

# MEMO

**TO: Board of County Commissioners**

**FROM: Tamra Allen, Planning Manager**

**DATE: May 8, 2013**

**RE: Targeted Code Revisions**

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Attached are redlined changes to the document from the May 7, 2013 Public Hearing on the Targeted Code Revisions.

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members of the Board of Adjustment must vote in favor of the Applicant.

b. The Board of Adjustment does not have the authority to grant the following:

- (1) Variance from uses permitted in a zone district;
- (2) Variance from any definition; and
- (3) Variance from the minimum or maximum density allowed in a zone district.

2. The Board of Adjustment shall consider an appeal of an administrative interpretation of this Code based on the procedure set forth in section 4-117 of this Code. In order for the Board of Adjustment to grant an appeal that overturns an administrative interpretation, at least 4 members of the Board of Adjustment must vote in favor of the appellant.

3. The Board of Adjustment shall meet as called by the Chairman to take official action on the matters before the Board of Adjustment. The meetings/hearings shall be open to the public and noticed in compliance with the requirements for public notice set forth in this Code.

4. The procedures followed by the Board of Adjustment shall be set forth in the official bylaws adopted by the Board of Adjustment, and pursuant to Title 30, Article 28, C.R.S.

4.5. Decisions of the Board of Adjustment are subject to judicial review by the District Court.

#### 1-204. DIRECTOR.

The Director of the Community Development Department or authorized representative's powers and duties under this Code are set out in this subsection as follows:

**A. Administrative Review.**

The Director shall be responsible for reviewing Administrative Review applications, and for acting to approve, approve with conditions, or deny such applications.

**B. Written Interpretations.**

The Director shall be responsible for issuing written interpretations of the provisions of this Code.

**C. Other Matters.**

The Director shall also have those powers and duties designated by the BOCC, including the following:

1. Serve as the Floodplain Administrator unless otherwise delegated;
2. Shall be responsible for all other Director powers and duties identified in the Code;
3. Shall maintain the Official Zone District Map and the Official Overlay Zone District Map; and
4. Shall keep copies of each application filed, each plat submitted, and each Land Use Change Permit issued.

#### 1-205. BUILDING OFFICIAL.

The Building Official or authorized representative's power and duties are to administer and enforce the Building Code as set forth in C.R.S. § 30-28-114.

**B. Exemption.**

A request for exemption from the definition of Subdivision shall be subject to the review set forth in Article 5, Division 2.

**C. Subdivisions.**

Unless otherwise provided by this Code, division of land shall be subject to Subdivision Review as set forth in Article 5, Division 3.

**D. Signs.**

Signs are subject to a specific review and approval process set forth in Article 11.

**2-105. AMENDMENTS TO APPROVALS OF LAND USE PERMITS GRANTED UNDER REGULATIONS ADOPTED PRIOR TO OCTOBER 13, 2008.**

Amendments may be made to Conditional Use Permits and Special Use Permits approved by the BOCC under the Zoning Resolution of 1978. An amendment request shall be processed pursuant to section 4-106, Amendments to an Approved Land Use Change Permit.

**2-106. PERMIT RUNS WITH THE LAND**

Any Land Use Change Permit for land use approved in compliance with this Code shall be binding upon and run with the land.

**DIVISION 2. VESTED PROPERTY RIGHTS.**

**2-201. PURPOSE.**

The purpose of this Division is to provide the procedures necessary to implement the provisions of Article 68 of Title 24, C.R.S., and to effectuate local control over creation of vested property rights to the fullest extent permitted under the law.

**2-202. ESTABLISHMENT OF VESTED PROPERTY RIGHTS.**

**A. General.**

Pursuant to this Code, a vested property right shall be deemed established for a period of 3 years with the approval of a Site Specific Development Plan as defined in section 2-202(B). When a Site Specific Development Plan is approved, the vested right shall confer upon the landowner to undertake and complete the development and use of the property under the terms and conditions of the Site Specific Development Plan. If the Applicant requests a vesting period longer than 3 years, a development agreement will be required.

**B. Site Specific Development Plan.**

For the purposes of this section, Site Specific Development Plan shall mean a Land Use Change Permit, a Final Plat and the filing of a PUD after the signing and recording of the first Final Plat required pursuant to the PUD approval or in the case of the PUD subject to no further Subdivision requirements, after the signing and recording of the PUD Plan.

**C. Development Agreements.**

The BOCC may enter into a development agreement with the landowner for a vesting period for longer than 3 years when, in the discretion of the BOCC, an extension is warranted due to all relevant circumstances including, but not limited to, project size and/or phasing of the development, economic cycles, and/or market conditions.

**D. Approval and Effective Date.**

1. A vested property right shall be deemed established upon the BOCC's approval of a Site Specific Development Plan. The approval of a Site Specific Development Plan may include such terms and conditions as

3-403. USE TABLE.

Table 3-403: Use Table														
<i>/P/ By Right /A/ Administrative Review /L/ Limited Impact Review /M/ Major Impact Review</i>														
Use Category	Use Type	Residential Districts				Nonresidential Districts				Resource Land Zone Districts				Unless exempted, all uses must comply with Article 7 Standards including Use-Specific Standards.
		R	RS	RU	RM HP	CL	CG	I	PL	RL P	RL E	RL TS	RL GS	
<b>AGRICULTURAL AND ANIMAL-RELATED USES</b>														
General	Agriculture	P	<u>P</u>						P	P	P	P	P	EXEMPT
	Building or Structure Necessary to Agricultural Operations, Accessory	P	<u>P</u>						P	P			P	EXEMPT
	Forestry	P	<u>P</u>						P	P	P	P	P	EXEMPT
Products Processing, Storage, Distribution, and Sale	Off-Site	A				L	L	L	P	P	P	P	P	EXEMPT
	At Point of Production	P	P	P	P	P	P	P	P	P	P	P	P	EXEMPT
Animals and Related Services	Animal Sanctuary	P							P	P			P	7-601
	Animal Processing	M					M	M						7-602
	Feedlot, Commercial	M						M	P				M	
	Kennel, Small	L	M			L	L	A	P	L			L	7-603
	Kennel, Large	M				L	L	A	P	L			L	7-603
	Riding Stable	P	P						P	P			P	
	Veterinary Clinic	A	<u>A</u>			L	L	A	P				L	7-604
<b>RESIDENTIAL USES</b>														
Household Living	Dwelling, Single-Unit (per legal lot)	P	P	P	P	P	P		P	P			P	EXEMPT
	Dwelling, 2-Unit	A	A	A	A	A	A		P					
	Dwelling, Multi-Unit	L	L	A	L	L	L	L	P					
	Dwelling Unit, Accessory	A	A	A	A	A	A	A	P	A	A	A	A	7-701
	Manufactured Home Park	M	M	M	A	M			P					7-703
Office	Home Office/Business	P	P	P	P	P	P	P	P	P	P	P	P	7-702

Table 3-403: Use Table

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Use Category	Use Type	Residential Districts				Nonresidential Districts				Resource Land Zone Districts				Unless exempted, all uses must comply with Article 7 Standards including Use-Specific Standards.
		R	RS	RU	RM HP	CL	CG	I	PL	RL P	RL E	RL TS	RL GS	
Group Living	Foster Home	P	P	P	P	P	P	P	P					
	Group Home Facilities	L	L	L	L	P			P				L	7-704
Temporary	Employee Housing Facility, Major	M	M	M	M	M	M	M	P	L	L	L	L	7-705
	Employee Housing Facility, Minor	A	A	A	A	A	A	A	P	A	A	A	A	7-706
	Employee Housing Facility, Small	P	P	P	P	P	P	P	P	P		P	P	7-707
<b>PUBLIC/INSTITUTIONAL USES</b>														
Assembly	Community Meeting Facility	<u>A</u> L	A	A	A	P	P	A	P	L	L	L	L	
	Place of Worship	A	A	A	A	A	A	A	P				A	
	Public Gathering	A				A	A		P				A	
Cultural Facility	Library	A	A	A		P	P		P	A			A	
	Museum	A	A	A	A	A	A	A	P	A			A	
Day Care	Adult Day Care	A	A	A	A	A	A	A	P					
	Child Care Center	A	A	A	A	A	A	<u>A</u>	P				L	7-804
	Family Child Care Home	P	P	P	P	P	P		P	A			A	7-804
Parks and Open Space	Cemetery	A	A	A	A	A	A	A	P					
	Park	P	P	P	P	P	P		P	P	P	P	P	
Community Service Facility	Corrections Facility	M	M	M		M	M	M	P				M	
	Educational Facility	L	L	L	L	A	A	A	P				A	
	Emergency Shelter	L	L	L	L	L	L	L	P					
	Fire Station	A	A	A	A	A	A	A	P	A	A	A	A	
	Hospital	M	M	M	M	L	L	L	P					
	Public Building	A	A	A	A	A	A	A	P	A			A	
Transportation	Access Route	A	A	A	A	A	A	A	P	P	P	P	P	
	Aircraft Landing Strip	L				<u>L</u>	<u>L</u>	L	P	L			L	7-801

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		R	RS	RU	RM HP	CL	CG	I	PL	RL P	RL E	RL TS	RL GS	
	Aircraft, Ultralight Operation	P	P	P	P	P	P	P	P	P	P	P	P	7-802
	Airport	M							P					7-803
	Heliport	M	M	M	L	L	L	<u>L</u>	P	M			M	7-803
	Helistop	M	M	M	L	L	L	<u>L</u>	P	M			M	7-802
	Mass Transit Facility	M	M	M	M	M	M	M	P					
	Park and Ride Facility	L	L	L	L	A	A	A	P	A	A	A	A	
	Trail, Trailhead, Road	P	P	P	P	P	P	P	P	P	P	P	P	
<b>COMMERCIAL USES</b>														
Office	Broadcasting Studio	L				A	A	<u>A</u>	P					7-901
	Professional Office					P	P	P	P	L			L	
	Professional Office, Temporary	A	A	A	A	A	A	A	P	A	A	A	A	
Retail/Wholesale	Bakery					P	P	P	P					
	Convenience Store	L	M	M	M	A	A	A	P					
	Nursery/Greenhouse	P	A	A	A	P	P	P	P				P	7-902
	Optional Premises Cultivation Operation					M	M	M	<sup>1</sup>					7-903
	Retail, General	A	A	A	A	P	P	P	P					
	Retail, Equipment, Machinery, Lumber Yards					P	P	P	P	P	P	P	P	
	Retail, Vehicle and Equipment Sales	M				P	P	P	P					
Bulk Sales of LPG and CNG					L	L	L	L	L	<u>L</u>	<u>L</u>	L		
Recreation and Entertainment	Golf Course/Driving Range	A	A	<u>A</u>	<u>A</u>	A	A	A	P				A	
	Theater, Indoor					P	P	<u>A</u>	P					
	Motor Sports Center	M				M	M	M	P	L			L	

<sup>1</sup> Refer to the Federal Government for the laws and policies in regards to cultivation operations for Medical Marijuana.

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		R	RS	RU	RM HP	CL	CG	I	PL	RL P	RL E	RL TS	RL GS	
	Recreation, Indoor	L	M	M	M	P	P	<u>A</u>	P					
	Recreation, Outdoor	L	M	M	M	M	M	L	L	L	L	L	L	
	Shooting Gallery	L	M	M	M	M	M	L	L	M	M	M	M	7-904
Services	Crematorium	M				L	L	L	P					
	Eating or Drinking Establishment	L	L	L	L	P	P	P	P	A			A	
	General Service Establishment	L				P	P	P	P					
	Laundromat	A	L	L	L	P	P	<u>P</u>	P					
	Laundry or Dry-Cleaning Plant					L	L	L	P					
	Mortuary	M				L	L	L	P					
Vehicles and Equipment	Car Wash	M				A	A	<u>LA</u>	P					
	Parking Lot or Parking Garage	L	L	L	L	A	A	A	P					
	Repair, Body /Paint, or Upholstery Shop	A				P	P	P	P					
Visitor Accommodation	Campground/ RV Park	<u>ML</u>				<u>ML</u>	<u>LM</u>	L	L	L			<u>ML</u>	7-905
	Lodging Facilities	L	L	L	L	P	P	<u>L</u>	P	A			A	
<b>INDUSTRIAL USES</b>														
Extraction	Compressor/Pipeline Pump Station (Not Subject to Article 9)	L	<u>L</u>					L	P	L	L	L	L	7-1001
	Extraction, Gravel	M						M	L	L	L	L	L	7-1001, 7-1002
	Extraction, Mining and Other	M						L	L	L	L	L	L	7-1001, 7-1003
	Hydraulic Fracturing, Remote Surface Facility	P	P	P	P	P	P	P	P	P	P	P	P	<u>EXEMPT 7-1001</u>
	Injection Well, Served by Hauling	A	A	<u>A</u>	<u>A</u>	A	A	A	A	<u>AP</u>	<u>AP</u>	<u>AP</u>	<u>AP</u>	7-1001
	Injection Well, Served by Pipeline	<u>AP</u>	<u>PA</u>	<u>P</u>	<u>P</u>	<u>PA</u>	<u>AP</u>	<u>PA</u>	P	P	P	P	P	7-1001
	Oil and Gas Drilling and Production	P	P	P	P	P	P	P	P	P	P	P	P	<u>EXEMPT 7-1001</u>
Service	Contractor's Yard, Small	A				P	P	P	P	A	<u>A</u>	<u>A</u>	A	7-1001

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		R	RS	RU	RM HP	CL	CG	I	PL	RL P	RL E	RL TS	RL GS	
	Contractor's Yard, Large	M				P	P	P	P	L	L	L	L	7-1001
	Laydown Yard	A								A			A	7-1001
	Material Handling	L					L	L	P	A	A	A	A	7-1001
	Processing	L				L	L	L	P	A	L	A	A	7-1001
	Processing, Accessory (Batch Plant)	LA				L	L	L	P	A			A	7-1001
	Processing, Temporary	A				A	A	A	P	A			A	7-1001
	Vehicles, Machinery, and Heavy Equipment	M						M	P	L			M	7-1001
	Vehicle Safety Area	A								P			P	7-1007
Fabrication	Assembly of Structures	L				L		A	P	L			LM	7-1001
	Cabinet Making, Woodworking, Metalworking, Glazing, Machining, Welding	A	L			P	P	P	P	L			L	7-1001
	Equipment, Small Appliances	L				L	L	A	P	L			L	7-1001
	Goods Processed From Natural Resources	M						M	P	M			M	7-1001
Warehouse and Freight Movement	Storage	LA				P	P	P	P	A	A	A	A	7-1001
	Storage, Mini					P	P	P	P					7-1001
	Storage, Cold Storage Plants					P	P	P	P	L			L	7-1001
	Storage, Hazardous Materials	M				M	M	M	P	L			L	7-1001
	Warehouse and Distribution Center	M				L	L	L	P				M	7-1001
Waste and Salvage	Mineral Waste Disposal Areas	L						L	P	L	L	L	L	7-1001
	Recycling Collection Center	L				PL	LP	LP	P				L	7-1001, 7-1004
	Recycling Processing Facility	M				M	M	L	P				M	7-1001
	Salvage Yard	M					M	LM	P				M	7-1001
	Sewage Treatment Facility	L	L	L	L	L	L	L	P	L			L	7-1001, 7-1005

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		R	RS	RU	RM HP	CL	CG	I	PL	RL P	RL E	RL TS	RL GS	
	Solid Waste Disposal Site and Facility	M						M	P	M			M	7-1001, 7-1006
	Solid Waste Transfer Facility	M	M	M	M	L	L	L	P	M			M	7-1001
	Water Impoundment	L						L	P	L	L	L	L	7-1001
<b>UTILITIES</b>														
	Electric Power Generation Facility, Small	L	L			A	A	P	P	A	L	L	A	
	Electric Power Generation Facility, Large	L							L	L	L	L	L	
	Lines, Distribution	P	P	P	P	P	P	P	P	P	P	P	P	
	Lines, Transmission	L							L	L	L	L	L	
	Pipeline	A	A	A	A	A	A	A	P	A	A	A	A	9-104
	Solar Energy System, Accessory	P	P	P	P	P	P	P	P	P	P	P	P	7-1101
	Solar Energy System, Small	A	A	A	A	P	P	P	P	P	P	P	P	7-1101
	Solar Energy System, Large	M	M	M	M	L	L	L	L	L	L	L	L	7-1101
	Substation, Neighborhood	P	P	P	P	P	P	P	P	P	P	P	P	
	Substation, Utility	L	L	L	L	L	L	L	P	L	L	L	L	
	Telecommunication Facility	L	L	L	L	L	L	L	P	A <sup>2</sup>	A <sup>2</sup>	A <sup>2</sup>	A <sup>2</sup>	7-1102
	Utility Distribution Facility	P	P	P	P	P	P	P	P	P	P	P	P	
	Water Reservoir	P						L	P	A			A	7-1103
	Water Tank or Treatment Facility	L	L	L	L	L	L	L	P	L	L	L	L	
	Wind Energy System, Commercial	M				M	M	L	P	M			M	
	Wind Energy System, Small	L	ML			L	L	P	P	A			L	
<b>ACCESSORY USES AND STRUCTURES</b>														
	Building or Structure, Accessory	P	P	P	P	P	P	P	P	P	P	P	P	7-1201
	Fence, Hedge or Wall	P	P	P	P	P	P	P	P	P	P	P	P	7-1201

<sup>2</sup> If over 100 feet in height per Table 3-201

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**I. Extension of Conditional Approval.**

It is the Applicant's responsibility to timely satisfy any conditions of approval. Prior to the expiration of a conditional approval, however, the Applicant may request an extension of the expiration date as follows:

1. Supporting Documentation. Application shall be made to the decision maker that issued the original approval and shall include a written explanation of the reasons why the conditions have not been met and the estimated timeframe in which the conditions will be met or completed.
2. First Extension.
  - a. Extensions of 1 year may be granted for all conditional Land Use Change approvals, and Subdivision or Conservation Subdivision Preliminary Plan approvals.
  - b. Exemptions and Final Plat approvals may be extended by a period of 90 days.
3. Additional Extensions. Requests for longer periods of time, or additional time extensions following the first extension, shall be made to the decision maker that issued the original approval, prior to the expiration of the current approval.
4. New Application Required. If an Applicant fails to timely request an extension as set forth in section 4-101.I., the approval will be void and the Applicant must submit a new application for the desired Land Use Change or division of land approval notwithstanding the foregoing, the BOCC may grant an extension of an otherwise expired approval upon a finding by the BOCC that the failure to file for an extension was due to extenuating circumstances and that it benefits the public interest to grant the extension.

**4-102. APPLICABILITY OF COMMON REVIEW PROCEDURES.**

The various specific review procedures in this Article shall be processed in accordance with the common review procedures identified in Table 4-102, Common Review Procedures and Required Notice. Additional requirements specific to a review procedure are identified by cross-reference in the left-hand column to the section that contains the requirements.

**Table 4-102: Common Review Procedures and Required Notice**

Section 4-101.		A	B	C	D	E	F	G	H	I	Required Notice			
		Pre-App. Conference	Completeness	Referral Agency	Director Evaluation	Notice	Recommendation	Decision	Duration/Expiration	Extension	Published	Mailed	Posted	Additional Requirements
✓	Applicable Review Procedure	✓	✓	✓	✓	✓		D	✓	✓	-	✓	-	
	Board of Adjustments	✓	✓	✓	✓	✓		BOCC	✓	✓	✓	✓	✓	
	Board of County Commissioners	✓	✓	✓	✓	✓	PC	BOCC	✓	✓	✓	✓	✓	Notice required for PC and BOCC hearings.
	Director	✓	✓					D			-	-	-	Subject to Minor or Substantial Modification Determination per section 4-106.
	Planning Commission	✓	✓					D	✓	✓	-	✓	-	
4-103	Administrative Review	✓	✓	✓	✓	✓		D	✓	✓	✓	✓	✓	
4-104	Limited Impact Review	✓	✓	✓	✓	✓		BOCC	✓	✓	✓	✓	✓	
4-105	Major Impact Review	✓	✓	✓	✓	✓	PC	BOCC	✓	✓	✓	✓	✓	Notice required for PC and BOCC hearings.
4-106	Amendments to an Approved LUCP	✓	✓					D			-	-	-	Subject to Minor or Substantial Modification Determination per section 4-106.
4-107	Minor Temporary Housing Facility	✓	✓					D	✓	✓	-	✓	-	
4-108	Vacation of a County Road or Public ROW	✓	✓	✓	✓	✓	PC	BOCC	✓	✓	✓	✓	✓	PC hearing requires inclusion in posted agenda. BOCC hearing requires publication and mailing.
4-109	Develop. in the 100-Year Floodplain	✓	✓	✓	✓	✓		D	✓	✓	✓	✓	✓	Per Administrative Review, section 4-103.
4-110	Develop. in the 100-Year Floodplain Variance	✓	✓	✓	✓	✓		BOA			✓	✓	✓	
4-111	Location and Extent Review	✓	✓					PC	✓		✓	✓	✓	Notice to be provided at least 7 calendar days but no more than 30 calendar days prior to hearing.
4-112	Call-Up to the BOCC							BOCC	✓	✓				The BOCC shall provide notice as required by the original application. If no notice was required, notice shall be adequate if included in a posted agenda.
4-113	Rezoning	✓	✓	✓	✓	✓	PC	BOCC			✓	✓	✓	Notice required for PC and BOCC hearings.
4-114	Code Text Amendment		✓	✓	✓	✓	PC	BOCC			✓	-	-	Published notice for PC and BOCC hearings.
4-115	Variance	✓	✓	✓	✓	✓		BOA			✓	✓	✓	
4-116	Administrative Interpretation							D						
4-117	Administrative Interpretation Appeal	✓	✓		✓	✓		BOA			✓	-	-	
4-118	Waiver of Standards	✓		Determined by companion application.							Notice as required by companion application.			
4-119	Accommodation Pursuant to Federal Fair Housing Act		✓		✓	✓		BOCC	✓			✓	✓	

5. The RLDE lots have an adequate water distribution system and wastewater disposal system pursuant to section 7-105.
6. Development and use of the remainder parcel shall be restricted to 1 dwelling unit plus an Accessory Structure for agricultural use.
7. Proposed division and development of the land minimizes the impacts of residential development on Agricultural Lands and agricultural operations, and maintains the rural character of lands. Proposed division and development of the land maintains the opportunity for agricultural production on the most productive and viable parcels of land.
8. 80% of the parcel is preserved as contiguous Open Space to be used as wildlife habitat, Agricultural Grazing-Land, critical natural areas, or similar uses.
9. All taxes applicable to the land have been paid, as certified by the County Treasurer's Office.
10. The Final Plat meets the requirements per section 5-402.F., Final Plat.

### **DIVISION 3. SUBDIVISION.**

#### **5-301. MINOR SUBDIVISION REVIEW.**

##### **A. Overview.**

1. A Minor Subdivision is any Subdivision that:
  - a. Creates no more than 3 parcels;
  - b. Is served by a private well or wells, or a Water Supply Entity; and
  - c. Does not require the extension, construction, or improvement of a County right-of-way.
2. A parcel may be eligible to use the Minor Subdivision process once so long as it is not evading the Major Subdivision process or would result in a de facto Major Subdivision through the combination of previous contiguous Minor Subdivisions as determined by the Director. An appeal of this determination shall be processed as an Administrative Interpretation Appeal.
3. Further divisions of the lots created through the Minor Subdivision process shall be processed as Major Subdivisions.
4. Use of the Minor Subdivision process does not prevent the subsequent use of a RLDE pursuant to section 5-203.

##### **B. Review Process.**

A Minor Subdivision application shall be reviewed pursuant to section 4-103, Administrative Review, and consistent with Table 5-103.

##### **C. Review Criteria.**

In considering a Minor Subdivision application, the application shall demonstrate the following:

1. It complies with the requirements of the applicable zone district and this Code.
2. It is in general conformance with the Comprehensive Plan.

3. Shows satisfactory evidence of a legal, physical, adequate, and dependable water supply for each lot.
4. Satisfactory evidence of adequate and legal access has been provided.
5. Any necessary easements including, but not limited to, drainage, irrigation, utility, road, and water service have been obtained.
6. The proposed Subdivision has the ability to provide an adequate sewage disposal system.
7. Hazards identified on the property such as, but not limited to, fire, flood, steep slopes, rockfall and poor soils, shall be mitigated, to the extent practicable.
8. Information on the estimated probable construction costs and proposed method of financing for roads, water distribution systems, collection systems, storm drainage facilities and other such utilities have been provided.
9. All taxes applicable to the land have been paid, as certified by the County Treasurer's Office.
10. ~~The approved Plat shall indicate the remaining number of lots, if any, that may be requested using the Minor Subdivision process.~~
11. All fees, including road impact and school land dedication fees, shall be paid.
12. The Final Plat meets the requirements per section 5-402.F., Final Plat.

#### **5-302. MAJOR SUBDIVISION REVIEW.**

##### **A. Overview.**

Applications for a Major Subdivision shall be processed according to Table 5-103 and consistent with the following procedures:

##### **B. Sketch Plan Review.**

1. Overview. The Sketch Plan Review is an optional process intended to review at a conceptual level the feasibility and design characteristics of the proposed division of land.
2. Review Process. A Sketch Plan shall be processed according to Table 5-103 with the following modifications:
  - a. The Planning Commission shall conduct a conceptual review of the proposal. The Planning Commission's comments and recommendations are not binding.
  - b. The Director shall provide the Applicant with written notice of the Planning Commission's Conceptual Review comments and recommendations within 10 days of the date of the review.
3. Review Criteria. In considering a Sketch Plan proposal, the following shall be considered:
  - a. Feasibility and design characteristics based upon compliance with the applicable standards; and
  - b. General conformance with the Comprehensive Plan.

**Survey Monument.** Iron, brass, or aluminum shaft a minimum of ½ inch in diameter with a 24-inch minimum length set in concrete at least 5 inches in diameter and located in the ground at all points on streets, alleys, or boundary lines where there is a change in direction or curvatures.

**Telecommunication Facility.** A noninhabitable structure supporting antennas and microwave dishes that sends and/or receives radio frequency signals, including television and data impulses through space by means of electromagnetic waves. Telecommunication Facilities include structures or towers, and Accessory Buildings. Individual/personal direct-to-home satellite services are not included in the definition of Telecommunication Facility.

**Temporary.** For a duration of 1 year or less.

**Temporary Employee Housing Facility.** During times of housing shortage or in remote locations, the use of Factory Built Nonresidential Structures (as defined under C.R.S. § 24-32-3301, as amended, and Resolution #35 of the Colorado State Housing Board) utilized for a period of time not longer than 1 year or as otherwise specified, for workers who are engaged in commercial, industrial, mineral extraction, or highway operations and who are needed to support the proper execution and safety of the related operations. Temporary Employee Housing, shall not include Recreational Vehicles, except in a Small Facility.

**Temporary Housing Facilities, Major.** Major Temporary Employee Housing Facilities, also referred to as “Major Facilities,” shall have at least 1 of the following basic characteristics:

Major Facilities or any associated infrastructure (including ISDS) that are not completely contained within a State or Federally-regulated parcel (such as a Colorado Oil and Gas Conservation Commission (COGCC)-approved oil/gas well pad) in which reclamation and revegetation standards are guaranteed by contract with the permitting agency;

A. The Major Facilities are to be located at the Permitted Site for more than a cumulative of 1 year; or

B. The Major Facility has occupancy of 25 people or more who are employees, contractors, or subcontractors of the operator of the Major Facility and are supporting proper execution and safety of the related commercial, industrial, extraction, or highway operations.

**Temporary Housing Facilities, Minor.** Minor Temporary Housing Facilities, also referred to as “Minor Facilities,” shall have all of the following basic characteristics:

A. The Minor Facility and any associated infrastructure must be completely contained within a State or Federally-permitted parcel (i.e. COGCC-approved oil/gas well pad) in which reclamation and revegetation are secured with the permitting agency (Permitted Site);

B. The Minor Facility is located at the Permitted Site for less than a cumulative of 1 year; and

C. The Minor Facility shall have occupancy of 9 to 24 people who are employees, contractors, or subcontractors of the operator and are supporting the proper execution and safety of the related commercial, industrial, extraction, or highway operations.

**Temporary Housing Facilities, Small.** Small Temporary Housing Facilities, also referred to as “Small Facilities,” shall have all of the following basic characteristics:

- A. The Small Facility and any associated infrastructure must be completely contained within a State or Federally-permitted parcel (such as a COGCC-approved oil/gas well pad) in which reclamation and revegetation are secured with the permitting agency (Permitted Site);
- B. The Small Facility is located at the Permitted Site for less than a cumulative of 1 year and at the end of the utilization period, all structures, foundations, and associated infrastructure are completely removed; and
- C. The Small Facility shall have an occupancy of 8 or fewer people who are employees, contractors, or subcontractors of the operator of the small facility and are needed for on-site safety of the related commercial, industrial, extraction, or highway operation.

**Temporary Employee Housing Operator.** The individual or entity that is the permittee under the State or Federal permit for the Permitted Site and is, therefore, legally responsible for installation, hook-up, operation, and removal of Factory Built Nonresidential Structures (as defined under C.R.S. § 24-32-3301 and Resolution No. 35 of the Colorado State Housing Board) and/or Recreational Vehicles and all associated infrastructure used in a Small, Minor, or Major Temporary Employee Housing Facility.

**Theatre, Indoor.** The whole or part of a building used for housing dramatic presentations, stage entertainments, or motion-picture shows.

**Townhome.** See "Dwelling, Multi-Unit."

**Tract.** See "Lot."

**Trail.** A linear pathway across land used for recreational, transportation, and pedestrian purposes.

**Transfer Station.** A facility for the temporary deposit of waste. Transfer stations are often used as places where local waste collection vehicles will deposit their waste cargo prior to loading into larger vehicles. These larger vehicles will transport the waste to the end point of disposal or treatment.

**Transient Aircraft.** Fixed or rotary-wing aircraft that use an Airport or Heliport landing strip or Helistop, but do not use it as a home base.

**Transitional Surface.** See "Airport Imaginary Surfaces."

**Transitional Housing.** See "Group Home Facility."

**Transportation Corridor.** As it pertains to Article 14, any County or municipal street or road, any State or Federal highway, and any railroad operating as a common carrier.

**Trip Generation.** The measurement of vehicle usage to and from a destination created by a specific land use.

**Typical and Ordinary High Water Mark (TOHWM).** The point on the bank or shore of a Waterbody up to which the presence and action of the water is so continuous as to leave a distinct mark either by erosion, destruction of terrestrial vegetation, or other easily recognized characteristic. Water marks are often at various elevations, but the most permanent and prevalent marks constitute the TOHWM. The TOHWM does not change with temporary