance of any Special Use Permit. This shall include contact information for property owner/landlord.

ix) The Applicant shall provide ingress and egress easements necessary to access the site which shall include access by Grand County Personnel, Emergency Services Personnel, and Grand County Emergency Service Authority Personnel (along with each of their officials, employees, contractors, representatives, and designees). Applicant irrevocably consents that Grand County reserves the right to enter the site at any time for any reason whatsoever.

x) A maintenance and security plan shall be provided for any telecommunication facility. This plan shall include provisions to prevent unauthorized access and vandalism, in addition to ensuring that the property will be properly maintained. Applicant shall provide cash, bond, or other security acceptable to Grand County in the amount of \$25,000 to ensure maintenance and complete rehabilitation of the site.

(8) **Camps and Lodges, Bed and Breakfasts, rooming and boarding houses, and rest homes with over five (5) total bedrooms:**

- (a) Traffic to and from the site shall not create hazards in developed Estate or Residential areas.
- (b) The source, quality, quantity, distribution system, volume and method of storage of water and the method of collection and treatment of sewage and waste water shall be approved by Grand County.
- (c) Adequate fire protection provisions. Plans shall include proposed facilities and adequate access for emergency vehicles.
- (d) The use shall not create offsite negative impacts such as water pollution, noise, dust or glare.
- (e) Proof that public access is adequate to serve development.
- (f) Offsite uses, if any, shall be identified. If public lands are to be used, proper permitting from the applicable Federal or State agency must be provided.
- (g) Proof of financial capability to install public improvements if required. This could include a financing mechanism or financial guarantees.
- (h) If more than five (5) total bedrooms are desired, the structures must be constructed or modified to meet the R-1 requirements of the current County Building Code.

- (i) An appropriate number of solid fuel burning devices shall be allowed on commercially operated facilities in the Forest and Open Zone District on parcels of thirty-five (35) acres or more.

These conditions can be addressed by submitting fifteen (15) copies of the following items:

- (j) A narrative describing the proposed operation in detail.
- (k) A site plan showing the proposed development of the entire site, to scale. Said site plan must show all proposed and existing structures, surface water drainage, access routes and wetlands.
- (l) Vicinity map.
- (m) Identify adjacent property owners or platted subdivisions and proposed screening or buffering, if necessary.
- (n) Legal description of property to be developed with total acreage.
- (o) Estimated maximum density.

(9) Indoor Storage Facilities, Warehouses and Indoor Light Manufacturing :

In determining whether or not to grant a Special Use Permit for an Indoor Storage Facility, the Board of County Commissioners shall consider the following:

- (a) Proximity of property to recreational lakes, reservoirs (over 100 acre feet in size) and rivers
- (b) Proximity of property to other recreational areas
- (c) Proximity of the property to adjacent uses
- (d) Proximity of property to public highways and county roads
- (e) Visibility
- (f) Traffic (both existing and traffic generated by proposed use)
- (g) Countywide need for Facility
- (h) Character of adjoining neighborhood
- (i) Remonstrance's, if any, of adjacent landowners or towns
- (j) Health, safety and welfare of the citizens of Grand County
- (k) Size of tract of land on which proposal is to be located
- (l) Type of recreational equipment to be stored in proposed Indoor Storage Facility
- (m) Type of building(s) proposed
- (n) Other relevant matters

As a condition to grant a Special Use Permit pursuant to this section, the Board of County Commissioners may condition the Permit upon the following:

- (o) Size of building
 - (p) Color of exterior finish
 - (q) Landscaping/berming/fencing
 - (r) Highway or County road access permit
 - (s) Lighting
 - (t) Signage
 - (u) Hours of operation
 - (v) Any other conditions necessary, in the opinion of the Board of County Commissioners, to mitigate the impact of the Indoor Storage Facility
- (10) **Construction businesses, heavy equipment storage areas and earth-moving businesses provided the following conditions can be met:**
- (a) The equipment storage areas can be adequately screened from public highways and adjacent lands
 - (b) Truck traffic to and from such use shall not create hazards to Residential and Tourist areas
 - (c) Truck traffic to and from such use shall not unduly damage public road
 - (d) The use shall not create offsite negative impacts such as water pollution, noise, dust, glare and odor

These conditions are to be addressed by submitting fifteen (15) copies of the following items:

- (e) A narrative statement describing the operation
 - (f) A site plan drawn to scale showing man-made structures, surface water drainage and access routes in the immediate area
 - (g) A vicinity map
 - (h) A screening plan
- (11) **Small Wind Energy Systems**
- (a) In order to balance the need for clean, renewable energy resources and the necessity to protect the public health, safety and welfare of the community, Grand County finds these regulations are necessary to ensure that wind energy conversion systems are appropriately designed and safely sited and installed. Windmills installed for livestock on agricultural ranches are excluded from these regulations.

- (b) Definitions:
- (i) “Small Wind Energy System” refers to a wind energy conversion system consisting of a wind turbine, tower, and associated control or conversion electronics, which has a rated capacity of not more than 20 kW and which is intended to primarily reduce on-site consumption of utility power. A system is considered a small wind energy system only if it supplies electrical power solely for onsite use, except when a parcel on which the system is installed also receives electrical power supplied by a utility company, excess electrical power generated and not presently needed for onsite use may be used by the utility company (i.e. net metering).
 - (ii) “Wind Turbine” means a structure that uses moving air to generate electricity (wind power) through the use of blades that are easily turned by the wind. Wind turbines typically have one, two, or three blades.
 - (iii) “Tower” means the vertical component of a wind energy conversion system that elevates the wind turbine generator and attached blades above the ground. Tower height shall be measured to the turbine mounting point
- (c) Small wind energy systems in excess of thirty five feet (35’) in height or any request for more than one (1) small wind energy system on a single parcel of land shall require a Special Use Permit in all zoning classifications where structures of any sort are allowed. Any such system shall be subject to all provisions of these regulations, including setback requirements, and is required to obtain a building permit from the Grand County Building Department.

The following shall be provided with any special use request and/or building permit application:

A detailed, scaled site plan showing the proposed tower location, height, blade clearance, setbacks, color, and all existing improvements, including sidewalks, driveways and parking areas shall be submitted with any building permit request and in conjunction with any Special Use Permit application.

- (d) The following criteria will be used, at a minimum, in all reviews for a building permit and for Special Use Permit requests:
- (i) For all systems thirty five feet (35’) in height or less, in all zone districts, the use shall be allowed subject to the criteria established below. For all Special Use Permits, the allowable height will be determined based, in part, upon the criteria established below and reviewed on a case by case basis.
 - (ii) If approval of a Special Use Permit is granted for a small wind energy system, the height limitation established within the Grand County Zoning Regulations shall not apply.
 - (iii) All Special Use Permits issued for a small wind energy system shall be for the life of the small wind energy system. Any replacement or alterations shall be required to obtain an amendment to the existing Special Use Permit.
 - (iv) No portion of the small wind energy system blade sweep shall extend within twenty (20) feet off the ground. No blade sweep may extend over parking areas, driveways or sidewalks.

- (v) Setbacks for the system tower shall be no closer from the property line than the height of the tower, with a minimum setback of fifty (50) feet inside all property lines. Guy wire anchor points may extend to within ten (10) feet from inside the property line and may not extend to within ten (10) feet horizontally from the nearest power line conductor. Building mounted systems shall be required to be no closer than fifty (50) feet from the inside of all property lines. The tower shall be no closer to any overhead power lines than the height of the tower plus ten (10) feet.
- (vi) All wind energy conversion systems shall be equipped with manual (electronic or mechanical) and automatic over speed controls to limit the blade rotation speed to within the design limits of the small wind energy system. Turbine/blade systems shall be rated to wind speeds of no less than 110 MPH, measured at sea level.
- (vii) Wind energy systems shall not exceed 50 dBA, as measured from a property line at a distance of twenty five (25) feet or more. The level, however, may be exceeded during short-term events such as utility outages and/or severe wind storms.
- (viii) No artificial lighting shall be allowed unless such lighting is required by the Federal Aviation Association.
- (ix) All signs, other than the manufacturer's or installers identification signs on any part of a small energy system are prohibited.
- (x) All wind towers and generators shall be non-reflective and shall remain painted or finished the color that was originally applied by the manufacturer.
- (xi) All wind turbines must be approved under an Emerging Technology program such as the California Energy Commission, IEC or any other small wind certification program recognized by the American Wind Energy Association (AWEA) or the U.S. Department of Energy. Non-certified small wind turbines must submit a description of the safety features of the turbine prepared by a registered mechanical engineer.
- (xii) All wind turbines shall be required to obtain a building permit. Applications for wind systems shall be accompanied by a site plan showing applicable setbacks and standard drawings of the wind turbine structure, including the tower, base, footing, and guy wire anchors. An engineering analysis of the tower, guy wires, and anchors showing compliance with the Current County Building Code and certified by a licensed professional engineer shall also be submitted. This analysis is typically supplied by the manufacturer.
- (xiii) If the request is located within either the Granby or Kremmling Airport Review Area, FAA approval for any wind turbine shall be required.
- (xiv) Building Permit applications for small wind energy systems shall be accompanied by a line drawing of the electrical components in sufficient detail to allow for a determination that the manner of the installation conforms to the National Electrical Code. This information is frequently supplied by the manufacturer.
- (xv) No small wind energy system shall be installed until written evidence has been provided stating that the utility company has been informed of the customer's intent to install an interconnected, net metered customer-owned generator. Off-grid systems shall be exempt from this requirement.

- (xvi) All adjacent property owners shall be notified by certified mail on the proposed wind turbine installation.
 - (xvii) All wind turbines located within the Three Lakes Design Review Area shall be required to comply with the requirements of this area.
- (12) **Reservoirs and dams engineered to contain more than one hundred (100) acre feet of water in all zoning districts subject to the following additional provisions:**
- (a) Such uses shall serve an obvious public need;
 - (b) Evidence shall be presented that said structure shall not create a hazard both in construction and afterwards to the existing populated areas of Grand County;
 - (c) Satisfactory proof shall be given that such areas will be properly maintained;
 - (d) Satisfactory proof shall be provided that such reservoir or dam site shall not adversely affect wildlife, the environment or stream flows of existing streams to the detriment of the fish population;
 - (e) Satisfactory proof that said dam or reservoir is located in such a manner that minimum damage shall be caused to owners of private land and water rights in the vicinity;
 - (f) Satisfactory proof that the water level of the dam or reservoir shall be maintained even in drought years as to prevent dry mud flats which may give rise to dust storms creating a hazard for surrounding roadways and land owners;
 - (g) Satisfactory proof that said reservoir or dam shall not create a burden upon existing supplies of electrical energy so as to jeopardize existing domestic and future domestic use;
 - (h) Said reservoirs and dams shall be engineered in such a manner so that they will not be placed near existing public roadways; both so as to prevent hazards to the public created by said proximity and the unsightly visual impact;
 - (i) Satisfactory proof that the bed of the dam or reservoir shall be adequately cleared and that said clearing shall not create a burden upon the public sanitary landfill.
- (13) **Water diversion structures, ditches and pipeline structures engineered to convey more than fifteen (15) cubic feet of water per second of time in all zoning districts subject to the following additional provisions:**
- (a) Such uses shall serve an obvious public need;
 - (b) Satisfactory proof that there are sufficient supplies of electrical energy to serve said diversion, ditch, pipeline and any accessory pumping facilities, so as not to jeopardize existing or future domestic requirements;
 - (c) Satisfactory proof that said ditch, pipeline, or diversion shall be built in a safe and prudent manner in order to protect the public safety from breakage;
 - (d) Satisfactory proof that said ditch, diversion or pipeline is environmentally engineered to provide the least environmental impact;

- (e) Satisfactory proof that said ditch, diversion, or pipeline is engineered in such a manner so as to utilize the minimum amount of private land;
 - (f) Satisfactory proof that said facilities shall not adversely affect fish populations, wildlife habitat, or migratory ranges;
 - (g) Satisfactory proof that the facility will not adversely affect private property owners in the vicinity, and that appropriate studies have been conducted to show the impact of said diversions, ditches, and pipelines upon the entirety of water users in Grand County.
- (14) **Facilities for a transbasin diversion in all zoning districts subject to the following additional provisions:**
- (a) The words and terms used in this sub-section shall have the meaning set forth below unless the context requires otherwise:
 - (i) **"Facilities for a transbasin diversion"** means any headgate, pipeline, stream, lake, reservoir, ditch or other structure whether natural or manmade, to be employed or used for the transbasin diversion of water.
 - (ii) **"Operation"** means the use of any facilities for the transbasin diversion of water.
 - (iii) **"Proposed facility" or "facility"** means facilities for a transbasin diversion.
 - (iv) **"Transbasin diversion"** means diversion of waters by any applicant or person by any means whatsoever from any reservoir, lake, stream or groundwater aquifer or other water resource situated within any natural drainage basin situated in whole or in part within this county to any other drainage basin situated in whole or in part of this county or any other county.
 - (v) **"Water quality classification"** means the application of a standard or standards to a segment or segments of the waters of the State by the Water Quality Control Commission of the Colorado Department of Health adopted January 15, 1974 and effective June 19, 1974 or as amended by later action of the Water Quality Control Commission if such amendment is more stringent than the standards effective on June 19, 1974.
 - (b) An application for a permit to construct or operate facilities for a transbasin diversion shall be accompanied by fifteen (15) copies of the following documents and information:
 - (i) General requirements:
 - (1) An abstract of the proposal indicating the scope and need for the facility;
 - (2) Preliminary review and comment on the proposal by the appropriate agency of the Colorado Department of Health within sixty (60) days;
 - (3) Alternatives to the proposed facility including but not limited to alternative locations and the no development alternative;
 - (4) For each alternative, the information required by this subsection;
 - (ii) Any demographic data needed to fulfill the requirements of this section shall be consistent with those used for the 208 area-wide treatment management planning.

- (iii) The application shall also contain the following information:
 - (1) Name, address and telephone number of the applicant;
 - (2) General narrative description of nature, location and purpose the proposed facility;
 - (3) Engineering data and drawings for the proposed facility including the distribution and collection networks whether wholly or partially within the county;
 - (4) A description of all existing or approved proposed trans-basin diversion facilities whether wholly or partially within the county
- (iv) Land use information including but not limited to the following:
 - (1) Identification of significant changes in population density, interference with the provision of phased services and facilities and impacts on the community or surrounding areas, if any.
 - (2) Provide a map (at an appropriate scale) and textual matter detailing existing land uses of proposed facility including peripheral lands which may be impacted. The land use map and textual description should include, but not necessarily be restricted to, the following categories: residential, commercial, industrial, extractive, transportation, communication and utility, institutional, open space, outdoor recreation, agricultural, forest land and water bodies.
 - (3) All immediately affected public land boundaries shall be indicated on the map. Potential impacts on the proposed facility upon public lands will be visually illustrated on the map as well as described in textual form, including a copy of the final approved Environmental Impact Statement (EIS) or the Negative Declaration when such are required by law.
 - (4) Specify whether the proposed facility falls within a matter of state interest designated by this County as set forth by the "Guidelines and Regulations for Areas and Activities of State Interest of the County of Grand" and if so, whether a permit for such development or activity has been obtained from the Grand County Permit Authority.
 - (5) Specify whether the proposed facility conforms to regional and state planning policies.
 - (6) Specify whether the proposed facility conforms to federal land management policies.
 - (7) Detail the agricultural productivity capability of the land in the area of the proposed facility (SCS classification).
 - (8) Specify how the proposed facility would utilize existing easements or rights-of-way for distribution or collector networks and the extent such distribution or collector networks will cross privately owned land.

- (v) Water resource information, including but not limited to the following:
- (1) Legal description proposed point(s) of diversion and all pipelines, reservoirs, streams, lakes, headgates, ditches, and other structures or water sources to be used as facilities for the proposed diversion.
 - (2) Describe and indicate on an appropriate map relevant surface water bodies (streams, lakes, and reservoirs), groundwater aquifers and other water sources in the area and their uses.
 - (3) Copies of all water court applications filed for conditional or absolute rights on either direct flow or storage rights, decrees granted and applications for transfers of points of diversion and nature of use.
 - (4) Cubic feet per second and acre feet to be diverted.
 - (5) Detail existing water utilization including historic yield from rights and use by category such as agricultural, municipal and industrial.
 - (6) Specify the predominate type of uses to be served by the proposed transbasin diversion
 - (7) Indicate any floodplain associated with the proposed development. Documentation of historical flooding activities should be included. Detail potential adverse impacts of associated floodplain.
 - (8) Set forth and identify, if appropriate, salt water intrusion and total dissolved solid intrusion and other adverse environmental affects upon surface, groundwater or other water resources which may result in the reduction of fresh water by the obstruction of groundwater or by the diversion of fresh water flow.
 - (9) Identification of salt water and total dissolved solids intrusion which may result from extraction of groundwater and fresh water flow diversion shall be guided by the principals as set forth in the publication entitled "Identification and Control of Pollution From Salt Water Intrusion" as published by the United States Environmental Protection Agency (publication EPA-430/9-73-013) pursuant to 33 U.S.C. 1314 (1972), and by the publication entitled "The Control of Pollution from Hydrographic Modifications" as published by the United States Environmental Protection Agency (publication E.P.A. 430/9-73-017).
 - (10) Identify and set forth in detail any increase in total dissolved solids which may result in the construction and operation of the facilities for transbasin diversion.
 - (11) The application shall set forth details describing how the proposed facilities shall be designed, constructed and operated in such a manner that the present appropriations of water, and in addition thereto, prospective uses of water for irrigation and other beneficial use purposes, including consumptive uses for domestic, mining and industrial purposes within the natural basin from which water is exported, will not be impaired nor increased in cost at the expense of the water users within the natural basin. The facilities and other means for the accomplishment of said purposes

shall be incorporated into and made a part of any application for a permit for the construction or operation of transbasin diversion facilities.

- (vi) Significant environmentally-sensitive factors: Identify and locate on a map of appropriate scale in the juxtaposition of any of the following features present in the proposed facility and its environs and detail the present impact of the proposed facility upon each feature:
 - (1) Marshlands and wetlands;
 - (2) Groundwater recharge areas;
 - (3) Potential natural hazards;
 - (4) Forest and woodlands;
 - (5) Fish and wildlife habitats;
 - (6) Public outdoor recreation areas;
 - (7) Unique areas of geological, historical and archeological importance;
 - (8) Other natural resources within the county of those outside the county which significantly affect resources within the county.
- (vii) Visual aesthetics and nuisance factors: Identify any significant deterioration of existent natural aesthetics, creation of visual blight, noise, pollution or obnoxious odors which may stem from the development.
 - (1) An application shall not be accepted unless it is complete. If the application is considered incomplete by the Board of County Commissioners, the Board of County Commissioners shall specify in writing what additional information is required. When a submitted application is considered to be complete by the Board of County Commissioners, the Board shall note upon the application the date and hour of its receipt.
- (c) The Board of County Commissioners may waive any part, but not all of the application requirements imposed by this sub-section upon petition of the applicant. The petition shall state that full compliance with the submission requirements would be unreasonably burdensome for the applicant, and that the proposed facility will have an insubstantial impact upon the surrounding area. Such a waiver may be granted after due consideration by the Board of County Commissioners, upon a written determination that the information to be submitted is sufficient for the Board to arrive at a permit decision in full compliance with the laws and this sub-section and that the proposed facility will have an insubstantial impact on the surrounding area.
- (d) The petition for waiver of requirements or an application for permit shall be considered and the decision rendered by the Board of County Commissioners at a public hearing held in compliance with sub-section 11.3. In addition to the criteria set forth in Section XI, a Special Use Permit for construction and operation of facilities for trans basin diversion shall be granted by the Board of County Commissioners provided that the Board shall first find from the evidence, including the documents and information presented with or in an application, presented at the hearing that:

- (i) The proposed construction and operation of the transbasin diversion facility shall not significantly increase, directly or indirectly, the salinity or total dissolved solid concentrations in the waters within the county.
- (ii) The proposed transbasin diversion facility shall not cause a water source within the county to fall from one quality class to a lower quality class or to fall from one use class to a lower use class, as those classes are defined and applied to waters of the State of Colorado under the water quality classification by the water quality control commission.
- (iii) Development of the proposed facility, if it falls within a designated matter of state interest as set forth by the "Guidelines and Regulations for Areas and Activities of State Interest of the County of Grand" has been permitted by the Grand County Permit Authority.
- (iv) The benefits of the proposed facility outweigh the losses of any natural resources or agricultural lands rendered unavailable as a result of the proposed facility.
- (v) The proposed facility or its associated collector or distribution systems shall not significantly deteriorate aquatic habitats, marshlands and wetlands, groundwater recharge areas, steeply sloping or unstable terrain, forest and woodlands, critical wildlife habitats, big game migratory routes, calving grounds, migratory ponds, nesting areas and the habitats of rare or endangered species, public outdoor recreation areas, and unique areas of geological, historic or archeological importance.
- (vi) The proposed facility or its associated collector or distribution system shall not significantly degrade existing natural scenic characteristics, create blight, or cause other nuisance factors such as excessive noise or obnoxious odors.
- (vii) Any transbasin or diversion facilities situated wholly or partly within the County shall be designed, constructed and operated in such a manner that the present appropriations of water, and in addition thereto, prospective uses of water for irrigation and other beneficial consumptive use purposes including consumptive uses for domestic, mining and industrial purposes, within the basin situated within the county from which the water will be exported, will not be impaired nor increased in cost at the expense of water users within the basin in the county. The facilities and other means for the accomplishment of said purpose shall be incorporated into and made a part of any transbasin diversion facilities.
- (viii) Municipal and industrial water projects, as those terms are defined in C.R.S., 1973, 524-65.1-101, et seq. shall emphasize the most efficient use of water, including, to the extent permissible under existing law, the recycling and reuse of water in the basin to which the water is diverted. Means for the accomplishment of said purpose shall be incorporated into and made a part of any transbasin diversion facility.
- (ix) A final determination has been reached regarding any Environmental Impact Statement (EIS) or Negative Declaration of environmental impact required by law.

(15) **Golf Courses**

Shall be located within an approved growth boundary as defined by the Grand County Master Plan or, if outside an approved growth boundary, it must be in conjunction with an approved Rural Land Use Plan with the golf course coverage NOT considered as part of the required two thirds (2/3) natural open space.

- (a) Statement of Purpose:
To provide guidance in all aspects of golf course development ensuring that:
 - (i) Habitat for terrestrial and aquatic wildlife and plant species is protected and offered.
 - (ii) All golf courses be developed and managed with consideration for the unique conditions of the ecosystem of which it is a part.
 - (iii) Uses of natural resources are done so in an efficient manner.
 - (iv) Adjacent land use is respected when planning, constructing, maintaining, and operating golf courses.
- (b) The following review agencies will be contacted prior to the Planning Commission meeting bringing potential issues forward that may need to be resolved or stated for the site of the golf course. The applicant will responsible for the cost of agency review if required.
 - (i) Colorado Division of Wildlife
 - (ii) Northwest Colorado Council of Governments.
 - (iii) Grand County Engineering Department
 - (iv) Colorado State Division of Water Resources
 - (v) U.S. Soil Conservation Service
 - (vi) Headwaters Trail Alliance
 - (vii) Any Town within a two (2) mile radius of the proposed site.
 - (viii) Any appropriate federal agency determined necessary by County staff.
 - (ix) Any Grand County Recreation District deemed appropriate.
 - (x) Any Grand County Sanitation District and/or Water and Sanitation District deemed appropriate.
- (c) Cost estimates for the entire golf course development. This will include a 10% improvements bonding agreement.
- (d) Golf courses in all zone districts in Grand County are subject to the following additional provisions:
 - (i) An Environmental Assessment that provides the entire scope of environmental impacts including, but not limited to:

- (1) Waterbodies- All waterbody impacts, including rivers, streams, lakes, and wetlands should be avoided and plans should be devised to incorporate them and protective buffer areas into the design. All waterbodies must be depicted on a site plan with a development overlay and protected throughout every phase of development and operation.
- (2) Wildlife Habitat and Migration Patterns - Golf course siting, design, construction, and management shall be done so in a manner that minimizes effects on wildlife habitat and migration corridors. Endangered and threatened species must be researched, documented, and protected. Government agencies such as the U.S. Division of Wildlife, U.S. Forest Service, or local entities may provide the information necessary to compile a quality report and map.
- (3) Vegetation - A re-vegetation plan must be submitted and approved by Grand County prior to construction. All vegetation to be removed should be documented and illustrated on a site map prior to construction. Native vegetation should be replanted where possible to provide habitat and viability to the non-play areas. Endangered and threatened species must be documented and protected. Areas to be replaced with turf grass must be shown on a site map and a report on the type of turf grass to be used must be included in this plan. Type of current vegetation must be stated and it's current condition.
- (4) Soils - Areas of soil disturbance must be documented with type and topography and illustrated prior to disturbance. A soil erosion and sedimentation plan must accompany any golf course development. This plan must incorporate pre, during, and post construction soil erosion and sedimentation control methods. In order to reduce the erosion of exposed soil, a schedule must be included in this plan illustrating how and when soil disturbance and re-vegetation coordination will take place minimizing exposed soil erosion.
- (5) Hazardous Chemicals - Hazardous chemicals include oil, gasoline, fertilizers, pesticides, herbicides and any other substance that has the potential of contaminating water/soil resources. A plan must be provided to and approved by Grand County illustrating the placement, storage, containment, disposal, and safety measures taken that will ensure no hazardous environmental contamination. These measures must protect both ground water and surface water. Storage facilities must be placed in low visual impact areas and designed to blend in with the surrounding environment. A waste management plan and BMPs must be implemented ensuring proper disposal of all hazardous waste and encouragement of recycling.
- (6) Water Supply - The determination of an adequate water supply must be approved by Grand County. This supply must provide for irrigation and potable uses for the golf facilities. Water conservation techniques are encouraged.
- (7) Drainage/Slope Plan - A plan and site map must be approved by Grand County that will depict and explain the slope and drainage pattern before and after construction of the golf course. These patterns will determine where the top soil erosion will be most likely to occur and where native

vegetative buffers should remain along water sources. Buffers and erosion controls shall be depicted in this plan. A storm water management plan shall also accompany this plan.

- (ii) Complete engineering plans and specifications shall be prepared to adequately describe all proposed improvements. All accessory uses must be included in these plans along with a detailed site plan.
- (iii) Must comply with 208 Regional Water Quality Standards: NWCCOG Review.
- (iv) A traffic analysis study must be completed illustrating the impacts, if any, that are expected to occur on public roads due to an increase in usage. Plans must be submitted for road improvements if they are required. All plans must be approved by the Grand County Road and Bridge Department.
- (v) Adequate parking shall be provided.
- (vi) A plan and the method of collection and treatment of sewage and waste water shall be approved by Grand County.
- (vii) A hydrological study shall be implemented with the installation of monitoring wells. Parameters, duration, and frequency of sampling will be identified, along with rationale. Well and surface water quality shall be tested, illustrating the site from which the water came from and type (well or surface), and a report shall be submitted to the Grand County Planning Department and East Grand Water Quality.
- (viii) Additional Best Management Practices (BMP) shall be incorporated if the water quality is affected in any negative manner. These shall include but are not limited to:
 - (ix) An Integrated Pest Management (IPM) system that will minimize pest problems shall be approved by Grand County. This IPM will include:
 - (1) Reliable and accurate pest identification.
 - (2) Monitoring pest populations and related damage to ensure treatments will only be applied when necessary and when they will be most effective.
 - (3) Establishment of injury levels that can be tolerated before controls are implemented.
 - (4) Use of combinations of the following treatment methods to control pests in a manner that achieves a high level of effectiveness while minimizing environmental impact:
 - (5) Biological controls - release of predatory/parasitic insects
 - (6) Cultural controls - use of resistant cultivars, encouragement of diverse plant communities, and using optimal irrigation management and other techniques to maximize plant vigor.
 - (7) Physical Controls - sanitation, pruning, protective weed barriers.

- (8) Chemical Controls - use of products that are target specific, have short lived residual lives and have low environmental impacts.
- (x) Continuous evaluation of turf management practices and pest treatment effectiveness to determine if changes are necessary.
- (e) No disturbance or construction may occur on the proposed golf course site unless approved by the Grand County Board of Commissioners.

(16) **Oil and gas exploration and production**

This section shall apply to all oil and gas operations within the unincorporated area of Grand County with the exception of those lands where the County's jurisdiction is preempted by federal or state law. In recognition of the need to avoid operational conflicts, yet recognizing the rights of surface owners, the right of the County to determine land uses and the right of the mineral estate to extract minerals, the following additional submittal requirements, review standards and criteria for approval shall apply.

(a) **Submittal Requirements**

The Applicant shall submit the following:

- (i) Copies of application forms for all applicable local, state, or federal permits, including Colorado Oil and Gas Conservation Commission (CCOGCC) forms;
- (ii) Evidence of surface owner notification, of mineral lease agreements and of surface agreements where the surface owner is not a party to the mineral lease;
- (iii) A detailed drawing of the site at a scale of 1 inch to 100 feet, including the dimensions of the site, indicating area in square feet and acres, and the area of the site to be disturbed;
- (iv) The location of all structures, flow lines or pipelines, tanks, wells pits, and any other oil and gas operation facilities or equipment;
- (v) Existing and proposed roads within the site as well as ingress and egress from public or private road;
- (vi) Lease lines, if applicable;
- (vii) On-site features such as floodplain designations, water courses, drainage, utility lines and easements, ditches, wetlands or aquatic habitat, significant plant ecosystems, wildlife habitat and migration routes, geologic features, vegetative cover, dams, reservoirs, mines, and known cultural resources;
- (viii) Existing and proposed topography of the site at intervals of five feet, existing and proposed vegetation, buffers, berms, fences, and other screening devices;
- (ix) Vicinity map, drawn to scale, including: section, township, and range of the site, surrounding public roads and municipal boundaries, adjacent properties and the approximate location of building and their uses within a distance of 1000 feet of any proposed structure, facility, or area to be disturbed;

- (x) Copies of financial guarantees in the form of bonds, letters of credit, cash, certificates of deposit, or other guarantees acceptable to the County, if the Board of County Commissioners determines that financial guarantees are necessary to assure the performance of specific conditions of approval of the development plan. This requirement may be waived by the Board of County Commissioners if the Board is satisfied that individual bonds posted with the COGCC for the proposed operation cover the conditions of the development plan approval granted under this Article, or if the operator posts a blanket bond with the County covering all operations conducted in County in an amount of \$500,000 or more;
- (xi) An operation plan including the method of and schedule for the drilling completion, production, abandonment and reclamation phases of the operation.

(b) **Liability Insurance**

For any facility permitted under this article, the applicant shall submit a certificate of insurance to the Grand County Department of Planning and Zoning, showing that a policy of comprehensive general liability insurance or a self-insurance program approved by the Colorado Insurance Commission, in the amount of no less than \$400,000.00 per occurrence, insuring the applicant against all claims or causes of action made against the applicant for damages arising out of the drilling, maintenance, operation or other work done with respect to such proposed facilities. The policy shall be written by a company authorized to do business in the State of Colorado, unless the applicant is self-insured. The certificate shall require at least 30 days' notice to the County prior to termination of coverage for any reason. If the insurance policy lapses or becomes void for any reason whatsoever, the approval shall cease to be valid until a new insurance certificate is provided and filed with planning. All approved oil or gas or related activity shall cease, consistent with safety considerations, until the applicant provides evidence that insurance coverage in the prescribed amount is in effect.

(c) **Performance Security**

The applicant shall provide one form of the following security to ensure compliance with mitigation requirements set forth in this article and specific conditions of approval for facilities: \$5,000.00 performance bond for each facility; \$50,000.00 countywide blanket bond for all facilities operated by the applicant within the county; irrevocable letter of credit; or equivalent financial security acceptable to the county. Conditions of approval covered by this performance security shall consist of mitigation measures addressing specific impacts affecting the general public and/or adjacent landowners by the applicable performance standards contained in these Regulations. Reclamation activities which fall under Colorado Oil and Gas Conservation Commission jurisdiction are exempted from this performance security coverage.

(d) **Location of Oil and Gas Wells**

- (i) The siting of a facility shall adhere to the standards outlined in the Grand County Zoning Regulations to the maximum extent practical and shall lie within the Colorado Oil & Gas Conservation Commission (CCOGCC) determined drilling window, or in a location that complies with CCOGCC rules and regulations;
- (ii) No facility shall be sited in a geologic hazard area; an area with slopes exceeding 30 percent; an area of wetlands under the jurisdiction of the U.S. Army Corps of Engineers; an area within a floodway of a stream or river as determined by a state licensed professional engineer;

- (iii) Wells and any associated oil and gas operation facility or structure requiring a building permit shall not be located in subdivisions containing lots of ten acres or less;
 - (iv) At the request of either the operator, surface owner, or any other landowner, County Planning staff will conduct a public site visit with all interested parties to evaluate locations, compliance with County Regulations and mitigation that may be required. When possible this site visit will be coordinated with site visits required by CCOGCC rules;
 - (v) If the CCOGCC spacing rules require a well to be located contrary to the sitting required by these Regulations, the applicant shall apply for a variance with the CCOGCC to meet the County's well location requirements. If such a variance is not granted, the location as required by these Regulations shall be complied with to the maximum extent possible. The Board of County Commissioners may impose additional mitigation measures as necessary to protect the public health, safety, and welfare when the well is not located as required by these regulations;
 - (vi) No oil and gas operation shall violate the setbacks of the applicable zoning district in which the operation is located. In order to buffer oil and gas operations from surrounding properties, wells and any associated oil and gas operation facility or structure requiring a building permit shall meet the following setbacks:
 - (1) A minimum of five hundred feet (500') from the site perimeter of the facility to any occupied building or occupied building permitted for construction, unless verified written consent is obtained from the affected property owner;
 - (2) A minimum of three hundred feet (300') from the site perimeter of the facility to the closest platted subdivision lot line, unless verified written consent is obtained from the affected property owner; and;
 - (3) A minimum of two hundred feet (200') from the site perimeter of the facility to any public right-of-way;
 - (4) A smaller set back may be granted if the surface owner agrees and if there is no adverse impact on adjacent properties created by the reduced setback;
 - (vii) If the CCOGCC spacing rules require location of wells at a distance less than these minimum requirements, the applicant shall apply for a variance with the CCOGCC to meet the County's setback requirements. If such a variance is not granted, the setbacks specified in these regulations shall be complied with to the maximum extent possible. The Board of County Commissioners may impose additional mitigation measures as necessary to protect the public health, safety, and welfare where these setbacks cannot be met.
- (e) **A maximum of one oil/or gas well is allowed per 40 acres.**
- (f) **Review Standards and Criteria for Approval**
 A permit for oil and gas operations shall be approved, conditionally approved or denied in accordance with the standards set forth in Section XI and the following standards and criteria:
- (i) Noise
 - (1) Any equipment used in drilling, completion, or production of a well must comply with the maximum permissible noise levels set forth in CCOGCC Regulation 802.

- (2) Where a facility does not comply with the required setback or other portions of the performance standards, additional noise mitigation may be required. In determining noise mitigation, specific site characteristics shall be considered, including but not limited to, Nature and proximity of adjacent development; Prevailing weather patterns, including wind directions; Vegetative cover on or adjacent to the site; Topography.
- (3) One or more of the following additional noise abatement measures, listed below:
 - (a) Acoustically insulated housing or covers enclosing any motor or engine;
 - (b) Screening of the site or noise emitting equipment by fence or landscaping;
 - (c) Solid wall or fence of acoustically insulating material surrounding all or part of the facility.
 - (d) A noise management plan specifying the hours of maximum noise and the type, frequency, and level of noise to be emitted; and
 - (e) Any other noise mitigation measures required by the CCOGCC.
 - (f) Construction of buildings or other enclosures may be required where facilities create noise and visual impacts non-mitigatable because of proximity, density and/or intensity of adjacent land use.
- (ii) Visual Mitigation in Visually Sensitive Areas
 - a. Well sites located within a visually sensitive area shall be mitigated according to the provisions of this section. Visually sensitive areas shall be defined as any area within 1000 feet of a residence, school, health care facility, or place of public assembly, 500 feet from a public road, and 500 feet from a property line. Any facility within a visually sensitive area shall utilize the following mitigation measures:

Visual Mitigation Measures

Landscaping	Equipment and Size
Landscaping Requirements: -Five (5) foot berm with no greater than a 3:1 slope ratio; -Min. 15% of total developed area; -Placed on perimeter of site; -One specimen tree per 200 s.f. of landscaped area; -Min. 50% of trees must be evergreen; -One 5-gal. shrub per 100 s.f. of landscaped area; -Landscape plan by certified landscape architect or arborist and include species suitable for climate and soils type; -Landscaping may be placed on adjacent property. -Irrigation plan required for first 2 years after establishment of vegetation -Financial guarantee provided to County in amount equal to value of landscaping.	Reclaim drilling pad up to the drilling anchors. Production equipment will be no greater than 10 feet tall (i.e. horizontal separator/dehydrator and low profile pumps*.) There will be no motorized production equipment on the site or production equipment will use electric motors instead of gas-reciprocating engines.

- (iii) Air Quality
 Air contaminant emissions shall be in compliance with the permit and control provisions of the Colorado Air Quality Control Program, Title 25, Article 7, C.R.S.

- (iv) Water
 - (a) An approved well permit shall comply with the following requirements:
 - (1) All CCOGCC water well testing and water-bearing formation protection procedures and requirements.
 - (2) All applicable state water quality standards and classifications established by the Water Quality Control Commission.
 - (3) Water Right Determination and Administration Act and the Ground Water Management Act for beneficial uses of produced water related to coal bed methane production.
 - (4) All Bradenhead and water well testing data shall be forwarded to the Grand County Department of Planning and Zoning.
- (v) Hydraulic Fracturing

The permit holder shall provide a list of all chemicals used in Hydraulic Fracturing operation to the Grand County Department of Planning and Zoning for review and approval.
- (vi) Inspections

Any site under an approved development plan may be inspected by the County at any time, to ensure compliance with the requirements of the approved development plan, provided that one hour's prior notice is given to the contact person at the telephone number supplied by the applicant. Calling the number (or leaving a message on an available answering machine or voice mail service at the number) at least one hour in advance of the proposed inspection shall constitute sufficient prior notice if the contact person does not answer. By accepting an approved development plan, the applicant grants its consent to such inspections.
- (vii) Operational Conflict

Special exceptions to these regulations may be granted where the requirements of these regulations actually conflict in operation with the requirements of the Colorado Oil and Gas Conservation Act or implementing regulations. All applications where a special exception due to operational conflicts is requested shall be heard in a noticed public hearing by the Board of County Commissioners acting in a quasi-judicial capacity. The applicant shall have the burden of pleading and proving an actual, material, irreconcilable operational conflict between the requirements of these regulations and those of the COGCC in the context of a specific application.

For the purpose of this section, an operational conflict exists where the County condition of approval or regulation actually conflicts in operation with the state statutory or regulatory scheme, and such conflict would materially impede or destroy the state's interest in the development, production, and utilization of oil and gas resources in the state, and the protection of the public health, safety and welfare. An operational conflict may occur where the County regulation prohibits an activity which the COGCC, or its valid regulations, has clearly authorized, or where the County regulation authorizes an activity which the COGCC, or its valid regulations, has clearly prohibited.

Additional County requirements in areas regulated by the COGCC, which also falls within County land use powers and which are necessary to protect the public health, safety and welfare under the facts of the specific application presented, and which do not impose unreasonable burdens on the applicant, shall be presumed not to present an operational conflict. If the Board of County Commissioners finds, based upon competent evidence in the record, that compliance with the requirements of this section shall result in an operational conflict with the state statutory and regulatory scheme, a special exception may be granted, in whole or in part, but only to that extent. The Board of County Commissioners may condition the approval

of a special exception as necessary to protect the public health, safety and welfare by mitigating any adverse impacts arising from the grant of approval

(17) **ADULT ORIENTED USES shall be subject to the following additional provisions:**

- (a) No person may operate or cause to be operated an adult oriented use within 1,000 feet of any of the following uses or property boundaries, whether the use or zone district listed below is unincorporated Grand County, an adjacent county, or within an incorporated Town:
 - (i) Any church, school, child care or day care facility, public park, playground, outdoor recreational area or recreation facility, public facility or library.
 - (ii) Any single family or multi-family dwelling or any boundary of any R-Residential, E-Estate or M-Mobile Home Zone Districts.
 - (iii) Any establishment holding a liquor license.
 - (iv) Of another adult oriented uses.
- (b) For purposes of this section, the distance between any adult oriented use and any use or zone district boundary outlined in Section 16(a) above, shall be measured in a straight line, without regard to intervening structures or objects or political boundaries, from the closest property line of any adult oriented use to the nearest property line of any use or zone district boundary outlined in Section 16(a) above. No person may operate or cause to be operated an adult oriented use within 1,000 feet of another adult oriented use.
- (c) No person may cause or permit the operation, establishment or maintenance of more than one adult oriented use within the same building or structure or portion thereof, such as in a shopping center. An adult oriented use may include one or more types of adult oriented use provided it has one address and is operated as a single use entity that has one sales tax license number.
- (d) If two or more adult oriented uses are within 1,000 feet of one another and are otherwise in a permissible location, the adult oriented use which was first established and continually operating at its particular location will be deemed to be in compliance with this Zoning Resolution and the later established use(s) will be deemed to be in violation of this Zoning Resolution.
- (e) An adult oriented use lawfully operating is not rendered in violation of this Section by the subsequent location of any use or zone district boundary outlined in Section 16(a) above within 1,000 feet of the adult oriented use.
- (f) All adult oriented use shall blacken their windows or arrange the use so that the interior of the use and its stock in trade cannot be viewed from the exterior of the use.
- (g) No alcohol is to be served in any type of adult oriented use.
- (h) Adult oriented uses may be subject to additional requirements and conditions, including but not limited to: age limits, hours of operation, liquor licensing, sheriff background checks, standards of conduct, state of dress, tips, parking, lighting, signs, etc. at the sole discretion of the Grand County Board of County Commissioners as deemed necessary.

11.9 TEMPORARY USE PERMITS:

Temporary uses do not require any new permanent structures or improvements for the operation. They are active only on a seasonal or short term basis and do not result in any long term impact on surrounding properties. Examples include summer stables, Nordic ski centers or seasonal outdoor vendors. Activities such as those sponsored by non-profits and family oriented gathering are excluded.

11.10 SUBMITTAL REQUIREMENTS AND REVIEW:

Requests for temporary uses shall be reviewed by the Board of County Commissioners and require a permit issued by Resolution. Each request will be reviewed individually, and criteria shall include, but not be limited to such things as parking, sanitation and evidence that all necessary permits have been obtained.

SECTION XII
USES NOT ITEMIZED

Upon application, or on its own initiative, the Board of County Commissioners may, by resolution, add to the uses listed for a zoning district any other similar use which conforms to the conditions set forth in the following special findings:

- (a) Such use is appropriate in the use group to which it is added;
- (b) Such use conforms to the basic characteristics of the use group to which it is added;
- (c) Such use does not create any more offensive noise, vibration, dust, heat, smoke, odor, glare or other objectionable influence or more traffic hazards than the minimum amount normally resulting from the other uses listed in the use group to which it is added;
- (d) When any use has been added to any use group in accordance with this section, such use shall be deemed to be listed in the appropriate zoning district, and shall be added thereto in the published text of these regulations at the first convenient opportunity.

SECTION XIII
ACCESSORY BUILDINGS AND USES

13.1 DESCRIPTION OF

- (1) **An "accessory building and use" is a subordinate use of a building, other structure, or tract of land, or a subordinate building or other structure which:**
 - (a) Is clearly incidental to the use of the principal building, other structure or use of land;
 - (b) Is customary in connection with the principal building, other structure or use of land;
 - (c) Is ordinarily located on the same lot with the principal building, other structure or use of land;
- (2) **"Accessory buildings and uses" may include, but are not limited to the following:**
 - (a) home occupations;
 - (b) A garage, outbuilding or shed to store building materials or recreational type equipment for non-commercial purposes;
 - (c) incinerators incidental to residential use;
 - (d) storage of merchandise in Business and Unclassified Districts;
 - (e) storage and sale of crops, vegetables, plants and flowers produced on the premises.
 - (f) One (1) additional dwelling unit within, and not legally sub-dividable from, the principal structure. This additional dwelling unit shall be no greater than 50% of the square footage of the primary dwelling unit, or 1500 square feet, whichever is the lesser size.
 - (i) The dwelling must be in a continuous enclosure. Any dwelling spaces joined by a garage or breezeway are not considered to be a single-dwelling.
 - (ii) The entire dwelling must function as a unit without any permanent physical separation such as wall or floor with no means of connection.
 - (iii) Any dwelling that cannot meet these two criteria is not considered to be a single-family dwelling by the Office of the State Engineer, and therefore could not be served by an in-house hold use only well permit.
 - (iv) An approved building permit with adequate proof of water and sanitation to service this accessory use will be required.
 - (g) One (1) travel trailer, camper or motor home as defined by the Grand County zoning for use during the construction of an owner built single-family dwelling. The travel trailer, truck camper, or motor home must be entirely self-contained, or must be connected to the well and septic, or water and sewer service for the property on which the single-family dwelling will be located. This accessory use is allowed for one (1) continuous year. The time period for this one (1) year allowance will begin with the Grand County Building Department's footing inspection. This accessory use is not available until an approved building permit has been issued. Only one (1) continuous one (1) year period is allowed per building permit for a dwelling unit. At the end of the one (1) year period, the travel

trailer, truck camper, or motor home must be removed if construction has not been completed, or the building permit will be rescinded. No extensions of this time period will be allowed.

- (h) One (1) temporary real estate office shall be allowed provided that:
 - (i) The office is located within the area of a recorded final plat (greater than 20 lots/units).
 - (ii) The office is a minimum of 120 square feet and a maximum of 500 square feet in size.
 - (iii) The temporary sales office is located and subsequently designed to minimize disturbances of the site and blend into the surrounding natural environment.
 - (iv) A building permit has been approved and issued by the Grand County Building Department.
 - (v) Adequate access, off-street parking and sanitary facilities are provided.
 - (vi) Sales are limited to those lots/units within the subdivision in which the office is located.
 - (vii) A temporary permit has been issued by the Department of Planning and the Applicant has deposited \$2,000.00 cash or certified funds with the Grand County Treasurer to be used by Grand County in accordance with the temporary permit. If no permit is granted or when the permit terminates, then and in that event, the \$2,000.00 shall be returned to the applicant.
 - (viii) The office is removed after three (3) years of the recording date of the final plat or when the last lot/unit is sold, whichever occurs first. No permit shall be renewed.
- (i) Columbarium: "a columbarium adjacent to and on the same lot as a church."

13.2 HOME OCCUPATIONS

A home occupation shall be allowed as a permitted accessory use provided all the following conditions are met:

- (a) Such use shall be carried on by the inhabitants living on the premises and no others;
- (b) Such use shall be clearly incidental and secondary to the use of the dwelling for dwelling purposes and shall not change the character thereof;
- (c) There shall be no exterior advertising other than identification of the home occupation;
- (d) There shall be no offensive noise, vibration, smoke, dust, odors, heat or glare noticeable at or beyond the property line.

13.3 SIGNS

Signs shall be permitted as accessory uses in accordance with the following regulations:

General Provisions

The provisions of this Article 13.3 shall apply to the display, construction, erection, alteration, use, maintenance and location of all signs in all Zone Districts in unincorporated areas of Grand County.

- (1) **Purpose:** It is the intent of these regulations to authorize the use of signs and sign structures that are compatible with their surroundings, appropriate to the activity that displays them, and legible in the circumstances in which they are seen. These regulations are intended to create a framework for signs and sign structures that:
 - (a) Promotes use of signs that are aesthetically pleasing, of appropriate scale and integrated with surroundings in order to meet the county's expressed desire for quality development and protection of view sheds;
 - (b) Protects the public from injury and property damage caused by or partially attributable to distracting or hazardous signage;
 - (c) Minimizes visual clutter that is potentially harmful to traffic and pedestrian safety, property values, business opportunities and community appearance;
 - (d) Provides communication between people and their environment;
 - (e) Preserves the right of free speech and expression.

- (2) **Sign Permit Required:** A sign permit shall be required for all new signs prior to installation or placement, except as described in Section 13.3.18. A sign permit shall be required whenever the area of a permitted sign is modified. Routine maintenance, repair, and repainting which does not alter a sign may be performed on previously permitted sign without first obtaining a new permit. A sign permit fee shall be based on the fee schedule approved by the Grand County Board of County Commissioners.

Signs located within the "Three Lakes" Design Review Area (DRA) shall also be compatible with location and the pastoral environment, rustic in nature, and harmoniously colored to blend in with surrounding vegetative cover in compliance with Section 14.5(1)(g) Design Review Area of the Grand County Zoning Regulations and this Section 13.3.

- (3) **Sign Permit Application:** A complete application for a sign permit shall be submitted to the Grand County Department of Planning and Zoning by the owner or his/her authorized agent and shall include, at a minimum, the following information:
 - (a) Name and address of the owner or other person in control of the real property upon which the sign is to be constructed, erected, posted or displayed and proof of ownership or interest in the property.
 - (b) The name of the person erecting the sign.
 - (c) The address and legal description of the property upon which the proposed sign is to be located.
 - (d) The type of sign.

- (e) The proposed location of the sign on the property identified. The location and total surface area of all other permitted signs existing on the property or buildings.
 - (f) Detailed drawings, drawn to scale, containing complete plans and specifications which indicate the method of construction and anchoring to the building or ground, the total area of the proposed sign in square feet and the height of the proposed sign from the ground level.
 - (g) A detailed site plan, drawn to scale, which shall indicate all existing and proposed signs for the site including dimensions, colors, materials and/or illumination, if applicable, for each sign. All applicable property lines must be depicted on the site plan and flagged on-site to verify setbacks.
 - (h) Building elevations with signs depicted.
 - (i) Any other information deemed necessary by the Planning Director.
 - (j) Sign permit fee as established by the current fee schedule.
- (4) **Safety Standards**
- (a) **Wind Load.** Signs over ten (10) feet in height and/or thirty-five (35) square feet in surface area should be engineered to withstand a wind loading minimum of thirty (30) pounds per square foot of sign area without failure of the face retention system or sign structure.
 - (b) **Electrical Wiring.** Electrical wiring for the sign shall be underground in the case of freestanding signs, and behind the sign cabinet in the case of wall or projecting signs. A State electric permit may be required.
 - (c) **Support.** Wall signs or projecting signs shall be engineered in such a manner that no downward attached guy wires are needed for support. All freestanding signs shall be self-supporting, erected on or permanently attached to a sufficient foundation.
 - (d) **Protection of Anchors and Supports.** Anchors and supports shall be protected when near driveways, parking lots or similar locations where they could be damaged by moving vehicles. Signs attached to masonry, concrete or steel shall be safely and securely fastened thereto by means of metal anchors, bolts or approved expansion screws of sufficient size and anchorage to safely support the loads applied. No anchor or support for any sign, except flat wall signs, shall be connected to or supported by a parapet wall that is not braced.
 - (e) **Liability.** Grand County specifically disclaims any and all liability for the construction, improvement, maintenance and repairs or replacement of any signs. The liability for construction, improvement, maintenance, repairs and replacement is with the owner of the sign(s) who shall be liable in the event of any injury caused by those activities and shall indemnify and hold Grand County harmless from any liability.
- (5) **Sign Permit Review and Issuance**
- Within ten (10) days of filing a completed application the Grand County Department of Planning and Zoning shall review the sign application in accordance with the established review criteria. The Department of Planning and Zoning shall approve, approve with conditions, or deny the sign permit application.

(6) **Sign Permit Review Criteria**

The following review criteria will be used by the Department of Planning and Zoning to evaluate all sign permit applications:

- (a) Sign meets the requirements of this Article and other applicable codes;
- (b) Sign conforms to the requirements of the Zoning Code for the Zone District in which it is located;
- (c) Sign will not interfere with pedestrian or vehicular safety;

(7) **Appeal of Sign Permit Denial or Approval with Conditions**

Any appeal of the Department of Planning and Zoning staff's interpretation of these Regulations resulting in denial of a sign permit or approval with conditions shall be made to the Board of Adjustment. The Board of Adjustment shall review the application at the next regularly scheduled meeting. The decision by the Board of Adjustment to approve, approve with conditions or deny the application shall be final.

(8) **Variances**

Any request for an increase in the maximum allowable area for a sign, a variance from any of the requirements of Section 13.3, or for signs not expressly permitted in these regulations, must be approved through a variance granted by the Board of Adjustment in accordance with the provisions of the Zoning Regulations.

(9) **Obsolete Signs**

Signs that are located on property that become vacant and unoccupied for a period of six (6) months or more shall be removed by the owner of the sign or the owner of the property.

This provision shall not apply to signs officially designated as landmarks, permanent signs accessory to businesses which are open only on a seasonal basis, provided there is clear intent to continue operation of the business, or signs displayed on a business temporarily suspended due to a change in ownership or management unless property remains vacant or the business is closed for a period of six (6) months or more.

(10) **Maintenance**

Signs and sign structures shall be maintained in good repair at all times and shall not constitute a hazard to safety, health or public welfare by reason of inadequate maintenance or deterioration. Signs and sign structures shall be constructed and maintained such that they are able to withstand the extreme wind and weather conditions of Grand County. The County Building Department shall have the authority to order the repair, alteration or removal of a sign or structure that constitutes a hazard to life or property. Any sign that has not been repaired, altered or removed within 30 days after written notification from the County Building Department shall be removed by the County at the expense of the owner of the premises on which the sign is located.

(11) **Nonconforming Signs**

A sign that was lawfully constructed or installed prior to adoption or amendment of this regulation and was in compliance with all provisions of any regulation in effect at the time of construction or installation, but which does not currently comply with this regulation is a nonconforming sign. Any nonconforming sign may be continued in operation and maintained after the effective date of this regulation, provided, however, that no such sign shall be changed in any manner that increases the noncompliance of such sign with the provisions of this regulation and provided, further, that the burden of establishing a sign to be non-conforming under this regulation rests entirely upon the person or other entity claiming such status for a sign. The right to maintain a nonconforming sign terminates immediately upon any of the following:

- (a) Abandonment of a sign for a continuous period of six (6) months.
- (b) Any violation of Grand County Zoning Regulations on this property.
- (c) Destruction, damage or obsolescence whenever the sign is damaged or destroyed by any cause whatsoever, or becomes obsolete or substandard under any applicable regulation of Grand County such that the sign becomes a hazard or danger.
- (d) Failure to Maintain. The right to continue use of a nonconforming sign shall terminate if the sign is not maintained in compliance with the requirements set forth in Section (10) Maintenance.
- (e) Sign may not be structurally altered, relocated or replaced in a manner that increases or continues the nonconformity.

(12) **Sign Types Permitted**

(a) **Directional Sign**

An on or off-site sign located and designating the entrance or exit of a property or providing off-site directional information. Directional signs shall comply with Sign Standards and shall not be located within public right-of-way or on public property.

(b) **Freestanding Sign**

An on-site sign which is supported by one or more columns, poles, posts or braces extended from the ground or from an object on the ground, with air space between the ground and the sign area and no part of the sign attached to any part of the building, structure, or other sign.

- (i) Shall not exceed fifteen (15') feet in height and comply with all Sign Standards.

A premise may display one (1) freestanding sign on each street or highway on which it has frontage. A multi-use building may display one (1) freestanding sign facing each street or highway on which the building has frontage provided that no freestanding signs are displayed by the individual occupants of the building.

(c) **Ground or Monument Sign**

An on-site sign permanently affixed to the ground at its base, supported entirely by a base structure and not mounted on a pole.

- (i) A premise may display one (1) ground sign on each street or highway on which it has frontage. A multi-use building may display one ground sign facing each street or highway on which the building has frontage, provided that no ground signs are displayed by the individual occupants of the building.
- (ii) Shall not exceed eight feet (8') in height and comply with all Sign Standards.
- (iii) Shall be designed as an integral architectural element of the site and/or building to which it principally relates;
- (iv) Shall incorporate predominantly natural construction materials such as wood and native stone. Natural colors (earthen tones) are favored. Use of penetrating stains rather than paint on wood surfaces is encouraged. Any metal flashing or trim must be anodized or painted so as to be non-reflective.

(d) **Projecting Sign**

An on-site sign which is attached and projecting from the wall of a building twelve inches (12") or more and is not on the same plane as the wall. Projecting signs shall not be located above the eave line or parapet wall of any building. No projecting sign shall extend more than six feet (6') from a building wall. There shall be a minimum clearance of at least eight feet (8') between the bottom of the projecting sign and the ground at grade.

(e) **Sign**

A device, fixture, placard, structure or visual display that uses any form, graphic, illumination, symbol or writing to advertise, announce, direct, inform or identify that is visible from the public right-of-way.

A double sided sign, one having two faces that are parallel but not more than one (1) foot apart, shall be regarded as a single sign if mounted on a single supporting structure and both sides of the sign are identical.

A sign having two (2) non-parallel and angled faces shall also be regarded as a single sign if mounted on a single supporting structure, both sides of the sign are angled apart no greater than forty-five (45) degrees, and both sides of the sign are identical. The sign size of a double sided sign having non-parallel faces and angled apart greater than forty-five (45) degrees, shall be the total area of both sign faces used to display a sign, not including supporting poles or structures.

(f) **Temporary Sign**

An on-site sign that is displayed for a limited period of time, not to exceed thirty (30) days. If a sign display area is permanent but the message displayed is subject to periodic changes, that sign shall not be regarded as temporary.

(g) **Wall Sign**

An on-site sign painted on, incorporated in or affixed to the building wall, on the same plane as the wall and dependent on the wall for support. Wall signs shall not be mounted higher than the parapet wall or eave line of the principal building. No sign part may project from the surface upon which it is attached more than twelve inches (12"). A principal building with more than five (5) independent businesses shall be allowed twenty (20) square feet of wall per independent business [twelve (12) square feet of wall sign per independent within the Three Lakes Design Review Area (DRA)].

(13) **Sign Standards Table**

Standards related to sign area, sign type, square footage, height, setbacks and projections with each Zone District and within the "Three Lakes" Design Review Area (DRA) are outlined in the following Sign Standards – Table. Refer to specific Sections herein for detailed regulations regarding sign area, height, setbacks, illumination, etc.

SIGN STANDARDS - TABLE						
Zone District	*Total Max. Signage	*Sign Type and Use	*Max. Sign Type	*DRA Max. Sign Type	*Max. Height, Projection, Setback	
E-Estate R-Residential F-Forestry & Open M-Mobile Home	35 SF 20 SF (DRA)	One (1) Free Standing, Ground, Projecting or Wall Sign per: <ul style="list-style-type: none">Community FacilityApproved Special Use Permit	35 SF	20 SF	Free Standing 15' max. height 10' setback (<10' height) 15' setback (≥10' height)	Ground or Monument 8' max. height 10' setback
		One (1) Free Standing, Projecting or Wall Sign identifying any other use permitted in Zone District	12 SF	12 SF		
		One (1) Free Standing or Ground or Monument Sign per subdivision entrance	35 SF	20 SF		
T-Tourist A-Accommodation	50 SF 35 SF (DRA)	One (1) Free Standing Sign	50 SF	35 SF	15' max. height 10' setback (<10' height) 15' setback (≥10' height)	
		One (1) Ground or Monument Sign	50 SF	35 SF	8' maximum height 10' setback	
		One (1) Projecting Sign per principal use	50 SF	35 SF	8' min. height clearance. 6' max. projection. At or below parapet wall or eave line.	
		One (1) Wall Sign per principal use	50 SF	35 SF	At or below parapet wall or eave line. 12" max. projection	
		Wall Signs on buildings with more than five (5) independent businesses	20 SF	12 SF	At or below parapet wall or eave line. 12" max. projection	
		On-site signs advertising sale of products on premises	35 SF	35 SF	At or below parapet wall or eave line.	
		Directional Sign	6 SF	6 SF	8' maximum	
B-Business	100 SF 35 SF (DRA)	One (1) Free Standing Sign	50 SF	35 SF	15' max. height 10' setback (<10' height) 15' setback (≥10' height)	
		One (1) Ground or Monument Sign	50 SF	35 SF	8' maximum height 10' setback	
		One (1) Projecting Sign per principal use	50 SF	35 SF	8' min. height clearance. 6' max. projection. At or below parapet wall or eave line.	
		One (1) Wall Sign per principal use	50 SF	35 SF	At or below parapet wall or eave line. 12" max. projection	
		Wall Signs on buildings with more than five (5) independent businesses	20 SF	12 SF	At or below parapet wall or eave line. 12" max. projection	
		On-site signs advertising sale of products on premises	35 SF	35 SF	At or below parapet wall or eave line.	
		Directional Sign	6 SF	6 SF	8' maximum	
*Refer to specific Sign Standard sections for detailed regulations regarding sign area, height, setbacks, illumination, etc. SF = Square Feet DRA = Three Lakes Design Review Area Min. = Minimum Max. = Maximum						

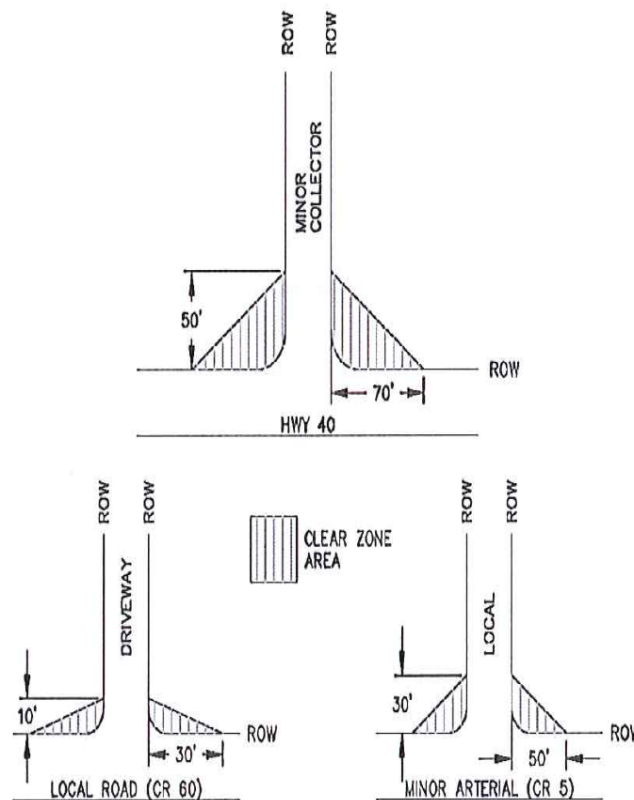
(14) **Sign Area Standards**

- (a) Sign Area shall be the total area of the individual face used to display a sign, not including supporting poles or structures.
- (b) For a wall sign which is framed, outlined, painted or otherwise prepared and intended to provide a background for a sign display, the area and dimensions shall include the entire portion within such background or frame.
- (c) For a wall sign comprised of individual letters, figures or elements on a wall or similar surface of the building or structure, the area and dimensions of the sign shall encompass a regular geometric shape (rectangle, circle, trapezoid, triangle, etc.), or a combination of regular geometric shapes, which form, or approximate, the perimeter of all elements in the display, the frame, and any applied background that is not part of the architecture of the building. When separate elements are organized to form a single sign, but are separated by open space, the sign area and dimensions shall be calculated by determining the geometric form, or combination of forms, which comprises all of the display areas, including the space between different elements.
- (d) For a freestanding sign, the sign area shall include the frame, if any, but shall not include:
 - (i) A pole or other structural support unless a pole or structural support is internally illuminated or otherwise so designed to constitute a display device, or part of a display device.
 - (ii) Architectural features that are either part of the building or part of a freestanding structure, and not an integral part of the sign, and which may consist of landscaping, building or structural forms complementing the site in general.

(15) **Sign Setbacks and Height Standards**

Signs shall not be located within utility easements or public right-of-ways, or closer than ten feet (10') from the property line. Signs are restricted to a maximum height of fifteen feet (15').

- (a) **Sight Distances:** Signs within the sight distance area at intersections of roads and driveways, as defined by the Grand County Road and Bridge Standards, may be reviewed and approved by the Grand County Engineer (See Figure III). Cost of review shall be paid by the Applicant.



TYPICAL SIGHT TRIANGLES

FIGURE III

- (b) **Temporary Signs:** Temporary signs not exceeding six (6) square feet shall not be required to meet minimum setback; however, such signs shall not impair visibility for traffic movement.
- (c) **Setbacks Related to Height:** Signs less than ten feet (10') in height shall be setback a minimum of 10 feet (10') from the property line. Signs ten feet (10') in height and greater shall be setback a minimum of fifteen feet (15') from the property line.
- (d) **Sign Height:** Height shall be measured from the base of the sign or supportive structure at its point of attachment to the ground, to the highest point of the sign structure. A freestanding or ground sign located on a man-made base, including a graded earth mound or berm, shall be measured from finished construction grade, excluding any and all mound or berming.

(16) Illuminated Sign Standards

- (a) **Externally Illuminated:**
Fixtures to illuminate signs shall be shielded, shaded or hooded to direct the light inward and downward onto the sign and away from adjoining properties and adjacent public right-of-way; no light shall trespass into the sky.

Ground-mounted light fixtures shall be permanently secured to prevent inadvertent or accidental misalignment. Illumination of a flag on a flagpole is permitted, provided that a narrow spread lamp is used and aimed to illuminate only the top of the flagpole. The

source of illumination must be shielded in a manner so as not to be visible from adjacent property or public right-of-way.

(b) **Internally Illuminated:**

No sign will be allowed to have any internal lighting that projects outward through translucent material such as plastic to illuminate the sign, other than the sign letters and graphic. All internally illuminated sign backgrounds shall be opaque, non-translucent material.

(c) **Subdued Lighting:**

The intensity of sign lighting shall not exceed that necessary to illuminate and make legible a sign from the adjacent right-of-way; and the illumination of a sign shall not be noticeably brighter than other lighting in the vicinity or objectionable to surrounding areas.

(i) No sign shall have blinking, flashing or fluttering lights or other illuminating devices which has a changing light intensity, brightness or color. Beacon or strobe lights are not permitted.

(ii) No colored lights shall be used at any location or in any manner so as to be confused with or construed as traffic control devices; neither the external nor reflected light from primary light sources shall create a traffic hazard to operators of motor vehicles on public thoroughfares.

(iii) Electrical supply to free standing illuminated signs must be underground. A State electrical permit may be required per electrical code for illuminated signs.

(17) **Signs Subject to a Permit**

No person shall display, erect, relocate or alter the physical characteristics of any sign without first filing a written application with the Grand County Department of Planning and Zoning, pursuant to Section 13.3.2, and obtaining a sign permit, except for those signs described in Section 13.3.18. Signs subject to a permit within the “Three Lakes” Design Review Area (DRA) have also been included within the Zone Districts below.

(a) **Signs in the “E,” “R,” “F” and “M” Districts**

On-site identification signs shall have the number of graphic elements held to a minimum needed to convey the sign’s major message and shall be composed in proportion to the area of the sign face. The following sign types are allowed, subject to permitting:

(i) One (1) freestanding or monument sign per subdivision entrance for residential developments provided such sign does not exceed thirty-five (35) square feet in sign area per face [twenty (20) square feet in sign area per face within the DRA]; or

(ii) One (1) on-site freestanding, ground, projecting or wall sign identifying any other use authorized in the zone district provided such sign does not exceed twelve (12) square feet in sign area per face; or

(iii) One (1) on-site freestanding, ground, projecting or wall sign identifying a community facility provided such sign does not exceed thirty-five (35) square feet in sign area per face [twenty (20) square feet in sign area per face within the DRA]; or

- (iv) One (1) on-site freestanding, ground, projecting or wall sign for uses approved by special review provided such sign does not exceed thirty-five (35) square feet in sign area per face [twenty (20) square feet in sign area per face within the DRA].

(b) **Signs in the “A” and “T” Districts**

On-site identification signs shall have the number of graphic elements held to a minimum needed to convey the sign’s major message and shall be composed in proportion to the area of the sign face. A combined maximum of fifty (50) square feet in sign area [thirty-five (35) square feet in sign area within the DRA] is permitted within the following sign types, subject to permitting:

- (i) All signs allowed in the “E,” “R,” “F” and “M” Districts.
- (ii) One (1) free standing or ground sign per principal building provided such sign does not exceed fifty (50) square feet in sign area per face [thirty-five (35) square feet in sign area per face within the DRA]; and
- (iii) One (1) projecting sign per principal use, provided such sign does not exceed fifty (50) square feet in sign area per face [thirty-five (35) square feet in sign area per face within the DRA]; and
- (iv) One (1) wall sign per principal use provided such sign does not exceed fifty (50) square feet in sign area per face [thirty-five (35) square feet in sign area per face within the DRA], with the exception that a principal building with more than five (5) independent businesses shall be allowed twenty (20) square feet of wall sign per independent business [twelve (12) square feet of wall sign per independent business within the DRA]; and
- (v) On-site signs advertising the sale of products produced on the premises provided the total area of all such signs does not exceed thirty-five (35) square feet in area per face; and
- (vi) On or off-site directional signs, not exceeding six (6) square feet in area per face, and limited to not more than two (2) such off-site signs per principal use.

(c) **Signs in the “B” District**

On-site identification signs shall have the number of graphic elements held to a minimum needed to convey the sign’s major message and shall be composed in proportion to the area of the sign face. A combined maximum of one-hundred (100) square feet in sign area [thirty-five (35) square feet in sign area within the DRA] is permitted within the following sign types, subject to permitting:

- (i) One (1) free standing or ground sign per principal building provided such sign does not exceed fifty (50) square feet in sign area per face [thirty-five (35) square feet in sign area per face within the DRA]; and
- (ii) One (1) projecting sign per principal use provided such signs do not exceed fifty (50) square feet in sign area per face [thirty-five (35) square feet in sign area per face within the DRA]; and
- (iii) One (1) wall sign per principal use provided such sign does not exceed fifty (50) square feet in sign area per face [thirty-five (35) square feet in sign area per face within the DRA], with the exception that a principal building with more than five (5) independent businesses shall be allowed twenty (20) square feet of wall per

independent business [twelve (12) square feet of wall sign per independent business within the DRA]; and

- (iv) On-site signs advertising the sales of products on the premises provided the total area of all such signs does not exceed thirty-five (35) square feet in area; and
- (v) On or off-site directional signs, not exceeding six (6) square feet in sign area per face, and limited to two (2) such off-site signs per principal use.

(18) **Signs NOT Subject to a Permit**

The following signs do not require a permit under this Article and may be placed in any Zone District subject to the provisions of this Article.

(a) **Public Purpose Signs**

Signs required by law or signs specifically authorized for a public purpose, do not require a permit. Uniform directional signs, traffic signs, public facility signs, or interpretive or historical signs that provide instructions as required by law or necessity, or are approved by Grand County or the Colorado Department of Transportation, do not require a permit.

(b) **Residential Building Identification Signs**

Such signs shall be used to identify individual residences and shall be limited in content to the name of the owner or occupant and the address of the premises. No more than one (1) sign may be placed on the frontage of each dwelling unit. Such signs shall be limited to four (4) square feet for each dwelling unit or twelve (12) square feet for a multi-family building.

(c) **Bulletin Boards**

On-site bulletin boards, notice boards, menu boards or display boards not exceeding six (6) square feet in gross surface area and accessory to a church, school, public or nonprofit institution or restaurant as primarily intended for pedestrians.

(d) **Construction Signs**

On-site construction signs are exempt, provided that:

- (i) Signs in conjunction with any residential use shall not exceed six (6) square feet each.
- (ii) Signs in conjunction with all other uses shall not exceed twenty (20) square feet each.
- (iii) Only one (1) such sign shall be permitted per lot.
- (iv) Such signs shall identify an architect, contractor, subcontractor, material supplier, owner and/or financial lender only.
- (v) Such signs shall be removed within thirty (30) days after completion of the project.

(e) **Garage, Estate, or Yard Sale**

Signs not in excess of six (6) square feet which advertise a garage sale, estate sale or yard sale on the lot on which the sign is located may be erected no sooner than two (2) days prior to the date of the sale and must be removed within twenty four (24) hours after the date of sale.

- (f) **Warning Signs**
Any sign erected by a public entity, public utility company or construction company to warn of danger or hazardous conditions, including signs indicating the presence of underground cables, gas lines and similar devices. Warning signs may be electronic message or reader boards.
- (g) **Historical Markers**
Cornerstones, commemorative tablets, or historical signs not exceeding six (6) square feet in size and permanently affixed to buildings or structures for the purpose of identifying the name of a building or other historical information.
- (h) **Real Estate Signs**
Temporary signs used to offer for sale, lease or rent the land or buildings upon which the sign is located are exempt, provided:
 - (i) One (1) sign per lot advertising real estate not to exceed six (6) square feet in area.
 - (ii) All such temporary signs shall be removed within seven (7) days after the real estate closing or lease transaction.
- (i) **Seasonal Decorations**
Temporary, noncommercial decorations or displays (including strings of lights), when such are clearly incidental to, and are customarily and commonly associated with any national, state, local or religious holiday or celebration; provided that such decorations or displays are maintained and do not constitute a hazard.
- (j) **Vehicle Signs and Advertising Devices**
Signs permanently affixed to a vehicle, such as advertisements painted on trucks and cars, unless the vehicle is parked specifically for advertising purposes, in violation of Section 19 (m).
- (k) **Signs Identifying a Place of Religion Assembly**
Signs identifying a building as a place of religious assembly or as a religious institution, provided that the sign complies with maximum standards, restrictions and conditions set forth in these Regulations.
- (l) **Trespassing Signs**
Signs located on a property, posting prohibitions on trespassing, hunting, fishing, snowmobiling or other prohibited activities, provided such sign does not exceed four (4) square feet in area per face and is not illuminated.
- (m) **Sandwich Boards**
Sandwich boards used to attract attention to a business establishment, provided that:
 - (i) Businesses may display a maximum of one (1) sandwich board, and the total square footage cannot exceed six (6) square feet in area per side.
 - (ii) Sandwich boards shall be placed in a location which will not cause an inconvenience to adjoining property owners and/or to the public or interfere with public safety, road maintenance and snow removal operations.
 - (iii) Sandwich boards may only be displayed during business hours and shall be removed after hours.
 - (iv) Sandwich boards must be immediately removed if damaged or in disrepair.

(n) **Banners**

Banners applied to paper, plastic or fabric used to decorate or attract attention to a business establishment, provided that:

- (i) Banners are displayed in conjunction with a grand opening celebration or a special event or sale. As a general rule, banners cannot be displayed for more than ten (10) consecutive days.
- (ii) Businesses may display a maximum of two (2) banners with a combined total area of not more than fifty (50) square feet. If a business is situated on a corner lot with two (2) street frontages, the owner may be permitted to display up to fifty (50) square feet per street frontage.
- (iii) Banners shall be securely attached to the wall of the establishment, freestanding signs or light poles on private property. Banners must be removed immediately if damaged or in disrepair.
- (iv) A business can display a banner as its main identification for up to one (1) month while permanent signage is being made. Banners shall not be used in lieu of permanent signage.

(o) **Tourist-Oriented Direction Signs**

A sign approved and permitted by the Colorado Department of Transportation containing one or more authorized business' plaques which provide directional information for tourists to businesses.

(p) **Entryway Identification**

An overhead entryway located at a driveway entrance or front gate of a property for the purpose of identifying the property owner, property name or residence located thereon. The entryway structure shall not exceed Grand County's maximum building height.

(q) **Temporary Political Campaign Signs**

Signs announcing candidates seeking public office, with pertinent data, and signs relating to ballot issues, with pertinent data. All such signs shall not interfere with public safety or road maintenance operations. All such signs shall be removed within seven (7) days after the election.

(19) **Prohibited Signs**

The following are prohibited in all zoning districts within Grand County:

- (a) Signs with any type of flashing, rotating or blinking light or component; signs with any type of animation or intermittent lighting effects; electric reader boards or message center signs, except for time and temperature devices.
- (b) Signs with any sound-emitting component.
- (c) Strobe lights, searchlights, beacons and laser light or similar upward or outward oriented lighting.
- (d) Signs in the public right-of-way or on public property.
- (e) Flags, banners or other devices designed or allowed to wave, flap or rotate with the wind.

This provision does not apply to flags of any government or its agencies, or any person, civic, charitable, religious or fraternal organization.

- (f) Any sign that could be confused with or interfere with a traffic control device or that may be determined to interfere with the safe flow of traffic. Any sign that interferes with sight distance triangles at intersections as required by Grand County Department of Road and Bridge.
- (g) Any sign which interferes with free passage from or obstructs any fire escape, downspout, window, door, stairway, ladder or opening intended as a means of ingress or egress.
- (h) Any sign or sign structure which is structurally unsafe, or constitutes a hazard to safety or health by reason of inadequate maintenance or dilapidation.
- (i) Any sign which projects a distance of more than six (6) feet perpendicular from the building to which it is attached.
- (j) Any sign attached parallel to the wall of a building but mounted more than twelve (12) inches from the wall.
- (k) Any roof-mounted sign or sign which projects above the highest point of the roof line or fascia of a building.
- (l) Off-premise advertising signs or any other sign not pertinent and clearly incidental to the permitted use on the property where located.
- (m) Signs mounted, attached or painted on motor vehicles, trailers or boats that are parked or located for the apparent purpose of advertising a product, service or activity or to direct people to a business or activity on or near the premises and not used in conducting a business or service.
- (n) Signs identifying a home occupation.
- (o) Any sign, including its supporting structure, in existence for a period of six (6) months or more after the premises have been vacated, which advertises an activity, business, product or service no longer produced or conducted upon the premises upon which such sign is located.
- (p) Portable signs which are not permanently affixed to any structure on the site or permanently mounted to the ground, except as allowed in Section 18 (m).
- (q) **Signs of Obscene Character**
Signs or pictures of an obscene, indecent or immoral character that will offend public morals or decency, based upon constitutional standards.

SECTION XIV
SUPPLEMENTARY REGULATIONS

14.1 SUPPLEMENTARY AREA OF LOT AND LOT WIDTH REGULATIONS

- (1) Where an individual lot was held in separate ownership from adjoining properties or was platted in a recorded subdivision approved by the Board of County Commissioners prior to the effective date of these regulations or any amendment thereto applicable to such lot, such lot may be occupied according to the permitted uses provided for the district in which such lot is located without regard for "minimum area of lot" and "minimum lot width" requirements otherwise specified in these regulations.
- (2) No part of a lot area or width required for a lot for the purposes of complying with the provisions of these regulations shall be included as a lot area or width required for another lot.
- (3) The "minimum area of lot" regulations shall be increased in any district where percolation tests show the soil incapable of handling the septic system required for the maximum population density of the proposed use.
- (4) The "minimum area of lot" requirements stated in these regulations may include one-half the width of all adjacent rights-of-way for each lot, which is one (1) acre or more in size.

14.2 SUPPLEMENTARY YARD REGULATIONS

- (1) In any district where lots comprising fifty percent (50%) or more of the frontage on one side of a street between intersection streets are developed with buildings having an average front yard with a variation of not more than ten feet (10'), the average front yard of such buildings shall be the minimum required.
- (2) Cornices, canopies, eaves or similar architectural features may extend into a required yard not more than three feet (3').
- (3) Fire escapes may extend into a required rear yard not more than six feet (6').
- (4) No part of a yard required for a building for the purpose of complying with the provisions of these regulations shall be included as a yard for another building.
- (5) Accessory buildings may be located in rear yards required for principal buildings.

14.3 MAJOR FLOOD CHANNELS

Buildings or other structures, except a flood control dam or irrigation structure, shall not be constructed in areas subject to inundation unless and until the plans for such building or structure are first approved by the Board of County Commissioners subject to the following special conditions:

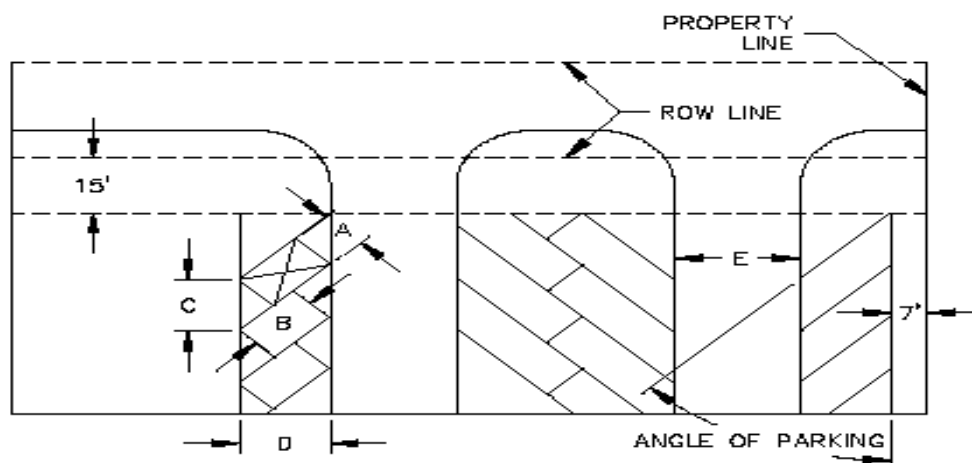
- (1) Any building or structure which is approved shall be located so as to offer minimum obstruction to the flow of flood water, and shall not cause lands outside of the natural flood channel to be flooded;
- (2) No dwellings shall be permitted;
- (3) No schools, churches, or other places of public assembly shall be permitted;
- (4) No storage of materials which could be moved by flood waters shall be permitted.

14.4 OFF-STREET PARKING

- (1) Minimum off-street parking spaces required
These parking requirements are the minimum, and, based on individual circumstances, may be increased at the discretion of the County.
 - (a) Single-family or multi-family dwellings with one (1) bedroom or less, one and one-half (1-1/2) spaces per dwelling unit.
 - (b) Single-family or multi-family dwellings with two (2) bedrooms or more, two (2) spaces per dwelling unit.
 - (c) Single-family or multi-family dwellings with three (3) bedrooms or more, three (3) spaces per dwelling unit.
 - (d) Mobile homes, two (2) spaces per dwelling unit.
 - (e) Hotels, motels, lodges, boarding and rooming houses, one and one-half (1-1/2) spaces per rental unit.
 - (f) Rest homes, hospitals, sanitariums, one (1) space per unit.
 - (g) Offices (professional or non-professional), one (1) space per three hundred (300) square feet of gross floor area.
 - (h) Eating and drinking establishments, one (1) space per one hundred (100) square feet of gross floor area.
 - (i) Retail sales - one (1) space per three hundred (300) square feet of gross floor area excluding areas devoted exclusively to storage and warehousing.
 - (j) Auditoriums, churches, theaters - one (1) space per eight (8) seats if fixed seating or one (1) space per one hundred (100) square feet of floor area in the seating area.
 - (k) For uses not listed or not fitting within one (1) of the above categories, the Grand County Department of Development and the Grand County Planning Commission shall determine the parking requirements subject to the approval of the Board of County Commissioners of Grand County.
- (2) Location and Description of Parking Space and Aisles
 - (a) Minimum size of parking spaces and aisles.
 - (b) All parking spaces shall be set back a minimum of fifteen (15) feet from all rights-of-way.
 - (c) No parking shall be permitted in side yard setbacks.
 - (d) Required parking spaces must be provided on the same property as the principal building or use.
 - (i) In multi-family developments, parking shall be within two hundred (200) feet of the principal use. Details regarding ownership of the parking areas shall be based on the homeowner's association covenants.
 - (ii) In commercial or industrial developments, the parking area shall be within six hundred (600) feet of the principal building or use.

- (iii) All Parking areas shall be owned by the owner of the principal use for which parking spaces are being provided.
- (e) Parking areas shall be surfaced with asphalt, or concrete, or compacted gravel which shall be treated with environmentally sensitive material(s) to control fugitive dust.
- (f) Parking areas shall be designed to manage stormwater drainage the will result from increase runoff from the site, designed to prevent non-point source pollution. Design shall be based on the Grand County Stormwater Drainage Design and Criteria Manual, meeting federal and state regulations.
- (g) Access drives shall be designed per the Grand County Road & Bridge Manual.
- (h) A land owner with access to a state highway will be required to contact the Colorado Department of Transportation regarding specific permit and design requirements.
- (i) Parking shall comply with all applicable federal and state accessibility requirements.
- (j) Except as provided in 14.4(2) above, all parking areas shall be separate from adjacent property by the use of open space areas of a minimum dimension of seven (7) feet. Such open space areas shall define the parking area and help define traffic flow so as to allow snow removal from parking areas without trespass upon or interference with adjacent property owners.

ANGLE OF PARKING	{A} STALL WIDTH	{B} STALL LEN.	{C} CURB LEN.	{D} STALL DEPTH	{E} MIN. DRIVE WAY	
					1-WAY	2-WAY
0°	10'	20'	23'	10'	12'	24'
45°	10'	20'	14' 2"	21' 3"	18'	N/A
60°	10'	20'	11' 8"	22' 4"	18'	24'
90°	10'	20'	10'	20'	24'	24'



PARKING REQUIREMENTS

FIGURE IV

REFERENCE: ITE TECHNICAL COUNCILING COMMITTEE 5D-8,
GUIDELINES FOR PARKING FACILITY LOCATION AND DESIGN, ITE, 1994, FIG. 3.

14.5 DESIGN REVIEW AREA

The following regulations shall apply to geographical area(s) of Grand County which are depicted on the Three Lakes Design Review Area maps approved by the Grand County Planning Commission and Board of County Commissioners. Said maps are located at the Grand County Courthouse in Hot Sulphur Springs, Colorado. This area does not constitute a new zoning district and is an overlay area upon the zoning districts encompassed within the overlay area boundaries and does not alter the uses by right allowed within said zoning districts so overlaid.

(1) Design Review Area Regulations

(a) Definitions

Aspect: The directional (in terms of the cardinal points of a compass) facing of the slope of a particular land area or piece of land.

Association boathouses/boat docks: A facility providing boat storage in slips exclusively for the use of residents of a multi-family residential development with commonly owned and occupied shore front property or a group of shore front property owners without common ownership who form a legal entity for the groups common interest and specifically designate a property for dock location. Association boathouses and boat docks may be allowed on a case-by-case basis.

Boat Dock: A facility used for the storage of boats and water craft only. An individual boat dock (excluding the gangway) and associated boats must occupy no more than six hundred (600) square feet of a water body surface as determined by the exterior dimensions of dock and/or boats. A gangway to the dock may be permitted, if appropriate, but in no case can it exceed 4 feet in width and 20 feet in length. One (1) boathouse or boat dock is permitted per single-family dwelling.

Boathouse: A structure used for the storage of boats and water craft only which must occupy no more than six hundred (600) square feet of land and/or water body surface as determined by the exterior dimensions of the building. These structures may not be used for the conversion to habitable structures or designed for human habitable use for any length of time. A boathouse is an “accessory building and use” and is not permitted without an existing single-family dwelling. One (1) boathouse or boat dock is permitted per single-family dwelling.

Cover Type: In relation to any piece of land, the kind of vegetation or lack of said on the land.

Disturbance: Any modification to a natural landform including contouring, excavation and the removal of vegetative cover.

Mitigate: To neutralize or compensate for the physical impacts of a man-made development upon a particular land area or piece of land such that the land will function as it did before the development took place.

Public Roadway: Any vehicular thoroughfare that is dedicated and maintained for public use by a federal, state, county, or municipal jurisdiction or homeowner's association.

Public Use: Any use for which the general public is allowed access.

Riparian: Lands adjacent to streams, creeks, lakes and other waterways whether intermittent or constantly flowing.

Structures: Anything constructed or erected such as buildings, mobile homes, fences, etc. which requires location on the ground or attached to something having a location on the grounds. Excluded are docks, posts, pilings, other boat mooring devices, headgates and other structures necessary for agricultural, public (municipal, etc.) and private water diversion facilities.

(b) **Design Criteria**

Introduction: This section specifies the various design criteria to be used when developing construction plans and documents for all building types within the Design Review Areas of Grand County. General categories such as building locations, site, etc. are subdivided into various elements. It is the intent of these standards to first foster sensitive and creative solutions to design problems rather than pose a rigid architectural formula to follow in developing building plans. The key element of design that is to be stressed is the achievement of "harmony", "blending" and "appropriateness" of building form and texture in relation to the natural, surrounding environment. In short, buildings are to be as unobtrusive as possible in the natural settings in which they are constructed. Second, the protection and perpetuation of ascertain panoramic mountain and scenic views from parks and public spaces within the Design Review Area is required in the interests of pride, enjoyment, environmental enrichment and maintenance of a major economic asset for residents and visitors alike. This concern and the pressure of physical development has established the "visual landscape" as a basic resource that needs to be conserved. To that end, these regulations have been instituted by Grand County.

(c) **Applicable Regulations**

(i) **Zoning Requirements**

Development proposals and buildings must meet all requirements of the Grand County Zoning Regulations. In a case where the Design Regulations are in conflict with the Zoning Regulations, the more restrictive regulations shall apply.

(ii) **Subdivision and Planned Unit Development Regulations**

Proposals and structures must meet all requirements of the Grand County Subdivision and Planned Unit Development Regulations, the more restrictive regulations shall apply.

(iii) **Building Code**

The regulations contained in the Uniform Building Code as amended and adopted by Grand County will apply to all structures. In addition, these regulations will also apply to all structures that are either residential, agricultural, commercial/office or light industrial in nature.

(d) **Site Planning**

(i) **General Provisions**

(1) **Physical Setting of Development**

(a) The following shall apply except where it would make property unbuildable. The proposed development shall be located, sited and designed to protect and enhance the visual quality of the surrounding environment. In addition to the design criteria contained herein, environmental site planning and architectural design information is available from the U.S. Forest Service. Visual quality maps and other information are also available from the Grand County Department of Planning and Development.

(b) In areas of existing high visual quality, the proposed development shall be unobtrusive in nature and carefully fit its environment so

that its presence is subordinate to the pre-existing character of the site and its surroundings are maintained to the maximum extent practicable.

- (c) In areas where the visual quality has been degraded by alterations of the natural landforms and vegetation, signs and billboards that block views and create visual clutter, and development that is mediocre in design and out of character with the surrounding environment, the new development shall serve to restore the area to a high visual quality.
- (d) Buildings, when viewed from various angles, should conform to foreground contours in shape and scale while blending in with middle ground and background landforms to the greatest extent possible. All designs are to be conceived utilizing current principles and practices of environmental design, landscape design and building architecture. All development shall be sited and designed to minimize the impacts of light and glare on adjacent properties and the community at large.
- (e) Except where it would make property unbuildable (given the constraints of other County regulations) structures shall not be located in open grasslands where they would be highly visible, but clustered near hills, forests and other natural terrain features, or existing development to the greatest extent possible. In addition, development on hilltops and ridges shall not be obtrusive from public roadways. In riparian and lake shoreline areas, development shall be subordinate to the natural form of the waterway by being located near groves of trees, rock outcroppings, or other natural features and setback from the edge of the waterway or waterbody a minimum of thirty (30) feet.

(2) **Alteration of Natural Landforms**

- (a) No development or its support facilities (such as road or utility expansions) shall be permitted where grading, cutting or filling are required that would alter the appearance of natural landforms, without a re-vegetation plan that restores the disturbed land to as near a natural looking state as possible.
- (b) The proposed development shall minimize the visual destruction of natural land forms caused by cutting, filling, grading or vegetation removal. The development shall be concentrated on level areas so that hillsides can be left undisturbed. Necessary road and utility expansions should be routed along natural topographic contours.
- (c) Where the alteration of natural landforms is permitted during construction, the topography shall be restored to as close to the natural contours as possible, and the area shall be planted with vegetation common to the area.

(3) **Scale**

Any proposed development shall be of compatible scale to the surrounding area or shall be of a scale which will enhance the quality of the area that

has been degraded by existing development. The development proposal shall provide for:

- (a) Structures should be located so they do not tower above ridge lines, and do not compete with the visual dominance of the hillsides, open meadow, lake waters, or other features of the natural terrain.
 - (b) In developed areas, structures shall generally conform with the character of the surrounding area, or enhance the area if it has already been degraded.
- (4) **Landscaping**
- (a) **Forested Portions of the Site**
While the development proposal shall strive to place structures under tree cover to the greatest extent possible and developments shall protect existing vegetation and plants common to the region shall be used as the predominant re-vegetation material.
 - (b) Meadows or low brush covered portions of the site screening techniques are to be used for purposes of maintaining, to the greatest extent possible, the original pastoral setting when viewed from public roadways and observation points.
- (5) **Site Preparation**
- (a) **Grading and Excavation**
All grading will be accomplished using the design standards of the Grand County Subdivision Regulations. All removed topsoil should be stored and then replaced on the surface after grading is complete and before landscaping is begun. The graded area should be kept to a minimum practical size for equipment movement taking care to retain as many trees or other significant natural vegetative or other cover materials as possible considering such aspects as fire hazards, etc. No grading or excavation will be allowed other than that required for buildings, roads, landscaping and utilities.
 - (b) **Utilities**
Electric utilities and communication facilities to minimize the visual degradation of the landscape caused by power and communication lines and towers, the following principals shall be applied to any proposed development:
 - (i) Utility distribution and transmission facilities shall be designed as coordinated system to avoid duplication.
 - (ii) Non-reflective cables, poles, and guy wires shall be used for all electric and communication lines.
 - (iii) Television antennas, ham radio operation masts, roof mounted FM dipole aerials, and other facets of wirescape must be located in an unobtrusive manner.

All proposed major public utility facilities will follow the special permit review process of Grand County and shall be located and constructed to:

- (i) Maximize the use of Federal and State owned land.
 - (ii) Minimize damage to private landowners over which the line passes and adjacent to the proposed line.
 - (iii) Minimize side effects such as wildlife habitat disruption, low level radiation, noise and other health hazards on humans and wildlife.
 - (iv) Avoid paralleling of major transportation routes unless adequate natural screening or other means of camouflage are available.
 - (v) Cross any such transportation routes at as close to a right angle as possible.
 - (vi) Mitigate the "tunnel" effect of clearing vegetation that is visible from a population concentration or public roadway by means of minimizing clear-cut widths and other established landscape techniques. In all cases a revegetation plan must accompany any permit application.
 - (vii) By-pass historic and archeological sites.
 - (viii) Minimize conflict with existing and planned land uses.
- (c) **Sewer, Water and Gas Lines**
- (i) Utility lines shall be designed as a coordinate system to avoid duplication.
 - (ii) All distribution facilities and service connections shall be placed underground.
 - (iii) All proposed utility facilities will follow the special permit review process and/or 1041 Regulations of Grand County as applicable and shall be located and constructed to:
 - (1) Minimize damage to private and public lands: All development proposals must be accompanied by a revegetation plan;
 - (2) Mitigate the "tunnel" effect of clearing vegetation that is visible from a population concentration or public roadway by means of minimizing clear-cut widths and other established landscape techniques;
 - (3) By-pass historic and archeological sites;
 - (4) Minimize conflict with existing and planned land uses.

- (d) **Drainage**
All buildings must have an adequate drainage slope; minimum of five (5) percent, away from foundation walls or incorporate a french drain. Generally, water should be directed away from buildings, driveways, paths, play areas and other high use areas.
- (6) **Site Activities**
 - (a) **Trash Storage**
All trash storage areas shall be aesthetically screened from public view. Storage areas must be well drained but located out of drainage courses and must be inaccessible to animals either by fencing or through the use of suitable containers.
 - (b) **Snow storage (single-family building permits exempted)**
A snow removal and storage plan must accompany all development proposals. Storage sites must be well drained and preferably located in a sunny well drained spot.
 - (c) **General Storage and Service Activities**
All general storage areas shall be aesthetically screened from public view. All service activities and facilities shall be provided within the boundaries of the individual building parcel which it serves. All propane gas tanks are to be screened with vegetation and other natural objectives.
 - (d) **Transportation and parking facilities (single-family building permits exempted):** The proposed development shall minimize the number of access roads and individual parking areas. Development access roads shall be combined, with the intent of minimizing intersections on public roadways. Traffic loops shall be used to the maximum extent possible. All access roads shall be visually screened from public roadways to the greatest extent possible. All parking facilities are to be landscaped, preferably with evergreen varieties and large shrubs. Parking design should facilitate use, snow removal, drainage, emergency access and must be screened or buffered from public roadways. Use of vegetative islands within parking areas are encouraged. Underground parking must be either integrally connected to a habitable building or covered and landscaped. Street alignments should be designed in such a way as to facilitate solar gain for fronting buildings.
- (7) **Building Location**
 - (a) **Site Characteristics**
The building should be located and subsequently designed to minimize disturbances of the site and blend into the surrounding natural environment.
 - (b) **Energy Conservation**
It is suggested that siting of buildings should take advantage of a south facing orientation for solar heat gain to the greatest extent possible.

(c) **Setbacks**

Setbacks for buildings are required for aesthetic purposes along public roadways and for water quality reasons along or around water bodies of any kind. Specifically, setbacks found in the Grand County Zoning Regulations will apply:

- (i) All docks, moorings, pilings and posts to be built in any lakebed must have prior special permit approval from the applicable agency having jurisdiction.

(e) **Architecture**

(j) **Residential**

(5) **Roofs**

Allowed roofing materials include:

- (a) non-flammable shake shingles and imitations
- (b) treated wooden shake shingles
- (c) earth-tone composition shingles
- (d) dark, non-reflective metal roofing

(6) **Exposed facades and sidings**

Building architecture is to be compatible with location and the pastoral environment, rustic in nature, rough textured and harmoniously colored to blend in with the surrounding vegetative cover. In forested areas, all exterior materials shall be of deep earth hues such as dark browns, greens and rusts. In grasslands or sagebrush areas, all exterior materials shall be of the same earth and vegetative tones as the predominant colors of the site. Highly reflective surfaces and colors are not allowed. Types of siding or wall materials not allowed by way of example are: reflective metal, bare sealed or unsealed plywood panels, poured or block concrete of the unexposed aggregate variety, precast concrete panels, and white stucco plaster walls.

(7) **Windows**

Outwardly reflective windows or coatings thereon are not allowed.

(8) **Lighting**

Exterior lighting shall be minimized and shall be designed and installed to subtly illuminate functional areas only. The source of light shall not be visible above a horizontal plane and shall direct the light inward and downward onto the site and away from adjoining properties. Fixtures shall be hooded and shall not be located above the eave lines. Use of “dark sky” features and motion detector lighting is encouraged.

(9) **Foundations**

Foundations may be exposed no more than thirty-six (36) inches above ground level. Exception: foundations and building walls constructed of native stone. Exposed portions of poured or block concrete foundations must be painted an appropriate earth tone color or faced with native or imitation stone, brick or wood.

(10) **Fences and Screens**

Fences are to be constructed of stone or wood in a style appropriate to the building architecture and the surrounding natural environment. Fencing that maintains an open (as in the split rail fence) appearance is encouraged.

Sturdy construction is to be used throughout. The use of plain or decorative concrete block or other metal or plastic materials of a bright or reflective aspect or color is prohibited. Chain link fences shall be oxidized, anodized or earth tone colored.

(11) **Outbuildings**

No more than two outbuildings allowed with each single-family residence not to exceed four hundred (400) square feet each. In addition, livestock shelter barns, boathouses and detached garages shall also be allowed

(12) **Mailboxes and Residence Signs**

Mailboxes visible from the public roadways shall be of non-reflective wood or metal construction and shall be located in an unobtrusive manner.

(13) **Retaining Walls**

Retaining walls are intended to be an attractive addition to the overall design of the site plan and the structures on it. They should be made of natural woods or stone of low elevation where lateral loads are minimal. Adequate drainage from the earth bank must be provided by weep holes, lateral drains, or other techniques capable of mitigating buckling caused by water pressure and frost action. Retaining walls in excess of four (4) feet in height must be designed by a professional engineer, reinforced throughout and independently supported. Poured or concrete block of the uncolored or unexposed aggregate type is not allowed unless faced with a stone or wooden veneer.

(ii) **Commercial/Office and Light Industrial**

(1) **Roofs**

Same as residential

(2) **Exposed facades and siding**

Same as residential

(3) **Ornamentation**

Same as residential

(4) **Foundations**

Same as residential

(5) **Building Type**

Building architecture is to be compatible with the pastoral mountain environment, rustic in nature, harmoniously colored or natural wood finished or suitable wood substitutes.

(6) **Fences and Screens**

Same as Residential

(7) **Outbuildings**

No more than two (2) outbuildings not to exceed four hundred (400) square feet each will be allowed. In addition, berms, trees, shrubs, etc. are to be used to aesthetically enhance the screening devices as allowed in the residential section.

- (8) **Mailboxes**
Mailboxes visible from the public roadway shall be of non-reflective wood or metal construction and shall be located in an unobtrusive manner.
 - (9) **Retaining Walls**
Same as residential
 - (10) **Parking**
Parking facilities, where practical, shall be consolidated for joint use by surrounding businesses and neighbors. The parking facility shall be attractively designed and buffered with landscaping, berms or other attractive screening materials and shall to the maximum extent possible be visually screen.
- (iii) **Boathouses/Boat Docks**
- (1) **Roofs**
Allowed roofing material include: shake shingles and imitations treated shingles and imitations, treated wooden shake shingles, earth-tone composition shingles, and dark, non-reflective metal roofing
 - (2) **Exposed facades and sidings**
Building architecture is to be compatible with location and the pastoral environment, rustic in nature, rough textured and harmoniously colored to blend in with the surrounding vegetative cover. In forested areas, all exterior materials shall be of deep earth hues such as dark browns, greens and rusts. Highly reflective surfaces and colors are not allowed. Types of siding or wall materials not allowed by way of example are: corrugated metal siding, reflective metal, painted (unclad) masonite siding, asphalt shingles or panels, bare sealed or unsealed plywood panels, poured or block concrete of unexposed aggregate variety, precast concrete panes, and white stucco plaster walls.
 - (3) **Windows**
Outwardly reflective windows or coatings thereon are not allowed.
 - (4) **Lighting**
Exterior lighting shall be minimized. Any outside lighting fixtures shall match the style of the structure it serves. Security lights shall be of a subdued luminescence.
 - (5) **Height**
The height of any boathouse, measure from the water line to the highest part of the structure may not exceed 16 feet.
 - (6) **Extension beyond shoreline**
Boathouses and boat docks are not permitted to extend more than 35 feet beyond the natural shoreline. There may be specific cases that require boathouses to be inundated into the shoreline in order to preserve the natural character of the surrounding area.
 - (7) **Width**
Boathouse may not exceed 30 feet in width. This width does not include any uncovered dock or decking that may have a physical connection to the structure.

- (8) All boathouses and boat docks must have prior special permit approval from the applicable agency having jurisdiction.

- (f) **View Maintenance**

- (i) **View Regulations**

- (1) **General Provisions**

- No development including the associated buildings, fences, paved areas, signs and landscaping can block views of the surrounding lakes or mountains or diminish the visual quality of the Design Review area into scenic areas.

- (a) Visual resource maps detailing visual sensitivity and visual absorption capacity will be used to initially judge development proposals.

- (b) All developments will be judged in detail utilizing the U.S. Forest Service review system maps.

- (g) **Signs**

Signs shall be permitted as accessory uses in accordance with the sign regulations currently existing in the Grand County Zoning Regulations, Section XIII, Subsection 13.3. General Provisions. Signs shall be aesthetically pleasing, of appropriate scale and integrated with surroundings in order to meet the county's expressed desire for quality development and protection of view sheds. In addition, signs shall be compatible with location and the pastoral environment, rustic in nature, and harmoniously colored to blend in with the surrounding vegetative cover.

14.6 GRANBY AIRPORT REVIEW AREA – OVERLAY DISTRICT

- (1) **Intent**

To reduce exposure of residential and other sensitive land uses to aircraft operations and their potential impacts; to reduce risks to public safety from aircraft accidents; and to discourage traffic congestion and incompatible land uses proximate to, and within the airport review area.

- (2) **Definitions**

- (a) **Federal Aviation Administration (FAA)**

- The Federal agency responsible for administration and policies related to aviation activity in and around the nation's airports, as well as protection of airspace between airports.

- (b) **Granby Airport Review Area (GARA)**

- An overlay district intended to allow for compatible land-use planning in the vicinity of the Granby Airport. The overlay district includes two (2) components; (1) land use compatibility; and (2) building heights and heights of other structures (See Figure 14.6-1a Compatible Land Use and 14.6-2a, Allowable Heights of Structures for the location of this overlay district).

- (c) **Nature of District**

- The Granby Airport Review Area-Overlay District shall be applied as a supplemental regulation of areas contiguous to or near the Granby Airport which would be significantly impacted by air traffic or any hazard related to the operation of an aviation facility. The restrictions and requirements of this district are supplemental to those of the underlying zoning district.

(d) **Jurisdiction**

The regulations set forth in this section shall apply to those lands within and around Granby Airport as depicted on the Granby Airport Review Area-Overlay District Map (Figure 14.6-1b). These regulations shall supersede any inconsistent or conflicting underlying zoning regulation; shall restrict up-zoning (e.g., Forestry and Open to Residential) of lands within the Granby Airport Review Area; and allow residential development in the area that is consistent with the Grand County Master Plan through the Subdivision Exemption Regulations and the Rural Land Use Process, as now enacted, and amended.

(3) **Nonconforming Structures or Uses**

- (a) These regulations do not require the removal, lowering, or discontinuance of any structure or object of natural growth not conforming to this section as of its effective date.
- (b) These regulations do not require any change in the construction, or intended use of any structure, the construction or alteration of which was begun prior to the effective date of this section and which is pursuant to a building permit issued by Grand County; provided, however, that when the nonconforming structure is destroyed or damaged, any reuse, reconstruction or replacement is subject to the provisions of Section XV, Sub-Sections 15.1 to 15.7.

(4) **Land Uses**

The Granby Airport Review Area-Overlay District Map shows the airport review area which consists of a single land use compatibility zone in the vicinity of the Granby Airport. Land-uses in the zone are listed below. In addition, Figure 14.6-1a illustrates the dimensions of the land use compatibility zone.

- (a) Granby Airport Review Area (GARA) allowed uses: Within the Airport Compatible Land Use Overlay Zoning, Districts as established in 14-6.1a, no land shall hereafter be erected, altered converted, or modified other than for those land uses permitted by underlying comprehensive zoning districts as specified in Grand County Land Use Code as of the date of the adoption of this Ordinance. Variances, new land uses or changes in the underlying districts must conform to the requirements set forth in Granby Airport and Use Compatibility Table.

(5) **Height Limitations**

- (a) Grand County will conduct a review of proposed development within the GARA as depicted on Figure 14.6-1 for compliance with FAA, Part “77” Airspace Surfaces, as now enacted or amended (See Figure 14.6-2a for the location of this overlay district).
- (b) If the County determines that the proposal does not exceed the surface elevations depicted on Figure 14.6-2, Part “77” Airspace Drawing, the proposed construction or alteration will be permitted, subject to other applicable regulations (i.e., Section VI, Sub-Section 6.7, Maximum Height of Buildings).
- (c) If the County determines that the proposed development exceeds the surface elevation depicted on Figures 14.6-2, the Applicant shall notify the FAA utilizing Form 7460-1. Any mitigation measures recommended by the FAA may be required.
- (d) If the FAA, following its review, determines that the proposal is a hazard to air navigation or human health and welfare, the proposed development may be prohibited.

(6) **Aviation Notification**

For all development within the Granby Airport Review Area, the following statement shall apply and disclosure is made by recording of this regulation and zoning map in the records of the Grand County Clerk and Recorder:

- (a) The Subject parcels are located within the Granby Airport Review Area. Airplanes may fly at low elevations over the parcel as they operate to, from or at the airport. The airport is operational 24 hours per day. Flights may occur at all hours of the day or night.
- (b) Due to the proximity of the parcels to the Granby Airport, and the airport's associated flight patterns; parcel owners and future buyers should expect varying degrees of noise from these aircraft, which some residents may find intrusive.

(7) **Aircraft – Wildlife Strike Hazards**

Use of land which encourages large concentrations of birds or waterfowl such as sewage plants, large open ponds and reservoirs (refer to Section XI, Sub-Section 11.1 (7)), shall be discouraged within 10,000 feet of airport runways. Landfills are prohibited within 10,000 feet of airport runways. Adequate mitigation measures may be required as advised by a wildlife biologist specializing in resolving aircraft-wildlife conflicts.

GRANBY AIRPORT
LAND USE COMPATIBILITY TABLE – 14.6.1a

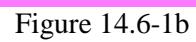
LAND USE CATEGORY	AIRPORT INFLUENCE ZONE (AIZ)	TRAFFIC PATTERN ZONE (TPZ)	APPROACH ZONE (AZ)	INNER APPROACH ZONE (IAZ)
RESIDENTIAL				
Single-family	C ⁽⁶⁾	C ^(3,4)	C ^(1,3)	C ^(1,3,6)
PUBLIC				
Schools, Libraries, Churches	C ⁽⁶⁾	C ⁽⁴⁾	C ⁽⁴⁾	X
Parking, Cemeteries	P	P	P	C ⁽⁵⁾
Nursing homes, multi-family, apartments, condominiums, transient lodging, motels, hotels	C ⁽⁶⁾	C ^(3,4)	C ^(1,2,3)	X
COMMERCIAL & INDUSTRIAL				
Offices, Retail Trade, Service Commercial, Wholesale Trade, Warehousing, Light Industrial, General Manufacturing, Utilities, Extractive industry	P	C ⁽⁶⁾	C ⁽⁴⁾	C ⁽¹⁾
AGRICULTURAL & RECREATIONAL				
Cropland				
Livestock Breeding, Parks, Playgrounds, Zoos, Golf	P	P	P	P
Courses, Riding Stables, Water Recreation	P	P	P	P
Outdoor Spectator Sports				
Amphitheaters	P	C ⁽³⁾	C ^(3,4)	X
Open Space	C ⁽³⁾	C ⁽³⁾	C ^(3,4)	X
	P	P	P	P
P – Permitted C – Conditional X – Not Allowed				

Conditions:

- (1) If allowed, aviation easements and disclosure must be required as a condition of development. Limit residential density to 1 unit per 4 acres.
- (2) Any structures associated with uses allowed in the 65 Ldn Noise Contour must be located outside the 65 Ldn Noise Contour.
- (3) If no reasonable alternative exists, use should be located as far from extended centerline as possible.
- (4) If allowed, disclosure of airport proximity must be required as a condition of development. An aviation easement should be considered based on proximity to runway centerline.
- (5) Transportation facilities in the 65 Ldn Noise Contour (i.e. roads, railroads, waterways) must be configured to comply with part 77 requirements.
- (6) Disclosure of airport proximity should be required as a condition of development.

Notes:

- Development projects which are wildlife attractants, including sewage treatment ponds and new landfills, within 10,000 feet of the runway are unacceptable (FAA Advisory Circular 150/5200-33). New Landfills within 6 miles of the airport may require special review (FAA AC 150/5200-34).
- An FAA Form 7460-1, “Notice of Proposed Construction or Alteration” must be submitted for any construction or alteration (including hangars and other on-airport and off-airport structures, towers, etc.) within 20,000 horizontal feet of the airport greater in height than an imaginary surface extending outward and upward from the runway at a slope of 100 to 1 or greater in height than 200 feet above ground level.
- For definitions of permitted & conditional, refer to the Grand County Zoning District Definitions above.



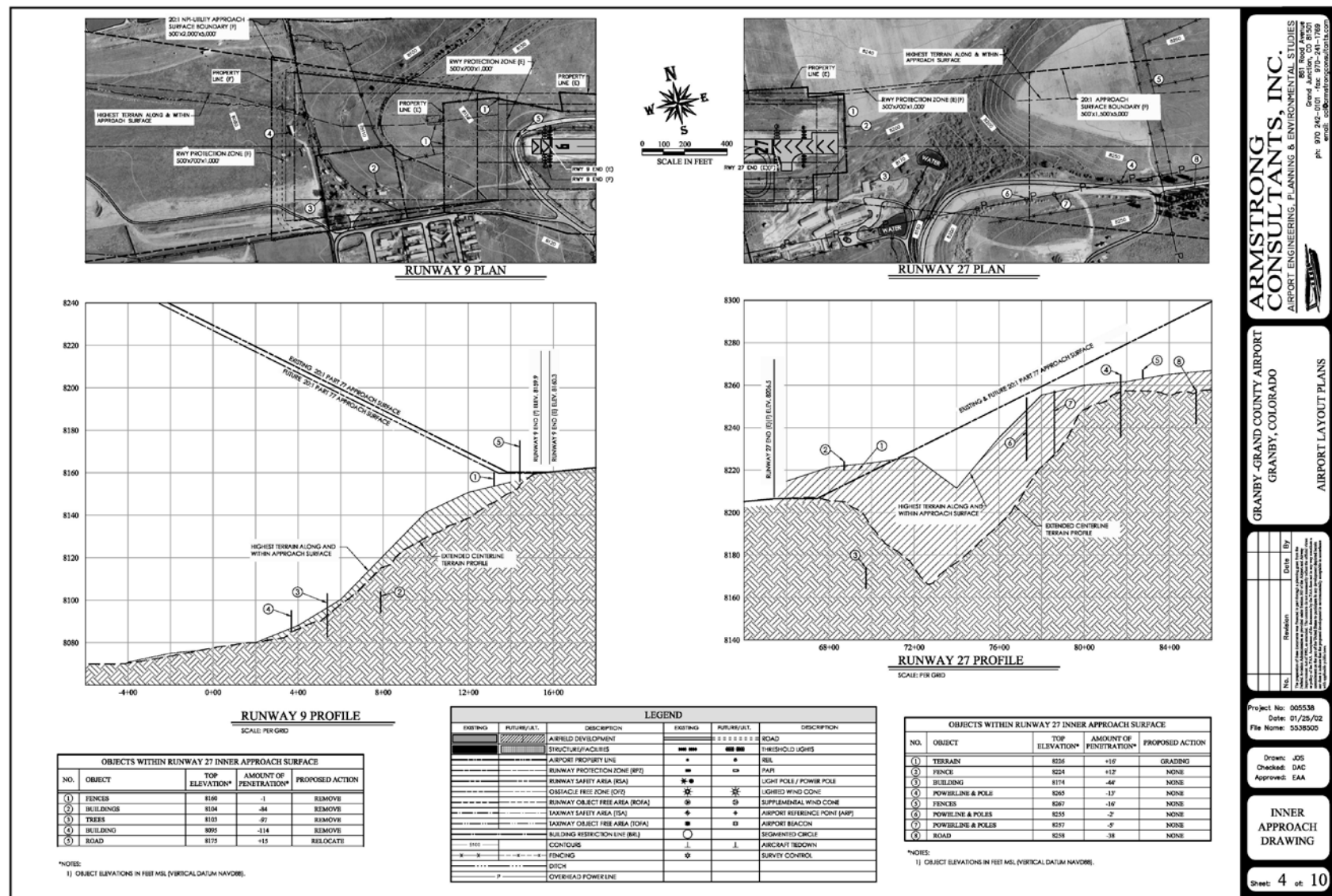


Figure 14.6-2b

14.7 MCELROY FIELD AIRPORT REVIEW AREA - OVERLAY DISTRICT

Intent

To reduce exposure of residential and other sensitive land uses to aircraft operations and their potential impacts; to reduce risks to public safety from aircraft accidents; and to discourage traffic congestion and incompatible land uses proximate to, and within the airport review area.

(1) **Definitions**

- (a) **Federal Aviation Administration (FAA):** The Federal agency responsible for administration and policies related to aviation activity in and around the nation's airports, as well as protection of airspace between airports.
- (b) **McElroy Field Airport Review Area:** An overlay district intended to allow for compatible land-use planning in the vicinity of the McElroy Field Airport. The overlay district includes two (2) components; (1) land use compatibility (See Figure 14.7-1); and (2) building heights and heights of other structures (See Figure 14.7-2 for the location of this overlay district).

(2) **Nature of District**

The McElroy Field Airport Review Area-Overlay District shall be applied as a supplemental regulation of areas contiguous to or near the McElroy Field Airport which would be significantly impacted by air traffic or any hazard related to the operation of an aviation facility. The restrictions and requirements of this district are supplemental to those of the underlying zoning district.

(3) **Jurisdiction**

The regulations set forth in this section shall apply to those lands within unincorporated Grand County as depicted on the McElroy Field Airport Review Area-Overlay District Map (Figure 14.7-2). These regulations shall supersede any inconsistent or conflicting underlying zoning regulation; shall restrict upzoning (e.g., Forestry and Open to Residential) of lands within the McElroy Field Airport Review Area; and allow residential development in the area that is consistent with the Grand County Master Plan through the Subdivision Exemption Regulations and the Rural Land Use Process, as now enacted, and amended.

(4) **Land Uses**

The McElroy Field Airport Review Area-Overlay District Map shows the airport review area which consists of a single land use compatibility zone in the vicinity of the McElroy Field Airport. Land-uses in the zone are listed below. In addition, Figure 14.7-2 illustrates the dimensions of the land use compatibility zone.

(5) **McElroy Field Airport Review Area Allowed Uses:**

Within the Airport Compatible Land Uses Overlay Zoning, Districts as established in 14.7-2, no building shall hereafter be erected, altered, converted, or modified other than for those land uses permitted by underlying comprehensive zoning districts as specified in Grand County Land Use Code as of the date of the adoption of this Ordinance. Variances, new land uses, or changes in the underlying districts must conform to the requirements set forth in the McElroy Field Airport Land Use Compatibility Table, Figure 14.7-1.

(6) **Height Limitations**

When developments are located in unincorporated Grand County, Grand County will conduct a review of proposed developments within the McElroy Field Airport Review Area as depicted on Figure 14.7-3 for compliance with FAA, Part "77" Airspace Surfaces, as now enacted or amended (See Figure 14.7-2 for the location of this overlay district).

- (a) If the County determines that the proposal is in compliance with the elevations as regulated by FAA Part “77” Airspace Surfaces, the proposed construction or alteration will be permitted, subject to other applicable regulations (e.g., Section VI, Sub-Section 6.7, Maximum Height of Building).
 - (b) If the County determines that the proposed development exceeds the surface elevation, the Applicant shall notify the FAA utilizing Form 7460. Any mitigation measures recommended by the FAA may be required.
 - (c) If the FAA, following its review, determines that the proposal is a hazard to air navigation or human health and welfare, the proposed development may be prohibited
- (7) **Avigation Notification**
 For all development within the McElroy Field Airport Review Area, the following statement shall apply and disclosure is made by recording of this regulation and zoning map in the records of the Grand County Clerk and Recorder:
- (a) The subject parcels are located within McElroy Field Airport Review Area. Airplanes may fly at low elevations over the parcel as they operate to, from or at the Airport. The airport is operational 24 hours per day. Flights may occur at all hours of the day or night.
 - (b) Due to the proximity of the parcels to the McElroy Field Airport, and the airport’s associated flight patterns; parcel owners and future buyers should expect varying degrees of noise from these aircraft, which some residents may find intrusive.
- (8) **Aircraft-Wildlife Strike Hazards**
 Use of land which encourages large concentrations of birds or waterfowl such as sewage plants, large open ponds, and reservoirs shall be discouraged within 10,000 feet of airport runways. Landfills are also discouraged within 10,000 feet of airport runways.

**MCELROY FIELD AIRPORT
LAND USE COMPATIBILITY TABLE**

LAND USE CATEGORY	ZONE D AIRPORT INFLUENCE ZONE (AIZ)	ZONE C TRAFFIC PATTERN ZONE (TPZ)	ZONE B APPROACH ZONE (AZ)	ZONE A RUNWAY PROTECTION ZONE (RPZ)
RESIDENTIAL				
Single-Family, Nursing Homes, Mobile Homes, Multi-Family, Apartments, condominiums transient lodging, hotel, motel	+	o ⁽³⁾	o ⁽³⁾	--
	+	o ⁽³⁾	o ⁽³⁾	--
PUBLIC				
Schools, Libraries, Hospitals	+	o ⁽³⁾	_(3)	--
Churches, Auditoriums, Concert Halls	+	o ⁽³⁾	_(3)	--
Transportation, Parking, Cemeteries	++	++	++	_(2,5)
COMMERCIAL & INDUSTRIAL				
Offices, Retail Trade, Services Commercial, Wholesale Trade, Warehousing, Light Industrial, General Manufacturing, Utilities, Extractive Industry	++	+	o ⁽³⁾	--
AGRICULTURAL & RECREATIONAL				
Cropland	++	++	++	++
Livestock Breeding	++	++	++	_(2)
Parks, Playgrounds, Zoos, Golf Courses, Riding Stables, Water Recreation	++	++	++	_(2)
Outdoor Spectator Sports,	++	+	_(3)	--
Amphitheaters	o	_(4)	--	--
Open Space	++	++	++	++

++ Clearly Acceptable + Normally Acceptable o Marginally Acceptable - Normally Unacceptable -- Clearly Unacceptable

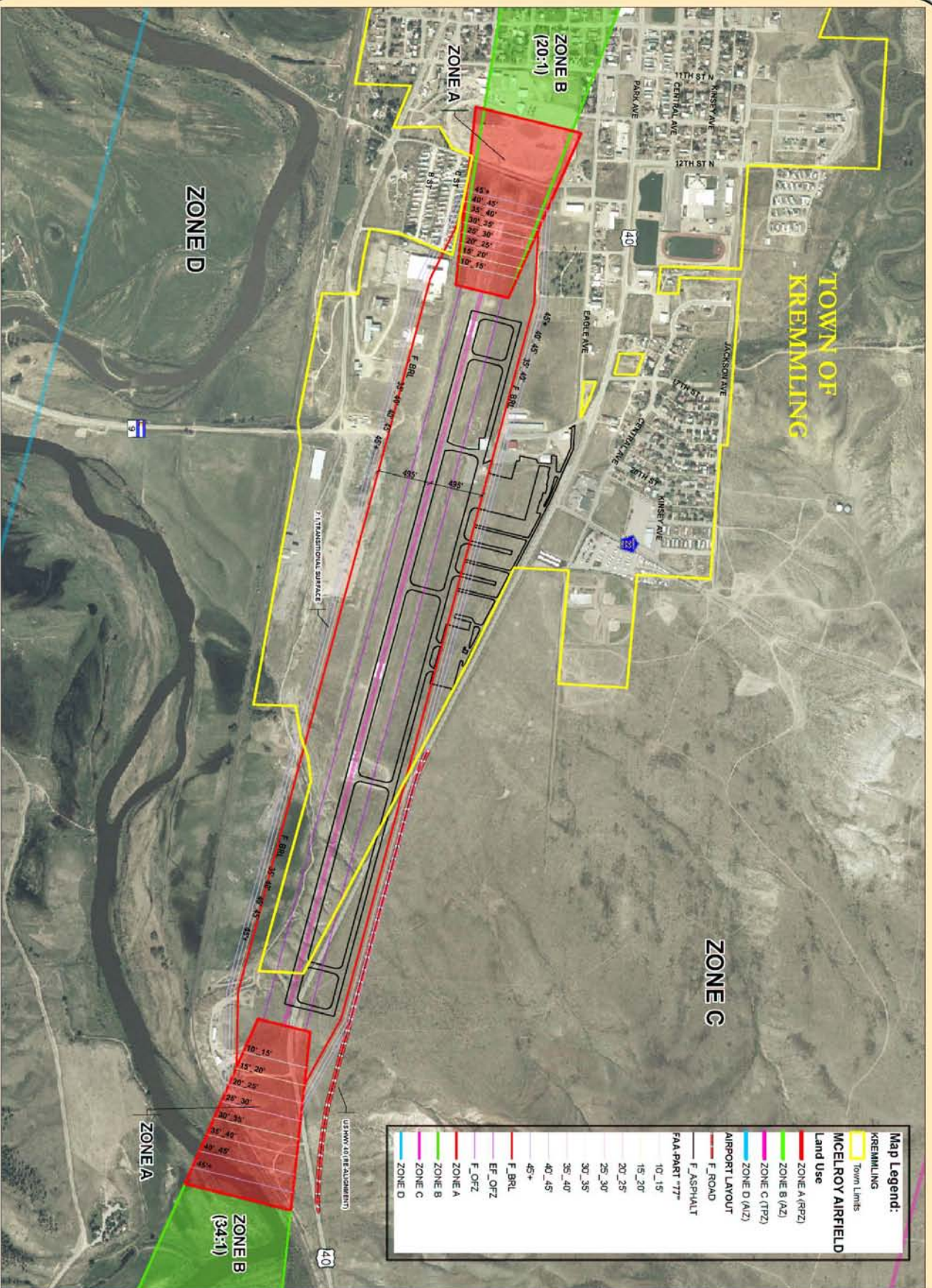
Note: Development projects which are wildlife attractant, including sewage ponds, within 10,000 feet of the airport are discouraged. (Ref.: FAA AC 150/5200-33)

Conditions:

- (1) If allowed, aviation easements and disclosure must be required as a condition of development.
- (2) Any structures associated with uses allowed in the RPZ must be located outside the RPZ.
- (3) If no reasonable alternative exists, use should be located as far from extended centerline as possible.
- (4) If no reasonable alternative exists, use should be located as far from extended runway centerline and traffic patterns as possible.
- (5) Transportation facilities in the RPZ (e.g., roads, railroads, waterways) must be configured to comply with Part 77 requirements.

Figure 14.7-1





14.8 SHORT TERM RENTALS

(1) Use Permitted and Applicable Zone Districts

Rental of any single family dwelling, duplex, multi-family dwelling (condominium or townhome) and mobile home as a Short Term Rental, as defined by Section XX of the Grand County Zoning Regulations, shall be considered a Use Permitted in the E-Estate, R-Residential, F-Forestry and Open and M-Mobile Home Zone Districts if in compliance with the following terms, conditions and requirements:

(2) Terms, Conditions and Requirements:

- (a) **Annual Registration.** A completed registration form, accompanied by the annual fee, shall be maintained and provided annually and signed by the owner and if applicable, any property management company representative, agent or designee.
- (b) **Taxes.** Owner is responsible for maintaining a State of Colorado Sales Tax License and remitting applicable Federal, State and Local Taxes.
- (c) **24-hour Contact Person.** Each Short Term Rental owner shall have a contact person responsible for the Short Term Rental and shall be available on a twenty-four (24) hour basis, seven days per week.

The 24-hour contact person may be the owner, a property management company representative, agent, designee or other person employed, authorized or engaged by the owner to manage, rent or supervise the Short Term Rental.

If the Short Term Rental is found to be in Violation of this Section 14.8 pursuant to Section XVIII Enforcement and Section XIX Violations and Penalties of the Grand County Zoning Regulations, a **local** 24-hour contact person shall be required. The **local** 24-hour contact person shall maintain a residence or permanent place of business within one (1) hour driving distance to the Short Term Rental and must be available on a twenty-four (24) hour basis, seven days per week

- (d) **Safety.** The Short Term Rental shall contain at least one operable fire extinguisher and operable smoke alarms as required by the current Building Code. The Short Term Rental shall contain operable carbon monoxide alarms in compliance with Title 38, Article 45 of the Colorado Revised Statutes.
- (e) **Noise.** Be a good neighbor. While occupying or visiting a Short Term Rental, no person shall make, cause or permit unreasonable noise to be emitted from the Short Term Rental that is audible upon private premises in excess of the limits set forth in Title 25, Article 12 of the Colorado Revised Statutes.
- (f) **Garbage.** Clearly-defined garbage storage areas shall be provided, with an adequate number of garbage containers. A plan for regular garbage pick-up or individual plan for garbage removal (including name and location) must be identified for all occupants. Any outside garbage storage areas and containers shall be of a bear-proof design. Garbage containers shall not be left unattended for on-street pick-up for more than a 24 hour period. The property shall be properly maintained and free of garbage, trash and litter.
- (g) **Lighting.** Outdoor lighting shall be downward lit, subdued and have minimal off-site impacts to adjoining properties.

- (iv) **Access and Parking.** Adequate driveway access and parking shall be provided in compliance with Section 14.4 of the Zoning Regulations. If a Short Term Rental is accessed by a shared driveway, written permission to access the drive must be obtained from each shared driveway property owner.

Occupants and visitors utilizing Short Term Rentals must park in designated off-street parking spaces. On-street parking within a County Road right-of-way or within a private road right-of-way is prohibited. Parking on adjacent or neighboring properties is prohibited without written permission. No person shall be permitted to stay overnight without written permission.

- (v) **Snow Storage.** On site snow storage shall be provided. Snow storage shall not be part of the required off street parking area. Snow storage on adjacent neighboring properties is prohibited without written permission.

- (j) **Compliance** with the terms and conditions set forth herein shall be the non-delegable responsibility of the owner of the Short Term Rental; and each owner of a Short Term Rental shall be strictly liable for complying with the conditions set forth in this Section or imposed by Grand County. Owner shall comply with all applicable County, State and Federal Regulations.

- (k) **Posting of Information.** The owner shall post information inside the short term rental in a conspicuous location for its Occupants including, but not limited to the following formation:

1. A copy of this Section 14.8 Short Term Rentals.
2. The name, address and telephone number of the 24-hour contact person, management company, agent or owner of the Short Term Rental that can be reached.
3. The maximum number of persons allowed to occupy the short term rental.
4. The maximum number of vehicles allowed to park on the Short Term Rental property. All vehicles must park in designated off-street parking spaces. On-street parking or on neighboring properties is prohibited.
5. The day of garbage pick-up or plan for garbage removal and notification of all rules and regulations regarding garbage removal.

- (l) **Signs.** At no time shall a Short Term Rental qualify for a sign permit. Signs for advertising shall not be permitted on Short Term Rentals except as outlined in Section 13.3 of the Zoning Regulations.

(3) **Limitation of Liability**

Grand County assumes no responsibility for the operation of the site and Owner covenants and agrees to hold Grand County harmless for any injury or damage which may occur, of whatever type or nature, as the result of the operation of the Short Term Rental. Owner shall maintain appropriate liability insurance for the Short Term Rental. Owner further warrants and agrees to compensate Grand County for any expense incurred in the defense of any lawsuit or other type of action which may be brought against said County as a result of said Owner's operation of this use.

Nothing contained in this Section 14.8 shall allow short term rentals if otherwise prohibited by any applicable covenants. Covenants are enforced according to their terms.

SECTION XV
NON-CONFORMING USES AND NON-CONFORMING BUILDINGS

15.1 DEFINITION OF A NON-CONFORMING USE AND A NON-CONFORMING BUILDING

- (1) A "non-conforming use" shall include any legally existing use, whether within a building or other structure or on a tract of land, which does not conform to the "use" regulations of these regulations for the district in which such "non-conforming use" is located, either at the effective date of these regulations or as a result of subsequent amendments which may be incorporated into these regulations.
- (2) A "non-conforming building" shall include any legally existing building which does not conform to the "location and bulk" regulations of these regulations for the district in which such "non-conforming building" is located, either at the effective date of these regulations or as a result of subsequent amendments which may be incorporated into these regulations.

15.2 CONTINUATION OF USE

A non-conforming use may be continued and a non-conforming building may continue to be occupied, except as both of the foregoing are otherwise provided for in this section.

15.3 CHANGE OF USE

A non-conforming use may be changed to any conforming use or to any use of more restrictive classification.

15.4 ABANDONMENT OF USE

In active and continuous operations are not carried on in a non-conforming use during a continuous period of twelve (12) months, the building, other structure or tract of land where such non-conforming use previously existed shall thereafter be occupied and used only for a conforming use. Intent to resume active operations shall not affect the foregoing.

15.5 RESTORATION

A non-conforming building or building containing a non-conforming use which has been damaged by fire or other causes may be restored to its original condition provided such work is started within six (6) months of such calamity and completed within one (1) year of the time the restoration is commenced.

15.6 ENLARGEMENT OF A BUILDING CONTAINING A NON-CONFORMING USE

A building containing a non-conforming use shall not be enlarged or extended by more than one-half its total floor area existing at the time of adoption of these regulations.

15.7 ALTERATION OF A NON-CONFORMING BUILDING

A non-conforming building may be structurally altered, repaired, or enlarged in any way permitted by these regulations, provided no alterations, repairs or enlargements shall be made in a non-conforming building which would increase the degree of non-conformity with the location and bulk regulations of these regulations.

SECTION XVI
BOARD OF ADJUSTMENT

16.1 ORGANIZATION

- (1) A Board of Adjustment is hereby established, the members of which shall be appointed by the Board of County Commissioners. The word "Board" shall be construed to mean the Board of Adjustment. The Board shall consist of three (3) members, not more than one (1) of whom may at any time be a member of the County Planning Commission. Until otherwise provided, the members of the Board shall serve without compensation. Each member shall serve for three (3) years, and shall be eligible for reappointment, provided however, that of the first appointed Board, one (1) member shall serve three (3) years, one (1) member two (2) years, and one member one (1) year. Any member of the Board of Adjustment may be removed for cause by the Board of County Commissioners upon written charges and after a public hearing. Vacancies shall be filled for the unexpired term in the same manner as in the case or original appointments. The Board of County Commissioners may appoint associate members of such Board, and in the event that any regular member is temporarily unable to act owing to absence from the county, illness, interest in a case before the Board, or any other cause, his place may be taken during such temporary disability by an associate member designated for the purpose.
- (2) Meetings of the Board of Adjustment shall be held at the call of the chairman and at such other times as the Board in its rules of procedure may specify. The chairman, or in his absence the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings of the Board of Adjustment shall be open to the public. The Board shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Board and shall be a public record. Three (3) members shall be present to constitute a quorum. The Board shall adopt supplemental rules of procedure not inconsistent herewith.

16.2 POWERS AND DUTIES

The Board of Adjustment shall have the following powers and duties, all of which shall be exercised subject to the laws of the State of Colorado and subject to appropriate conditions and safeguards, in harmony with the purpose and intent of these regulations and in accordance with the public interest and the most appropriate development of the area.

- (1) To hear and decide appeals taken by any person aggrieved by his inability to obtain a building permit or by the decision of any administrative officer or agency based upon or made in the course of the administration or enforcement of the provisions of these regulations. Appeals to the Board of Adjustment may be taken by any officer, department, board, or bureau of the County affected by the grant or refusal of a building permit or by other decision of an administrative officer or agency based on or made in the course of the administration or enforcement of the provisions of this zoning regulation. Provided however, no appeal shall be allowed for building use violations that may be prosecuted pursuant to Section 19.1(2) of these regulations. The concurring vote of three (3) members of the Board of Adjustment shall be necessary to reverse a decision made by an administrative officer or agency.
- (2) To authorize, upon appeal in specific cases, variances to the:
 - (a) minimum area of lot;
 - (b) minimum lot width;

- (c) minimum front yard;
- (d) minimum side yard;
- (e) minimum rear yard;
- (f) maximum height of buildings;

Regulations where, by reason of exceptional shape, size or topography of lot, or other exceptional situation or condition of the building or land, practical difficulty or unnecessary hardship would result to the owners of said property from a strict enforcement of these regulations.

- (3) Where, by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of the enactment of the regulation or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of such piece of property, the strict application of any provisions of this regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the owner of such property, the Board of Adjustment, upon an appeal relating to said property, may grant a variance from the strict application of these regulations so as to relieve such difficulties or hardships if such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zone plan and these regulations.
- (4) Under no circumstances shall the Board of Adjustment grant a variance to allow a use not permissible under the terms of these regulations in the district involved, or any use expressly or by implication prohibited by the terms of these regulations in said district.

16.3 PROCEDURE

- (1) Any person adversely affected by any interpretation, requirement or regulations of these regulations may file an application for a variance with the secretary of the Board of Adjustment on a furnished form specifying the grounds of appeal.
- (2) The Board of Adjustment shall hold a public hearing on all applications and appeals with the following special conditions required:
 - (a) A notice of said hearing shall be published once in a newspaper of general circulation within that part of the County where the property is located at least fourteen (14) days prior to the hearing date.
 - (b) A written notice of said hearing shall be mailed by registered mail at least fourteen (14) days prior to the hearing date of the owners of property adjacent to the property in question.
 - (c) The monetary cost of any payment for all notices shall be the responsibility of the applicant.
- (3) Board of Adjustment Application Package shall consist of six (6) copies of the following:
 - (a) **Letter of Application**
This shall include a description of the requested variance, justification, applicant name and address.
 - (b) **Site Plan**
This shall be a graphic that depicts both the existing and proposed site conditions, at an appropriate scale.

(c) **Site Photos, architectural renderings**

As appropriate, the applicant shall include images that support the requested variance.

- (4) Before any variance is granted, the Board of Adjustment shall include a written finding in its minutes as part of the record in each case, stating specifically the exceptional conditions, the practical difficulties or unnecessary hardships involved.
- (5) Unless otherwise stated in the Board of Adjustment minutes, all variance permits shall be issued within one (1) year from the time such variance is granted by the Board, after which time, if the variance permit has not been obtained, the applicant can request a one (1) year extension from the Board of Adjustment, or it shall become null and void.

SECTION XVII
AMENDMENTS

17.1 GENERAL PROCEDURE

Amendments to these regulations shall be in accordance with the laws of the State of Colorado which require the following action before adoption of any such amendments:

- (1) Study and recommendation regarding each proposed amendment by the County Planning Commission.
- (2) Completion of a public hearing before the Board of County Commissioners after at least fourteen (14) days notice of the time and place of such hearing shall have been given by at least one (1) publication in a newspaper of general circulation within that part of the County where the proposed amendment is located.

17.2 SPECIAL PROCEDURE

After receiving a report and recommendations on any proposed amendment to these regulations, as required in 17.1 above, the Board of County Commissioners shall hold a public hearing on the proposed amendment with the following special conditions required:

- (1) The notice of said hearing to be published in a newspaper of general circulation within the County shall be the responsibility of the applicant.
- (2) For proposed amendments to the "zoning district map", the applicant shall mail a written notice of said hearing by registered mail at least fourteen (14) days prior to the hearing date to owners of property adjacent to the property in question and within five hundred (500) feet of the area in question.
- (3) Following the public hearing, the Board of County Commissioners shall approve or disapprove the rezoning request stating their reasons for such action in an official resolution.

SECTION XVIII
ENFORCEMENT

18.1 ENFORCEMENT

These regulations or any amendment thereto shall be administered by the Board of County Commissioners of Grand County or its authorized representatives who are hereby empowered: to withhold building permits to prevent violation of these regulations, or any amendment thereto; to request issuance of summons and complaint by the Grand County Sheriff to violators of these regulations; to cause any building, other structure or tract of land to be inspected or examined; and to order, in writing, the remedying of any condition found to exist therein or threat in violation of any provision of these regulations or any amendment thereto.

- (1) The Board of County Commissioners of Grand County or its authorized representatives upon obtaining personal knowledge of a violation of these regulations, or any amendment thereto, may request the Sheriff of Grand County to issue a summons and complaint to any violator; provided, however, if the violation is of section 19.1 of these regulations the Board of County Commissioners or its authorized representatives shall, prior to requesting the issuance of a summons and complaint, first give written notice to the violator to correct such violation within thirty (30) days after the date of such notice and if the alleged violation is not corrected within said thirty (30) days, then request the Grand County Sheriff to issue a summons and complaint to the violator.
- (2) One (1) copy of the summons and complaint shall be served upon the violator by the sheriff of the County in the manner provided by law for the service of a criminal summons. One (1) copy shall be retained by the sheriff, and the Board of County Commissioners or its authorized representatives, and one (1) copy shall be transmitted by the sheriff to the clerk of the county court. Additional copies of any such summons and complaint may be delivered to the County Attorney and District Attorney offices.
- (3) It is the responsibility of the County Attorney to enforce the provisions of these regulations. In the event that there is no County Attorney or in the event that the Board of County Commissioners of Grand County deems it appropriate, the Board of County Commissioners may appoint the District Attorney of the judicial district to perform such enforcement duties in lieu of the County Attorney.
- (4) In addition to the above procedures, in case any building or structure is or is proposed to be erected, constructed, reconstructed, altered, or used, or any land is or is proposed to be used, in violation of this regulation, or any amendment thereto, the County Attorney, in addition to other remedies provided by law, may institute an injunction, mandamus, abatement, or other appropriate action or proceeding to prevent, enjoin, abate, or remove such unlawful erection, construction, reconstruction, alteration, or use. In the event that there is no County Attorney or in the event that the Board of County Commissioners deems it appropriate, the Board of County Commissioners may appoint the District Attorney of the judicial district to perform such enforcement duties in lieu of the County Attorney.

SECTION XIX
VIOLATIONS AND PENALTIES

19.1 VIOLATIONS

- (1) It is unlawful to erect, construct, reconstruct, or alter any building or structure in violation of these regulations, or any amendment thereto, enacted or adopted by the Board of County Commissioners of Grand County.
- (2) It is unlawful to use any building, structure, or land in violation of these regulations, or any amendment thereto, enacted or adopted by the Board of County Commissioners of Grand County.

19.2 PENALTIES

Any person, firm, or corporation violating any provisions of these regulations, or any amendment thereof, is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one hundred dollars (\$100.00), or by imprisonment in the County jail for not more than ten (10) days, or both such fine and imprisonment. Each day during which such illegal erection, construction, reconstruction, alteration, or use of any building, or land continues shall be deemed a separate offense.

SECTION XX
DEFINITIONS

For the purpose of these regulations, certain words or phrases are defined, as follows:

When not inconsistent with the content, words used in the present tense include the future, words in the singular number include the plural number, words in the plural number include the singular number, and the masculine includes the feminine.

- (1) **AGRICULTURE BUILDING:** A structure located on real property classified as agriculture by the Grand County Assessor that is designed, constructed and used to house farm implements, hay, grain, poultry, livestock or other horticultural products. This structure shall not be a place of human habitation or a place of employment where agricultural products are processed, treated or packaged, nor shall it be a place used by the public.
- (2) **ADULT ORIENTED USE:** Any use of a property where the principal use, or as a significant or substantial adjunct to another use of the property, is the sale, rental, display or other offering of live entertainment, dancing or material that is distinguished or characterized by its emphasis on depicting, exhibiting, describing or relating to Specified Sexual Activities or Specified Anatomical Areas as an attraction to the property or premises, including but not limited to:
 - (a) **Adult Arcade** means any place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically or mechanically controlled still or motion picture machines, projectors or other image-producing devices are maintained to show images to five (5) or fewer persons per machine at any one (1) time, and where the images so displayed are distinguished or characterized by the depicting or describing of specified sexual activities or specified anatomical areas.
 - (b) **Adult Bookstore or Adult Video Store** means a place where books, magazines, motion pictures, prints, photographs, periodicals, video or audio recordings, novelties and devices, or any of these things, which have as their primary or dominant theme, matter depicting, illustrating, describing or relating to specified sexual activities or specified anatomical areas, are sold or offered for sale to adults and includes a place with only a portion or section of its area set aside for the display or sale of such material to adults, except that any place, otherwise included within this definition, that derives not more than ten (10) percent of its gross income from the sale of such material shall be exempt from the provisions of this Section so long as such material is kept in a location where it is not visible and shall not be a self-service item for the customers of such place.
 - (c) **Adult Cabaret** means a nightclub, bar, restaurant or similar business which regularly features:
 - (i) Persons who appear in a state of nudity;
 - (ii) Live performances which are characterized by the exposure of specified anatomical areas or by specified sexual activities; or
 - (iii) Films, motion pictures, video cassettes, slides or other photographic reproductions which are characterized by the depiction or description of specified sexual activities or specified anatomical areas.

- (d) **Adult Motel** means a hotel, motel or similar business which offers private rooms to the public and provides patrons live performances or closed circuit television transmissions, films, motion pictures, video cassettes, slides or other photographic reproductions which are characterized by the depiction or description of specified sexual activities or specified anatomical areas.
- (e) **Adult Motion Picture Theater** means a business where films, motion pictures, video cassettes, slides or similar photographic reproductions are regularly shown which are characterized by the depiction or description of specified sexual activities or specified anatomical areas.
- (f) **Adult Theater** means a theater, concert hall, auditorium or similar business which regularly features persons who appear in a state of nudity or live performances which are characterized by the exposure of specified anatomical areas or by specified sexual activities.
- (g) **Adult Photo** studio means any establishment which, upon payment of a fee, provides photographic equipment and/or models for the purpose of photographing "specified anatomical areas."
- (h) **Nudity or State of Nudity:** The appearance of, or the unclothed or partially clothed state of dress, which fails to completely and opaquely cover the human genitals, pubic region, buttocks, and female breast below a point above the top of the areola.
- (i) **Peep Booth** means a viewing room, other than a private room, of less than one hundred fifty (150) square feet of floor space upon the premises of a sexually oriented business where there are exhibited photographs, films, motion pictures, video cassettes or other video reproductions, slides or other visual representations which depict or describe specified sexual activities or specified anatomical areas.
- (j) **Private Room** means a room in an adult motel that is not a peep booth, has a bed in the room, has a bath in the room or adjacent to the room, and is used primarily for lodging.
- (k) **Sexual Encounter Establishment** means a business or commercial establishment which, as one (1) of its primary business purposes, offers for any form of consideration, a place where two (2) or more persons may congregate, associate or consort for the purpose of specified sexual activities or the exposure of specified anatomical areas, when one (1) or more of the persons exposes any specified anatomical area.
- (l) **Sexually Oriented Business** means an adult arcade, adult bookstore, adult video store, adult cabaret, adult motel, adult motion picture theater, adult theater, sexual encounter establishment or other similar business and includes:
 - (i) The opening or commencement of any sexually oriented business as a new business;
 - (ii) The conversion of an existing business, whether or not a sexually oriented business, to a sexually oriented business;
 - (iii) The addition of any sexually oriented business to any other existing sexually oriented business;
 - (iv) The relocation of any sexually oriented business; or

- (v) The continuation of a sexually oriented business in existence on the effective date of the initial ordinance codified herein.
 - (m) **Specified Anatomical Areas** means:
 - (i) Less than completely and opaquely covered: human genitals, pubic region, buttocks, and female breast below a point above the top of the areola.
 - (ii) Human male genitals in a discernibly turgid state even if completely and opaquely covered.
 - (n) **Specified Sexual Activities** means acts, simulated acts, exhibitions, representation, depictions or descriptions of:
 - (i) Human genitals in a state of sexual stimulation or arousal.
 - (ii) Fondling or other erotic touching of human genitals, pubic region, buttocks or female breast.
 - (iii) Intrusion, however slight, of any object, any part of an animal's body, or any part of a person's body into the genital or anal openings of any person's body or into the body of an animal.
 - (iv) Cunnilingus, fellatio, analingus, masturbation, bestiality, lewd exhibition of genitals or excretory function.
 - (v) Flagellation, mutilation or torture for purposes of sexual arousal, gratification or abuse.
 - (o) **Stage** means a raised floor or platform at least three (3) feet above the surrounding floor measured perpendicularly from the edge of the stage to the surrounding floor and at least thirty-six (36) square feet in area.
- (3) **AREA OF LOT:** The total horizontal area within the lot lines of a lot.
 - (4) **ASPECT:** The directional (in terms of the cardinal points of a compass) facing of the slope of a particular land area or piece of land.
 - (5) **BED AND BREAKFAST:** A building designed primarily for residential purposes and whose principal use is as a residential dwelling. An incidental or secondary use of this dwelling is a temporary abiding place for individuals who are lodged on a nightly basis with a breakfast meal provided. (See individual zone district requirements under appropriate sections for use by right limitation. Be sure to note construction requirements in the Uniform Building Code adopted by Grand County). Parking for bed and breakfasts in all zone districts must be accommodated on site. Sign restrictions are as set forth in the applicable sections of the Grand County Zoning Regulations.
 - (6) **BOARDING HOUSE:** A building designed for occupancy as an extended term abiding place of individuals who are lodged with meals and in which there are five (5) or less guest rooms. Extended term means thirty (30) days or longer.

(7) **BOATHOUSES AND BOAT DOCKS**

- (a) **ASSOCIATION BOATHOUSES/BOAT DOCKS:** A facility providing boat storage in slips exclusively for the use of residents of a multi-family residential development with commonly owned and occupied shore front property or a group of shore front property owners without common ownership who form a legal entity for the group's common interest and specifically designate a property for dock location. One dock of a maximum size of 300 square feet will be allowed for each owner. Association boathouses and boat docks may be allowed a case-by-case basis.
- (b) **BOAT DOCK:** A facility used for the storage of boats and water craft only. An individual boat dock (excluding the gangway) and associated boats must occupy no more than 600 square feet of a water body surface as determined by the exterior dimensions of dock and/or boats. A gangway to the dock may be permitted, if appropriate, but in no case can it exceed 4 feet in width and 20 feet in length. One (1) boathouse or boat dock is permitted per single-family dwelling.
- (c) **BOATHOUSE:** A structure used for the storage of boats and water craft only which must occupy no more than 600 square feet of land and/or water body surface as determined by the exterior dimensions of the building. These structures may not be used for the conversion to habitable structures or designed for human habitable use for any length of time. A boathouse is an "accessory building and use" and is not permitted without an existing single-family dwelling. One (1) boathouse or boat dock is permitted per single-family dwelling.

(8) **BUILDING:** Any permanent structure permanently affixed to the ground and built for the shelter or enclosure of persons, animals, chattels, or property of any kind, and not including advertising sign boards or fences.

(9) **BUILDING HEIGHT:** Height of building is the vertical distance of a structure measured from the lowest elevation of finished grade, 10 feet away from the structure, to the highest point of the structure.

- (a) Maximum building height, measured 10 feet away from the structure, may not exceed 35 feet above finish grade, if less than a 5 foot change in finish grade within the building footprint.
- (b) Maximum building height measured 10 feet away from the structure, may not exceed 40 foot above finished grade, if more than a 5 foot change in finish grade within the building footprint.

Chimneys, weathervanes, etc. are considered when measuring the height of the structure.

- (10) **CAMPS:** A tract of land containing five (5) acres or more which is used for the lodging of twenty (20) or more persons who are engaged in recreational, educational, artistic, religious or similar activities.
- (11) **CENTRAL SERVICE PLANT:** The total used or useful plant of a public utility, composed of the sum of lines and structures owned or controlled by the utility.
- (12) **CHURCH:** Church means any formal place of worship, owned and used solely and exclusively for religious purposes and not for private gain or corporate profit including a mosque, synagogue, etc.
- (13) **COLUMBARIUM:** A vault with niches for urns containing ashes of the dead.

- (14) **COMMERCIAL RIDING STABLE:** Stable operation that boards horses and/or rents horses or other like animals for a fee to the general public.
- (15) **CONSTRUCTION AGGREGATE:** Sand, gravel, quarry aggregate or limestone used for construction purposes.
- (16) **COVER TYPE:** In relation to any piece of land, the kind of vegetation or lack of said on the land.
- (17) **DEPENDENT MOBILE HOME:** A mobile home that does not have a flush toilet or shower.
- (18) **DISTURBANCE:** Any modification to a natural landform including contouring, excavation and the removal of vegetative cover.
- (19) **DWELLING:** Any building or portion thereof which is used as the private residence or sleeping place of one (1) or more human beings, but not including mobile homes, hotels, motels, tourist courts, lodges, resort cabins, clubs, hospitals or similar uses.
- (20) **DWELLING, SINGLE FAMILY:** A detached building designed exclusively for occupancy by one (1) family.
- (21) **DWELLING, MULTI-FAMILY:** A building, or portion thereof, designed for or occupied by two (2) or more families living independently of each other.
- (22) **DWELLING UNIT:** One (1) or more rooms in a dwelling designed for occupancy by one (1) family for living purposes and having not more than one (1) kitchen. All dwelling units shall contain at least four hundred (400) square feet of floor area measured on the outside walls.
- (23) **FARM AND GARDEN (AKA) AGRICULTURE BUILDING:** A structure located on real property classified as agriculture by the Grand County Assessor that is designed, constructed and used to house farm implements, hay, grain, poultry, livestock or other horticultural products. This structure shall not be a place of human habitation or a place of employment where agricultural products are processed, treated or packaged, nor shall it be a place used by the public.
- (24) **FAMILY:** An individual or two (2) or more persons related by blood or marriage, or a group not to exceed five (5) persons living together as a single housekeeping unit in a dwelling unit.
- (25) **GEOLOGIC HAZARD:** A geological phenomenon which is so adverse to past, current or foreseeable construction or land use as to constitute a significant hazard to public health and safety, or to property. The term includes but is not limited to avalanches, landslides, rock falls, mud flows, and unstable or potentially unstable slopes.
- (26) **GROWTH BOUNDARY:** The designated growth area, originally identified by the 1998 Grand County Master Plan, updated by each town's master plan and established annually by the Planning Commission.
- (27) **HOTEL OR MOTEL:** A building designed for occupancy as the more or less temporary abiding place of individuals who are lodged with or without meals, and in which there are six (6) or more guest room.
- (28) **INCIDENTAL BUILDING:** Means any building which is dependent on, subordinate to, or pertains to primary building, purpose or use which is permissible within a specified zoning district.

- (29) **KENNEL:** A kennel is any establishment designed for the permanent or temporary boarding or keeping of dogs and cats. No person, group of persons or business entity shall own, keep or harbor more than three (3) dogs of more than six (6) months of age or more than one (1) litter of pups; or more than four (4) cats of more than six (6) months of age or more than one litter of kittens; or engage in the commercial business of breeding, buying, selling, trading, training or boarding dogs or cats or other pets without having obtained a valid kennel license from the County Animal Control Department (see Grand County Ordinance No. 4 and Grand County Board of County Commissioners Resolution #1985-8-6.
- (30) **KITCHEN:** A room or area that is designated to be used for the preparation of food which contains more than one standard size kitchen appliance or fixture.
- (31) **LIGHT MANUFACTURING:** A business that is characterized by warehousing, assembly and distribution type activities where all processing, fabricating, assembly or disassembly of items takes place wholly within an enclosed building.
- (32) **LOT:** A parcel of real property, as shown with a separate and distinct number or letter on a plat recorded in the Grand County Courthouse, or when not so platted in a recorded subdivision, a parcel of real property abutting upon at least one (1) public street and held under separate ownership.
- (33) **LOT LINE, FRONT:** The property line dividing a lot from a street. On a corner lot, only one (1) street line shall be considered as a front line and the shorter street frontage shall be considered the front line.
- (34) **LOT LINE, REAR:** The line opposite the front lot line.
- (35) **LOT LINE, SIDE:** Any lot lines other than front lot lines or rear lot lines.
- (36) **LOT WIDTH:** The distance parallel to the front lot line measured between side lot lines through that part of the building or structure where the lot is the narrowest.
- (37) **LINE:** Piping or ditching for conveying of fluids, gas, or liqueous compound; a wire or pair of wires connecting one telegraph, television or telephone station with another or a whole system of such wires; the circuits of an electrical power system route; the track and roadbed of a railroad; a straight or curved geometric element that is generated by a moving point and that has extension only along the path of the point.
- (38) **LODGE:** A building designed for occupancy as a temporary abiding place for individuals who are lodged with or without meals, and in which there are five (5) or less guest rooms. Temporary means less than thirty (30) days.
- (39) **MINERAL RESOURCE AREA:** An area in which materials are located in sufficient concentration in veins, deposits, beds, bodies, seams, fields, pools, or otherwise, as to be capable of economic recovery. The term includes but is not limited to any area in which there has been significant mining activity in the present, mining development is planned or in progress, or mineral rights are held by mineral patent or valid mining claims with the intention of mining.
- (40) **MINI-STORAGE WAREHOUSE:** A building containing individual, enclosed storage areas for rent to the public. The size of each enclosed storage area shall not exceed five hundred (500) square feet.

- (41) **MITIGATE:** To neutralize or compensate for the physical impacts of a man-made development upon a particular land area or piece of land such that the land will function as it did before the development took place.
- (42) **MOBILE HOME:** Any structure which has been designed and constructed with wheels, axles, and tongue, or any other device for purposes of towing; and which has also been designed for human residential purposes, in either temporary or permanent location. Whether temporary or permanent, a structure shall not lose its identity as a mobile home, even if the wheels, axles, tongue, or other towing device is removed. This definition shall not include factory built homes which comply with the requirements of the Uniform Building Code as prepared by the International Conference of Building Officials as adopted from time to time by the Board of County Commissioners of Grand County or Manufactured Homes as defined by C.R.S. 30-28-115 as now enacted or hereinafter amended.
- (43) **MOBILE HOME PARK:** Any parcel of land or lot other than land or lots used or designated for camping areas, pursuant to Section 11.8 (4) used or designed to accommodate two (2) or more mobile homes, dependant mobile homes, travel trailers or truck campers.
- (44) **MOTOR HOME:** A motor home is designed to provide temporary living quarters. These living quarters are built into, as an integral part of or a permanent attachment to, a motor vehicle chassis or van. Motor homes must contain permanently installed independent life support systems and at least 4 of the following facilities: 1) cooking, 2) refrigeration or ice box, 3) self-contained toilet, 4) heating and/or air conditioning, 5) potable water supply system including a faucet and sink 6) separate 110-125 volt electrical power supply and/or LP gas supply.
- (45) **NATURAL HAZARDS:** This includes, but is not limited to floodplains, flood prone areas, seismic effects, radioactivity, and ground subsidence.
- (46) **OCCUPIED:** The word "occupied" includes arranged, designed, built, altered, converted, rented, or leased, or intended to be occupied.
- (47) **OFFICE OR CONSTRUCTION TRAILER:** A structure standing on wheels, towed or hauled by another vehicle and used for short term (i.e. day use only, security) human occupancy as a temporary office.
- (48) **OUTDOOR RECREATIONAL AREA:** Areas used to provide recreation to the public in a primarily outdoor setting.
- (49) **PERSON:** A natural person or any individual, partnership, corporation, association, company or other public or corporate body, including the federal government, and includes any political subdivision, agency, instrumentality, or corporation of the state or the United States government. Singular includes plural, male includes female.
- (50) **PRIVATE RIDING STABLES:** Stable operation that boards and/or rents horses or other like animals for a fee to a private group or club.
- (51) **PROFESSIONAL OCCUPATION:** An occupation licensed or certified by the State of Colorado or its agencies.
- (52) **PUBLIC ROADWAY:** Any vehicular thoroughfare that is dedicated and maintained for public use by a federal, state, county, or municipal jurisdiction or homeowner's association.

- (53) **PUBLIC USE:** Any use for which the general public is allowed access.
- (54) **PUBLIC WATER AND PUBLIC SEWERAGE FACILITIES:** Those facilities of a municipality or sanitation district approved by the Colorado State Health Department.
- (55) **PUBLIC UTILITY:** The term public utility includes every common carrier, pipeline corporation, gas corporations, electrical corporation, telephone corporation, water corporation, person, or municipality operating for the purpose of supplying the public for domestic, mechanical, or public uses and every corporation, or person declared by law to be affected with a public interest. Colorado Revised Statute §40-1-103(1)(a)(I) (2013)
- (56) **PUBLIC UTILITY FACILITY:** Means any line or structure of any public utility.
- (57) **RESORT CABIN(S):** A building or buildings designed for occupancy as a temporary abiding place for individuals who are lodged with or without means and in which there are five (5) or less guest rooms. Temporary means less than thirty (30) days.
- (58) **RIPARIAN:** Lands adjacent to streams, creeks, lakes and other waterways whether intermittent or constantly flowing.
- (59) **ROOMING HOUSE:** A building designed for occupancy for an extended term abiding place of individuals who are lodged with meals and in which there are five (5) or less guest rooms. Extended term means thirty (30) days or longer.
- (60) **SHORT TERM RENTAL:** The nightly or weekly rental of dwellings, dwelling units, mobile homes, rooms or accommodations, excluding hotels and motels, for less than 30 consecutive days, including but not limited to: single family dwellings, duplexes, multi-family dwellings, townhomes, condominiums, time share or similar dwellings.
- (61) **SIGN:** Any structure, or part thereof that is used to identify, advertise or direct attention to an object, person, institution, organization, business, produce, service, event or location through the use of words, letters, figures, designs, symbols, colors and illumination.
- (62) **SIGHT TRIANGLE:** A triangular-shaped portion of land established at street intersections in which nothing is erected, placed, planted, or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection. Also known as a sight easement.
- (63) **SMALL WIND ENERGY SYSTEM:** A wind energy conversion system consisting of a wind turbine, tower, and associated control or conversion electronics, which has a rated capacity of not more than 20 kW and which is intended to primarily reduce on-site consumption of utility power. A system is considered a small wind energy system only if it supplies electrical power solely for on site use, except when a parcel on which the system is installed also receives electrical power supplied by a utility company, excess electrical power generated and not presently needed for on site use may be used by the utility company (i.e. net metering).
- (64) **STREET:** A public thoroughfare, which affords the principal means of access to abutting property.

- (65) **STRUCTURES:** Anything constructed or erected such as buildings, mobile homes, fences, etc. which requires location on the ground or attached to something having a location on the grounds. Excluded are docks, posts, pilings, other boat mooring devices, head gates and other structures necessary for agricultural, public (municipal, etc.) and private water diversion facilities.
- (66) **TELECOMMUNICATIONS:** The science and technology of transmitting voice, audio, facsimile, image, video, computer data, and multimedia information by the use of electromagnetic energy in the form of electricity, radio, or optics – Not including Information Systems as now defined or hereafter amended by the Federal Communications Commission (FCC).
- (67) **TEMPORARY REAL ESTATE OFFICE:** A structure with or without a foundation or footings, temporarily used only as a real estate office and is removed upon expiration of the designated time period. This could include a temporary structure approved by the Department of Building and Sanitation or an office or construction trailer. No mobile home, travel trailer, truck camper or motor home shall be allowed.
- (68) **TIME SHARE:** For purposes of these regulations, the term shall apply only to a fractional or interval ownership project where construction of buildings or units has been approved under the Grand County Subdivision or PUD Regulations, and such buildings or units are divided into condominiums or townhomes. All ownership intervals and/or estates created shall consist of 1) an undivided interest in a present estate in fee simple in a specific unit, the magnitude of the interest having been established by the time of the creation of ownership estate either by the project instruments or by the deed conveying the estate; and 2) an exclusive right to possession and occupancy of the subject unit during an annually recurring period of time defined and established by a recorded schedule set forth or referred to in the deed conveying the ownership estate. Any project proposing to convey to purchasers any interest less than a fee simple estate in a unit/interval shall not be considered to fall under this definition for the purposes of these regulations.
- (69) **TOWER – TELECOMMUNICATIONS:** A building or structure that is relatively high for its length and width, either standing alone or forming part of another building. Tower height shall be measured from finished grade to the absolute highest point of the structure, including antennas but excluding lightning rods and whip antennas.
- (70) **TOWER – WIND ENERGY CONVERSION SYSTEMS:** The vertical component of a wind energy conversion system that elevates the wind turbine generator and attached blades above the ground. Tower height shall be measured to the turbine mounting point.
- (71) **TRAVEL TRAILERS:** Any vehicle or similar portable structure designed without a foundation other than wheels, jacks or skirts, and so designed or constructed to permit occupancy for living or sleeping purposes, provided that any such structure over thirty two (32) feet in total length, including hitch and bumper, shall be considered a mobile home for purposes of these regulations.
- (72) **TRUCK CAMPER:** A portable structure designed primarily to be transported on a truck or other similar vehicle, and so designed or constructed as to permit occupancy for living or sleeping purposes.
- (73) **USE:** The purpose for which land or building is designed, arranged, intended, occupied or maintained.

- (74) **WIND TURBINE:** A structure that uses moving air to generate electricity (wind power) through the use of blades that are easily turned by the wind. Wind turbines typically have one, two, or three blades.
- (75) **YARD:** An open space other than a court, on a lot, unoccupied and unobstructed from the ground upward, except as otherwise provided in these regulations.
- (76) **YARD, FRONT:** A yard extending across the full width of the lot between the front lot line and the nearest line or point of the building.
- (77) **YARD, REAR:** A yard extending across the full width of the lot between the rear lot line and the nearest line or point of the building.
- (78) **YARD, SIDE:** A yard extending from the front yard to the rear yard between the side lot line and the nearest line or point of the building or accessory building attached thereto.

SECTION XXI

INTERPRETATION, CONFLICT WITH OTHER LAWS

In their interpretation and application, the provisions of these regulations shall be held to be minimum requirements adopted for the promotion of the public health, safety and welfare. Whenever the requirements of these regulations are at variance with the requirements of any other lawfully adopted rules, regulations or resolutions, the more restrictive of that imposing the higher standards shall govern.

SECTION XXII

VALIDITY

Should any section, clause, provision, sentence or word of these regulations be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of these regulations as a whole, or any part thereof, other than the part so declared to be invalid.

SECTION XXIII

REPEALS, EFFECTIVE DATE

All resolutions of the County of Grand, State of Colorado, inconsistent herewith to the extent of such inconsistency, and no further, are hereby repealed. These regulations shall become effective as of the 26th day of November, 1974, in accordance with the authority granted to the Board of County Commissioners by Chapter 106, Article 2, Colorado Revised Statutes, 1963, as amended.

ZONING REGULATIONS
RESOLUTIONS

ORIGINAL ZONING REGULATIONS ADOPTED by the Grand County Board of County Commissioners on July 1, 1970, Resolution #1970-7-1

AMENDED AND READOPTED by the Grand County Board of County Commissioners on February 13, 1973, Resolution #1973-2-7

AMENDED AND READOPTED by the Grand County Board of County Commissioners on January 23, 1974, Resolution #1974-2-1

AMENDED AND READOPTED by the Grand County Board of County Commissioners on February 12, 1974, Resolution #1974-2-2

AMENDED AND READOPTED by the Grand County Board of County Commissioners on July 22, 1974, Resolution #1974-7-7 – *Defining and Addressing Mobile Homes*

AMENDED AND READOPTED by the Grand County Board of County Commissioners on November 26, 1974, Resolution #1974-11-4

AMENDED AND READOPTED by the Grand County Board of County Commissioners on October 28, 1976, Resolution #1976-10-6

AMENDED AND READOPTED by the Grand County Board of County Commissioners on June 6, 1977, Resolution #1977-6-4 – *Allowing provisions for “off-street parking” in all Zone Districts*

AMENDED AND READOPTED by the Grand County Board of County Commissioners on June 21, 1977, Resolution #1977-6-7

AMENDED AND READOPTED by the Grand County Board of County Commissioners on October 18, 1977, Resolution #1977-10-6 – *Incorporating Yard setback’s, building height and bulk requirements for structures in all Zone District’s*

AMENDED AND READOPTED by the Grand County Board of County Commissioners on December 20, 1977, Resolution #1977-12-18 – *Incorporating provisions relating to “Uses Permitted” in the Forestry & Open Zone District*

AMENDED AND READOPTED by the Grand County Board of County Commissioners on June 5, 1978, Resolution #1978-6-3

AMENDED AND READOPTED by the Grand County Board of County Commissioners on June 5, 1978, Resolution #1978-6-4 – *Allowing additional uses to uses allowed in Tourist and Business Zoned Districts*

AMENDED AND READOPTED by the Grand County Board of County Commissioners on September 5, 1978, Resolution #1978-9-1 -

AMENDED AND READOPTED by the Grand County Board of County Commissioners on May 8, 1979, Resolution #1979-5-5 – *Amendment to section “Authority, Application and Purpose of Regulations”*

AMENDED AND READOPTED by the Grand County Board of County Commissioners on September 4, 1979, Resolution #1979-9-3

AMENDED AND READOPTED by the Grand County Board of County Commissioners on February 2, 1981, Resolution #1981-2-4

AMENDED AND READOPTED by the Grand County Board of County Commissioners on July 6, 1981, Resolution #1981-7-7 – *Amendment to “Uses permitted by Special Review”*

AMENDED AND READOPTED by the Grand County Board of County Commissioners on March 1, 1983, Resolution #1983-3-17

AMENDED AND READOPTED by the Grand County Board of County Commissioners on July 24, 1984, Resolution #1984-7-18 – *Amendment to “Uses permitted by Special Review”*

AMENDED AND READOPTED by the Grand County Board of County Commissioners on November 27, 1984, Resolution #1984-11-11 – *Amendment to “Uses permitted by Special Review”*

AMENDED AND READOPTED by the Grand County Board of County Commissioners on June 25, 1985, Resolution #1985-6-10

AMENDED AND READOPTED by the Grand County Board of County Commissioners on November 26, 1985, Resolution #1985-11-15

AMENDED AND READOPTED by the Grand County Board of County Commissioners on January 7, 1986, Resolution #1986-1-6

AMENDED AND READOPTED by the Grand County Board of County Commissioners on January 14, 1986, Resolution #1986-1-12

AMENDED AND READOPTED by the Grand County Board of County Commissioners on August 12, 1986, Resolution #1986-8-15 -

AMENDED AND READOPTED by the Grand County Board of County Commissioners on March 12, 1991, Resolution #1991-3-7 – *Adopted the Design Review Area Overlay District map*

AMENDED AND READOPTED by the Grand County Board of County Commissioners on August 20, 1991, Resolution #1991-8-13 – *Allowing Conference Centers in Forestry & Open under “Use by Right”*

CORRECTED January 6, 1992

When the Zoning Regulations were typed in 1985, a typing error was made in Section XI, Uses Permitted by Special Review, 11.1 (2). This error was corrected January 6, 1992.

AMENDED AND READOPTED by the Grand County Board of County Commissioners on December 22, 1992, Resolution #1992-12-17

AMENDED AND READOPTED by the Grand County Board of County Commissioners on July 5, 1994, Resolution #1994-7-1

AMENDED AND READOPTED by the Grand County Board of County Commissioners on July 5, 1994, Resolution #1994-7-2 -

AMENDED AND READOPTED by the Grand County Board of County Commissioners on April 4, 1995, Resolution #1995-4-3

AMENDED AND READOPTED by the Grand County Board of County Commissioners on July 2, 1996, Resolution #1996-7-7 (Effective Date May 28, 1996) -

AMENDED AND READOPTED by the Grand County Board of County Commissioners on October 7, 1997, Resolution No. 1997-10-2 – *Amend Descriptions under “Accessory Buildings & Uses”*

AMENDED AND READOPTED by the Grand County Board of County Commissioners on February 24, 1998, Resolution No. 1998-2-18 – *Adopted “Sign Regulations”*

AMENDED AND READOPTED by the Grand County Board of County Commissioners on May 5, 1998, Resolution No. 1998-5-6 – *Amend definition for “Multiple Family Dwellings”*

AMENDED AND READOPTED by the Grand County Board of County Commissioners on July 28, 1998, Resolution No. 1998-7-28 (Effective Date July 7, 1998) – *Amendment in General Procedures “Publication Time”*

AMENDED AND READOPTED by the Grand County Board of County Commissioners on October 19, 1999, Resolution No. 1999-10-10

AMENDED AND READOPTED by the Grand County Board of County Commissioners on February 22, 2000, Resolution No. 2000-2-16 – *Approved the Year 2000 Permit Fees*

AMENDED AND READOPTED by the Grand County Board of County Commissioners on June 20, 2000, Resolution No. 2000-6-12 – *Amendment to “Accessory Buildings & Uses”*

AMENDED AND READOPTED by the Grand County Board of County Commissioners on September 12, 2000, Resolution No. 2000-9-8 – *Add definition of “waterbody”*

AMENDED AND READOPTED by the Grand County Board of County Commissioners on September 11, 2001, Resolution No. 2001-8-12 – *Amend Design Review Area regarding design standard’s for boathouse/boatdock construction*

AMENDED AND READOPTED by the Grand County Board of County Commissioners on July 23, 2002, Resolution No. 2002-7-45 – *Amendment to address Mineral Estate notifications*

AMENDED AND READOPTED by the Grand County Board of County Commissioners on August 20, 2002, Resolution No. 2002-8-36 – *Approving the Granby airport Review Area Overlay District*

AMENDED AND READOPTED by the Grand County Board of County Commissioners on August 3, 2002, Resolution No. 2003-12-46 – *Add definition for professional occupations in the Forestry and Open Zone District*

AMENDED AND READOPTED by the Grand County Board of County Commissioners on August 3, 2002, Resolution No. 2003-12-47 – *Amendment to address solid fuel burning devices*

AMENDED AND READOPTED by the Grand County Board of County Commissioners on July 20, 2004, Resolution No. 2004-7-28 – *Amend to allow construction & light industrial manufacturing permitted by an SUP*

AMENDED AND READOPTED by the Grand County Board of County Commissioners on September 20, 2005, Resolution No. 2005-9-21 – *Amend the Zoning Regulations to convert from ‘Word Perfect’ to ‘Microsoft Word’*

AMENDED AND READOPTED by the Grand County Board of County Commissioners on December 13, 2005, Resolution No. 2005-12-1 – *Amendment to the Zoning Regulations to increase the lot size in Forestry/Open to five (5) acres*

AMENDED AND READOPTED by the Grand County Board of County Commissioners on August 8, 2006, Resolution No. 2006-8-5 – *Amend Regulations to expand on specific “Uses Permitted”*

AMENDED AND READOPTED by the Grand County Board of County Commissioners on December 5, 2006, Resolution No. 2006-12-48 – *to revise Section 14.6, Granby Airport Review Area – Overlay District*

AMENDED AND READOPTED by the Grand County Board of County Commissioners on August 21, 2007, Resolution No. 2007-8-22 - *Amend the Zoning Regulations to include a “Time Share” definition*

AMENDED AND READOPTED by the Grand County Board of County Commissioners on May 27, 2008, Resolution No. 2008-5-52 - *proposed amendments include the correction of inconsistencies and erroneous definitions, the elimination or replacement of erroneous, outdated or duplicative procedures, and the addition of supplemental requirements for telecommunication facilities permitted by special review under section XI of the Grand County Zoning Regulations*

AMENDED AND READOPTED by the Grand County Board of County Commissioners on May 5, 2009, Resolution No. 2009-5-20 – *Amend Regulations to allow small wind turbines & Amend boatdock/boathouse Regulations*

AMENDED AND READOPTED by the Grand County Board of County Commissioners on October 4, 2011, Resolution No. 2011-9-49 – *Amended Adult Oriented Use Regulations*

AMENDED AND READOPTED by the Grand County Board of County Commissioners on October 11, 2011, Resolution No. 2011-10-3 – *Adopted Short Term Rental Regulations*

AMENDED AND READOPTED by the Grand County Board of County Commissioners on May 1, 2012, Resolution NO. 2012-3-45 – *Amended Sign Code Regulations*

AMENDED AND READOPTED by the Grand County Board of County Commissioners on December 17, 2013, Resolution NO. 2013-12-46 – *Amended SUP renewals for Mobile Homes on Agricultural Lands from 1 year to 5 year renewals*

AMENDED AND READOPTED by the Grand County Board of County Commissioners on January 21, 2014, Resolution NO. 2014-1-27 – *Amended Regulations in the Three Lakes Design Review Area Overlay District*

AMENDED AND READOPTED by the Grand County Board of County Commissioners on February 25, 2014, Resolution NO. 2014-1-27 – *Amended Regulations for Telecommunications*

AMENDED AND READOPTED by Grand County Board of County Commissioners on May 13, 2014 Resolution NO. 2014-5-41 *Amended Regulations for Camping, Warehouses and Indoor Light Manufacturing in the Forestry and Open Zone Districts, and Accessory Buildings and Uses*

STATE OF COLORADO

County of Grand

At a regular meeting of the Board of County Commissioners for Grand County, Colorado, held at the Court House in Hot Sulphur Springs on Tuesday, the 17th day of August, A.D. 1999, there were present:

James L. Newberry (Absent)	Commissioner Chairman
Robert F. Anderson	Commissioner
Duane E. Dailey	Commissioner
Anthony J. DiCola	County Attorney
Lurline Underbrink Curran	County Manager
Sara L. Rosene	Clerk of the Board

when the following proceedings, among others were had and done, to wit:

RESOLUTION NO. 1999-8- 5

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF GRAND COUNTY, COLORADO ESTABLISHING A "RIGHT TO FARM AND RANCH" POLICY.

WHEREAS, Production Agriculture in Grand County is defined as property that has produced not less than \$5,000.00 of gross market value agricultural product (food and/or fiber) in four of the past five years. Property that has been deemed to be in production agriculture will no longer be considered as such, if sold for development of any kind. Family transfers for estate purposes, etc., that continue to function as an integral part of the property deemed to be in Production Agriculture, will continue to be defined as Production Agriculture; and

WHEREAS, pursuant to Article 3.5, Title 35, C.R.S., it is declared policy of the State of Colorado to conserve, protect, and encourage the development and improvement of its agricultural land for the production of food and other agricultural products; and further that the general assembly recognizes that when nonagricultural land uses extend into agricultural areas, agricultural operations are forced to cease operations and many others are discouraged from making investments in farm improvements; and that it is the purpose of the Article to reduce the loss to the State of Colorado of its agricultural resources by limiting the circumstances under which agricultural operations may be deemed to be a nuisance. It is further recognized that units of local government may adopt ordinances or pass resolutions that provide additional protection for agricultural operations consistent with the interests of the affected agricultural community, without diminishing the rights of any real property interest; and

WHEREAS, the Board of County Commissioners has determined that it is desirable to establish and adopt by resolution a "Right to Farm and Ranch" Policy involving the elements of protection of agricultural operations, education of property owners and the public; and resolution of disputes; and

WHEREAS, the establishment and adoption of such a "Right to Farm and Ranch" Policy would serve and promote the public health, safety and welfare of the citizens of Grand County.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Grand County, Colorado, that:

1. Policy Statement. It is the policy of the Board of County Commissioners of Grand County, as set forth herein that: Ranching, farming and all manner of agricultural activities and operations within and throughout Grand County are integral elements of and necessary for the continued vitality of the County's history, economy, landscape, open space, lifestyle and culture. Given their importance to Grand County, Northwestern Colorado, and the State, agricultural land and operations are worthy of recognition and protection. Notice is hereby given as follows:
 - a. Colorado is a "Right to Farm" State pursuant to C.R.S. 35-3.5-101, et. seq. Landowners, residents and visitors must be prepared to accept the activities, sights, sounds, and smells of Grand County's agricultural operations as a normal necessary aspect of living in a County with a strong

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b. In addition, all owners of land, whether Agricultural Business, Farm, Ranch or Residence, have obligations under State law and County regulation with regard to the maintenance of fences, livestock must be fenced out (open range) as pursuant to C.R.S. 35-46-106, et. seq. Irrigators have the right to maintain ditches through established easements that transports water for their use and said irrigation ditches are not to be used for the dumping of refuse. Landowners are responsible for controlling weeds, keeping pets under control, using property in accordance with zoning, and maintenance of resources of the property wisely (water, soil, animals, plants, air and human resources). Residents and landowners are encourage to learn about these rights and responsibilities and act as good neighbors and citizens of the County. It is not the intent of this policy to require Production Agriculture to be "open space."

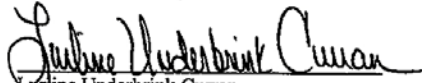
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- b. The Board of County Commissioners shall initiate amendments to the County subdivision regulations to provide that notification of the Policy and the Policy Statement shall be made at the time of subdivision or related land use approval and note to the effect shall appear on any Plat outside municipalities urban growth areas so approved.
5. This resolution may be amended from time to time by the Board of County Commissioners, Grand County, Colorado.

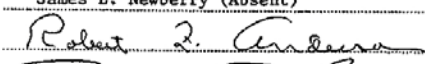
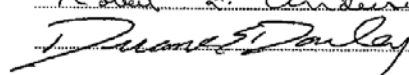
ADOPTED this 17th day of August, 1999.

BY THE BOARD OF COUNTY COMMISSIONERS OF GRAND COUNTY, COLORADO.


Robert F. Anderson, Chairman


Laurie Underbrink Curran
County Manager
frm&mrhcs.wpd.no.1

Upon motion duly made and seconded the foregoing Resolution was adopted by the following vote:

James L. Newberry (Absent)	Aye	
	Aye	
	Aye	Commissioners


STATE OF COLORADO }
County of Grand } ss.

I, _____ County Clerk and ex-officio Clerk of the Board of County Commissioners in and for the County and State aforesaid do hereby certify that the annexed and foregoing Order is truly copied from the Records of the Proceedings of the Board of County Commissioners for said Grand County, now in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County, at Hot Sulphur

Springs, this _____ day of _____, A.D. 19 _____

County Clerk and ex-officio Clerk of the Board of County Commissioners.


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