ZONING REGULATIONS

ROUTT COUNTY, COLORADO

ADOPTED MARCH 7, 1972

Amended and Restated in its entirety
on September 27, 2011
per Board of County Commissioners
Resolution No. 2011-P-56
# TABLE OF CONTENTS

## SECTION 1. PURPOSE AND AUTHORITY

1.1. TITLE .......................................................................................................................... 1-1  
1.2. PURPOSE ..................................................................................................................... 1-1  
1.3. AUTHORITY .................................................................................................................. 1-1  
1.4. APPLICABILITY .......................................................................................................... 1-1  
1.5. SUBMITTAL REQUIREMENTS AND FEE SCHEDULE ............................................... 1-2  
1.6. VIOLATIONS AND PENALTIES ................................................................................. 1-2  
1.7. SEVERABILITY ............................................................................................................ 1-2  
1.8. INTERPRETATION AND ENFORCEMENT .................................................................. 1-2  
1.9. CONFLICT .................................................................................................................. 1-2  
1.10. APPLICATION TO DEVELOPMENTS IN PROCESS ..................................................... 1-2  

## SECTION 2. DEFINITIONS

2.1. RULES OF LANGUAGE CONSTRUCTION ................................................................. 2-1  
2.2. INTERPRETATION AND USE OF DEFINITIONS .......................................................... 2-1  
2.3. DEFINITIONS ............................................................................................................ 2-1  

## SECTION 3. ADMINISTRATION

3.1. GENERALLY ............................................................................................................... 3-1  
3.2. REVIEW PROCESS ..................................................................................................... 3-2  
3.2.1. Review Process Chart ............................................................................................. 3-3  
3.2.2. Application Fees .................................................................................................... 3-5  
3.2.3. Pre-Application Meeting with a Staff Planner ....................................................... 3-5  
3.2.4. Pre-Application Conference .................................................................................. 3-5  
3.2.5. Procedure .............................................................................................................. 3-5  
3.2.6. Scope of Conditions .............................................................................................. 3-6  
3.2.7. Appeals ................................................................................................................ 3-6  
3.2.8. Issuance ............................................................................................................... 3-7  
3.2.9. Term of Approval .................................................................................................. 3-7  
3.2.10. Minor Changes and Amendments to a CUP, SUP, or Site Plan Approval .......... 3-7  
3.2.11. Approval Review ................................................................................................. 3-8  
3.2.12. Amendment or Revocation of Approval ............................................................... 3-8  
3.2.13. Transfer of Permit or Land Use Approval ............................................................ 3-9  
3.2.14. Bonding ............................................................................................................... 3-9  
3.2.15. Vesting ................................................................................................................. 3-9  
3.3. PUBLIC HEARING NOTICES .................................................................................... 3-9  
3.3.1. Applicability Generally ......................................................................................... 3-9  
3.3.2. Published Notice ................................................................................................. 3-9  
3.3.3. Posted Notice ....................................................................................................... 3-10  
3.3.4. Mailed Notice ...................................................................................................... 3-10  
3.3.5. Referral Agency Notice ....................................................................................... 3-10  
3.3.6. Public Notice Time Requirements ....................................................................... 3-10  
3.4. BOARD OF ADJUSTMENT ....................................................................................... 3-11  
3.4.1. Establishment ...................................................................................................... 3-11  
3.4.2. Membership ........................................................................................................ 3-11  
3.4.3. Officers ................................................................................................................ 3-11  
3.4.4. Powers and Duties ............................................................................................... 3-11  
3.4.5. Procedure ............................................................................................................ 3-11  
3.4.6. Standards for the Grant or Denial of Variances ...................................................... 3-12  
3.4.7. Appeal from BOA Decisions ............................................................................... 3-13  
3.5. NON-CONFORMING USES AND STRUCTURES ....................................................... 3-13
Table of Contents

3.5.1. Expansion or Enlargement ................................................................. 3-13
3.5.2. Repairs and Maintenance ................................................................. 3-13
3.5.3. Restoration or Replacement ............................................................... 3-13
3.5.4. Discontinuance ................................................................................. 3-14
3.5.5. Non-conforming Lot Approval ........................................................... 3-14
3.5.6. Change in Non-conforming Use ......................................................... 3-14
3.6. RELIGIOUS FACILITY OR USE PROVISIONS .................................. 3-14

SECTION 4. ZONE DISTRICTS AND ALLOWABLE USES .............................. 4-1
4.1. ESTABLISHMENT OF ZONE DISTRICTS ......................................... 4-1
4.2. ZONING MAP AND BOUNDARIES .................................................. 4-1
4.3. AC - AGRICULTURE CONSERVATION ....................................... 4-2
4.4. AF - AGRICULTURE AND FORESTRY ...................................... 4-2
4.5. MRE - MOUNTAIN RESIDENTIAL ESTATES ............................... 4-2
4.6. MHR - MOBILE HOME RESIDENTIAL ...................................... 4-2
4.7. GR - GENERAL RESIDENTIAL ................................................... 4-2
4.8. LDR - LOW DENSITY RESIDENTIAL ........................................ 4-3
4.9. MDR - MEDIUM DENSITY RESIDENTIAL ................................. 4-3
4.10. HDR - HIGH DENSITY RESIDENTIAL ....................................... 4-3
4.11. C - COMMERCIAL ................................................................. 4-3
4.12. I - INDUSTRIAL ........................................................................ 4-3
4.13. M - MINING ............................................................................ 4-3
4.14. OR - OUTDOOR RECREATION .................................................. 4-3
4.15. HPH - HAHN’S PEAK HISTORICAL ZONE DISTRICT ............. 4-3
4.16. PUD - PLANNED UNIT DEVELOPMENT .................................. 4-4
4.17. AO - AIRPORT OVERLAY ZONE DISTRICT ............................... 4-4
4.18. USES BY RIGHT, MINOR, ADMINISTRATIVE, CONDITIONAL, AND SPECIAL USES ................................. 4-4
   4.18.1. Uses Allowed by Right ......................................................... 4-4
   4.18.2. Minor Uses .......................................................................... 4-5
   4.18.3. Administrative Uses .............................................................. 4-5
   4.18.4. Conditional Uses ................................................................. 4-5
   4.18.5. Special Uses ..................................................................... 4-5
4.19. USES BY ZONE DISTRICT TABLE .............................................. 4-5

SECTION 5. GENERAL PERFORMANCE AND DEVELOPMENT STANDARDS ....... 5-1
5.1. GENERAL PERFORMANCE STANDARDS ...................................... 5-1
   5.1.1. Health, Safety and Welfare .................................................... 5-1
   5.1.2. Local, State, and Federal Regulations and Standards ............ 5-1
   5.1.3. Building Construction and Enforcement ............................. 5-1
   5.1.4. Outdoor Storage of Hazardous Materials ........................... 5-2
   5.1.5. Outdoor Storage of Non-Hazardous Materials .................. 5-2
5.2. DIMENSIONAL STANDARDS .......................................................... 5-2
   5.2.1. Dimensional Standards Tables ............................................. 5-3
5.3. SECONDARY DWELLING UNIT STANDARDS FOR THE AF, AC, AND MRE ZONE DISTRICT ...................... 5-7
   5.3.1. Secondary Dwelling Unit Control Chart .............................. 5-7
   5.3.2. Large Lot Approval Standards ............................................. 5-8
   5.3.3. Registration and Inspection .................................................. 5-8
   5.3.4. Reconstruction of Registered Secondary Dwelling Units .... 5-10
5.4. PARKING STANDARDS ................................................................. 5-10
   5.4.1. Applicability ....................................................................... 5-10
   5.4.2. Location ............................................................................ 5-10
   5.4.3. Size of Space .................................................................... 5-11
   5.4.4. Maneuvering Space .............................................................. 5-11
   5.4.5. Surfacing .......................................................................... 5-11
   5.4.6. Parking Lot Run-Off .............................................................. 5-11
Table of Contents

5.4.7. Accessible Spaces................................................................. 5-12
5.4.8. Required Parking Spaces......................................................... 5-12
5.4.9. Credit for Multiple-Use Parking Facilities and/or Mixed Use Developments 5-13

5.5. ADDRESSING STANDARDS ................................................. 5-13

5.6. ACCESS TO BUILDABLE LOT STANDARDS .......................... 5-13
5.6.1. Driveways.............................................................................. 5-13
5.6.2. Standards for Internal Portion of Driveways.......................... 5-14
5.6.3. Common Roads................................................................. 5-18

5.7. RIGHT OF WAY ACCESS STANDARDS AND PERMITS ............... 5-18
5.7.1. Right of Way Access Standards.............................................. 5-18

5.8. ROAD CONSTRUCTION STANDARDS AND PERMITS .................. 5-20
5.8.1. Standards for Common Roads................................................. 5-20

5.9. SIGN STANDARDS AND PERMITS ............................................. 5-21
5.9.1. Purpose and Objectives......................................................... 5-21
5.9.2. Applicability........................................................................... 5-21
5.9.3. Exemptions............................................................................. 5-22
5.9.4. General Standards.............................................................. 5-23
5.9.5. Prohibited Signs and Sign Elements........................................ 5-24
5.9.6. Non-Conforming Signs......................................................... 5-25

5.10. STANDARDS FOR STRUCTURES WITHIN MAPPED SKYLINED AREAS ............................................. 5-26
5.10.1. Skyline Area Map.................................................................. 5-26
5.10.2. Applicability.......................................................................... 5-26
5.10.3. Review at Building Permit................................................... 5-26
5.10.4. Prior Certifications.............................................................. 5-27
5.10.5. Process.................................................................................. 5-27
5.10.6. Appeal.................................................................................. 5-27

5.11. WATER BODY SETBACK STANDARDS AND PERMITS ............... 5-29
5.11.1. Objectives............................................................................ 5-29
5.11.2. Applicability........................................................................... 5-29
5.11.3. Exemptions............................................................................ 5-29
5.11.4. Minimum Setbacks from a Waterbody................................... 5-30
5.11.5. Waterbody Setback Permits.................................................. 5-30

5.12. AIRPORT OVERLAY (AO) ZONE DISTRICT STANDARDS ................. 5-32
5.12.1. General Standards.............................................................. 5-32
5.12.2. Height and Surface Standards:............................................. 5-32

5.13. FLOOD DAMAGE PREVENTION.............................................. 5-33
5.13.1. Statutory Authorization, Findings of Fact, Statement of Purpose, and Objectives 5-33
5.13.2. Definitions........................................................................... 5-35
5.13.3. General Provisions.............................................................. 5-40
5.13.4. Administration..................................................................... 5-42
5.13.5. Provisions for Flood Hazard Reduction................................. 5-46
5.13.6. Appeal / Variance Procedures.............................................. 5-56

SECTION 6. GENERAL STANDARDS AND MITIGATION TECHNIQUES FOR LAND USE APPROVALS ........................................ 6-1

6.1 GENERAL APPROVAL STANDARDS.............................................. 6-1
6.1.1 Health, Safety, and Welfare..................................................... 6-2
6.1.2 Master Plans............................................................................ 6-2
6.1.3 Local, State, and Federal Regulations and Standards.................. 6-2
6.1.4 Public Road Use Performance Standards.................................. 6-2
6.1.5 Industry Standards............................................................... 6-2
6.1.6 Outdoor Lighting................................................................. 6-2
6.1.7 Significant Negative Impacts................................................... 6-2
6.1.8 Approval Criteria for Specific Land Uses................................... 6-3
Table of Contents

6.1.9 Construction of Improvements Required as Condition of Permit and Fair Share Reimbursement .............................................................. 6-3
6.1.10 Proposals on Federal Lands .............................................................................................................................................. 6-4
6.2 PUBLIC ROAD USE PERFORMANCE STANDARDS .............................................................................................................. 6-5
6.2.1 Purpose ................................................................................................................................................................................ 6-5
6.2.2 Applicability ........................................................................................................................................................................ 6-5
6.2.3 Review ................................................................................................................................................................................. 6-6
6.2.4 Standards .......................................................................................................................................................................... 6-6
6.3 OUTDOOR LIGHTING STANDARDS ........................................................................................................................................ 6-8
6.4 MITIGATION STANDARDS IN GENERAL ................................................................................................................................ 6-8
6.5 MITIGATION TECHNIQUES FOR DEVELOPMENT WITHIN A NATURAL HAZARD AREA .............................................................................................................................................. 6-9
6.5.1 Avalanche Areas ................................................................................................................................................................ 6-9
6.5.2 Landslide Areas ................................................................................................................................................................ 6-9
6.5.3 Rockfall Areas ................................................................................................................................................................ 6-9
6.5.4 Mudflow Areas ................................................................................................................................................................. 6-9
6.5.5 Geologic Hazard, Unstable or Potentially Unstable Slopes ......................................................................................... 6-9
6.5.6 Seismic Areas .................................................................................................................................................................. 6-9
6.5.7 Radioactive Areas ......................................................................................................................................................... 6-9
6.5.8 Wildfire Hazard Areas ..................................................................................................................................................... 6-10
6.5.9 Flood Hazard Areas .......................................................................................................................................................... 6-10
6.6 MITIGATION TECHNIQUES FOR DEVELOPMENT WITHIN CRITICAL WILDLIFE AREAS ................................................................................................................................................ 6-10
6.7 MITIGATION TECHNIQUES TO REDUCE WATER QUALITY AND QUANTITY IMPACTS .............................................................................................................................................. 6-11
6.8 MITIGATION TECHNIQUES TO REDUCE AIR QUALITY IMPACTS ................................................................................................. 6-11
6.9 MITIGATION TECHNIQUES TO REDUCE IMPACTS TO SCENIC QUALITY ................................................................................. 6-12
6.10 MITIGATION TECHNIQUES TO REDUCE NOISE IMPACTS ............................................................................................................. 6-13
6.11 MITIGATION TECHNIQUES TO REDUCE WETLANDS IMPACTS ............................................................................................................. 6-13
6.12 MITIGATION TECHNIQUES TO REDUCE IMPACTS TO AGRICULTURAL USES ............................................................................................................. 6-14
6.13 MITIGATION TECHNIQUES TO REDUCE IMPACTS TO RESIDENTIAL AND RECREATION USES ............................................................................................................. 6-14

SECTION 7. PLANNED UNIT DEVELOPMENT .............................................................................................................................................. 7-1
7.1. INTENT ................................................................................................................................................................................. 7-1
7.2. PERMITTED USES ................................................................................................................................................................. 7-1
7.3. PUD STANDARDS ................................................................................................................................................................ 7-1
7.3.1. Rezoning to the PUD Zone District ................................................................................................................................................ 7-1
7.4. TECHNICAL CORRECTIONS AND AMENDMENTS ............................................................................................................. 7-3
7.4.1. Technical Corrections .......................................................................................................................................................... 7-3
7.4.2. Minor Amendments ......................................................................................................................................................... 7-3
7.4.3. Major Amendments .......................................................................................................................................................... 7-3
7.5. ZONING REVIEW ................................................................................................................................................................ 7-3
7.6. CONFORMANCE WITH SUBDIVISION REGULATIONS ............................................................................................................. 7-4
7.7. REPEAL ................................................................................................................................................................................ 7-4

SECTION 8. REGULATIONS AND STANDARDS FOR SPECIFIC LAND USE CHANGES .............................................................................................................................................. 8-1
8.1 PURPOSE ................................................................................................................................................................................ 8-1
8.2 STANDARDS FOR ZONING AMENDMENTS .............................................................................................................................................. 8-1
8.2.1 Standards for Zoning Amendments – Part 1 ......................................................................................................................... 8-1
8.2.2 Standards for Zoning Amendments – Part 2 ......................................................................................................................... 8-2
8.3 STANDARDS FOR ALL ADMINISTRATIVE, CONDITIONAL, MINOR AND SPECIAL USE PERMITS .............................................................................................................................................. 8-2
8.3.1 Insurance Requirements ....................................................................................................................................................... 8-2
8.3.2 Dwelling Units ................................................................................................................................................................ 8-2
8.4 SITE DESIGN STANDARDS FOR ALL USES IN COMMERCIAL AND INDUSTRIAL ZONE DISTRICTS .............................................................................................................................................. 8-2
8.4.1 Setbacks ........................................................................................................................................................................... 8-2
8.4.2 Architecture ................................................................................................................................................................ 8-3
8.4.3 Landscaping ................................................................................................................................................................ 8-3
8.4.4 Central Sewage Collection System .............................................................................................................................................. 8-3
Table of Contents

8.5 Standards for All Light Industrial Uses in a Commercial Zone District ............................................. 8-3
8.6 Standards for All Commercial Uses in the Industrial Zone District ......................................................... 8-4
8.7 Standards for Development in the HPH Zone District ................................................................................. 8-4
8.8 Standards for Major Facilities of a Public Utility ....................................................................................... 8-5
  8.8.1 Standards ..................................................................................................................................................... 8-5
8.9 Standards for Central Water and Sewage Treatment Systems ................................................................. 8-5
  8.9.1 Applicability .............................................................................................................................................. 8-5
  8.9.2 Standards ................................................................................................................................................. 8-6
  8.9.3 Administrative Declaration ....................................................................................................................... 8-7
8.10 Standards for Telecommunication Facilities ......................................................................................... 8-7
  8.10.1 General Standards................................................................................................................................... 8-7
  8.10.2 Standards for Building or Structure-Mounted and Roof-Mounted Telecommunication Facilities .................................................................................................................................................. 8-7
  8.10.3 Standards for Freestanding Telecommunication Facilities .................................................................. 8-8
8.11 Standards for Solid Waste Disposal Sites ............................................................................................... 8-8
8.12 Standards for Campgrounds ...................................................................................................................... 8-8
8.13 Standards for Bed and Breakfasts ............................................................................................................... 8-8
8.14 Standards for Landing Strips and Heliports/Helipads ............................................................................. 8-9
8.15 Standards for Greenhouse, Nursery, or Produce Stand with Retail Sales ............................................. 8-9
8.16 Standards for Religious Land Uses (Churches or Similar Uses) ............................................................ 8-9
  8.16.1 Applicability .......................................................................................................................................... 8-9
  8.16.2 Standards .............................................................................................................................................. 8-9
8.17 Standards for a Home Industry ................................................................................................................... 8-10
8.18 Standards for a Home Occupation ............................................................................................................ 8-10
8.19 Standards for Mobile Home Parks or Developments ............................................................................ 8-10
  8.19.1 Mobile Home Parks Located Within Existing Mobile Home Residential (MHR) Zone Districts .................................................................................................................................................. 8-10
  8.19.2 Mobile Home Parks Located Outside of Existing Mobile Home Residential (MHR) Zone Districts .................................................................................................................................................. 8-10
8.20 Standards for Wind Generators <80 Feet in Height ................................................................................... 8-14
8.21 Standards for Wind Generators >80 Feet in Height .................................................................................. 8-14
8.22 Standards for Temporary Workforce Housing (TWH) ............................................................................. 8-14
8.23 Standards for Production Facility, Renewable Energy ............................................................................. 8-15
8.24 Standards for Solar Energy Systems ....................................................................................................... 8-15
  A. This use is required to be located on a buildable lot or platted outlot ....................................................... 8-15
8.25 Standards for Value Added Agriculture Processing ................................................................................. 8-16
8.26 Standards for an Agritourism Enterprise .................................................................................................... 8-16
8.27 Standards for a Farm Stand ......................................................................................................................... 8-17
8.28 Standards for Reservoirs, Non-Agricultural Greater than 1 Acre ............................................................. 8-17
8.29 Standards for Camping – Private Non-Commercial .................................................................................. 8-17
8.30 Standards for Camping, Extended, Private Non-Commercial .................................................................. 8-17

SECTION 9. REGULATIONS AND STANDARDS FOR MINING AND RELATED USES ......................... 9-1

9.1. Purpose ......................................................................................................................................................... 9-1
9.2. General Standards for All Mining, Resource Extraction and Accessory Uses ....................................... 9-1
  9.2.1. Permit Term ........................................................................................................................................... 9-2
9.3. Isolated Mining and Accessory Uses .......................................................................................................... 9-2
  9.3.1. Permit Term ........................................................................................................................................... 9-2
  9.3.2. Standards ............................................................................................................................................ 9-2
  9.4.1. Standards ............................................................................................................................................ 9-3
  9.4.2. Annual Reports .................................................................................................................................... 9-4
9.5. Asphalt and Concrete Plants and Accessory Uses .................................................................................... 9-4
  9.5.1. Standards ............................................................................................................................................ 9-4
9.6. Oil, Gas and Coal Bed Methane Exploration and Development .............................................................. 9-4
<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>9.6.1.</td>
<td>Permit Term</td>
<td>9-4</td>
</tr>
<tr>
<td>9.6.2.</td>
<td>Standards</td>
<td>9-5</td>
</tr>
<tr>
<td>9.7.1.</td>
<td>Applicability</td>
<td>9-5</td>
</tr>
<tr>
<td>9.7.2.</td>
<td>Permit Term</td>
<td>9-5</td>
</tr>
<tr>
<td>9.7.3.</td>
<td>Standards</td>
<td>9-5</td>
</tr>
<tr>
<td>9.8.</td>
<td>Injection Wells and Commercial Wastewater Disposal Sites</td>
<td>9-6</td>
</tr>
<tr>
<td>9.8.1.</td>
<td>Applicability</td>
<td>9-6</td>
</tr>
<tr>
<td>9.8.2.</td>
<td>Standards</td>
<td>9-6</td>
</tr>
<tr>
<td>SECTION 10.</td>
<td>Enactment Clause</td>
<td>10-1</td>
</tr>
<tr>
<td>SECTION 11.</td>
<td>Appendices</td>
<td>11-1</td>
</tr>
<tr>
<td>APPENDIX A:</td>
<td>Submittal Requirements for Planning Reviews</td>
<td>1</td>
</tr>
<tr>
<td>APPENDIX B:</td>
<td>Routt County Planning Department Fee Schedule</td>
<td>1</td>
</tr>
<tr>
<td>PAGE LEFT INTENTIONALLY BLANK</td>
<td></td>
<td>4</td>
</tr>
</tbody>
</table>
SECTION 1. PURPOSE AND AUTHORITY

1.1. Title
A resolution and map establishing Zone Districts in Routt County, Colorado, regulating the location, height, bulk, and size of buildings and other structures within the territorial jurisdiction of Routt County; regulating the percentage of lot which may be occupied; the size of lots, courts, and other open space, the density and distribution of population, and the location and use of land for trade, industry, recreation, or other uses; dividing said areas of zoning jurisdiction into Zone Districts or zones; and providing for the amending and enforcing of these Regulations and penalties for its violation. These Regulations and map shall be known as the Routt County Zoning Regulations.

1.2. Purpose
These Regulations are necessary, designed, and enacted for the purpose of promoting the health, safety, and general welfare of the present and future inhabitants of Routt County, Colorado, by lessening congestion in the streets and roads; securing safety from fire and other damage; providing adequate light and air; preventing the overcrowding of land; avoiding undue concentration of population; facilitating the adequate provision of transportation, water, sewage, schools, parks, and other public requirements; and protecting urban and rural development. The Goals and Policies of the Routt County Master Plan and adopted sub-area plans were taken into account in the development of these Regulations. In addition, reasonable consideration has been given to the physiographic and other natural characteristics of the Zone Districts, and their individual suitability and capability for particular uses, with a view to conserving the values of natural resources for the general welfare and encouraging the most appropriate uses of land throughout the County.

1.3. Authority
The Routt County Zoning Resolution is authorized by, inter alia, Section 30-28-101 et seq., and Section 29-20-101 et seq., Colorado Revised Statues, as amended.

1.4. Applicability
Except as hereinafter provided no structure or land shall hereafter be used or occupied and no structure or part thereof shall be erected, moved or altered unless in conformity with the Regulations herein specified for the Zone District in which it is located.
1.5. Submittal Requirements and Fee Schedule

Attached hereto as Appendices A and B are the Submittal Requirements and Fee Schedule applicable to applications and petitions under these Zoning Regulations. These Appendices may from time to time hereafter be amended by resolution of the Board of County Commissioners. Amendments to these Appendices are not subject to the public hearing and notice requirements of Section 30-28-116, Colorado Revised Statutes, as the appendices are attached to the Zoning Regulations for convenience only and are not a part thereof.

1.6. Violations and Penalties

It shall be unlawful to erect, construct, reconstruct, alter, maintain or use any building or structure or to use any land in violation of any provision of these Regulations or any amendment thereof, or to violate or otherwise fail to comply with or maintain any condition or term of any approval granted hereunder. Violations of these Regulations may be prosecuted and punished as provided by law, including without limitation, C.R.S. Section 30-28-124 and 30-28-124.5, as amended. The County, in addition to other remedies provided by law, may institute an action for injunction, abatement or any other appropriate action or proceeding to prevent, enjoin, abate, or remove such unlawful action, structure or use, including the revocation of any permit or approval issued hereunder.

1.7. Severability

Should any section, clause or provision 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 declared to be invalid.

1.8. Interpretation and Enforcement

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. These Regulations establish and shall be enforced by an officer appointed by the Board of County Commissioners to be known as the "Planning Director."

1.9. Conflict

Whenever the requirements of these Regulations are in conflict with the requirements of any other ordinance, rule, or regulation of the County, the more restrictive or that imposing the higher standard shall govern.

1.10. Application to Developments in Process

All applications for land use changes initiated on and after July 1, 2006 shall be reviewed pursuant to the review process and standards set forth in these Regulations as amended by Resolution No. 2006-P-060, adopted on June 13, 2006, and effective on July 1, 2006. All applications for land use changes submitted for review and deemed complete by the Planning Director prior to that date, shall be reviewed pursuant to the process and under the criteria set forth in applicable portions of these Regulations in force prior to that date. Such prior Regulations are continued in force and effect for that limited purpose only. Upon approval or denial of all such remaining applications, the prior Regulations shall be deemed replaced by these amended and restated Regulations. Any applicant who has the right to be reviewed under such prior Regulations as provided by this section may
nonetheless choose instead to be reviewed under the Regulations adopted by Resolution No. 2006-P-060.
Section 1 Purpose and Authority

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SECTION 2. DEFINITIONS

2.1. Rules of Language Construction
For the purpose of these Regulations and when not inconsistent with the context:
A. Words used in the present tense include the future.
B. Words in the singular include the plural.
C. Words in the plural include the singular.
D. The masculine includes the feminine and vice versa.
E. The word "shall" is mandatory and not directory.
F. The word "may" is permissive.
G. The particular controls the general.

2.2. Interpretation and Use of Definitions
The definitions contained herein are for the purpose and use of these Regulations only, and may not be applied to serve as the definitions of the same terms used in other contexts or Regulations. Certain words and phrases are defined; and certain provisions shall be interpreted as herein set out, when not inconsistent with the context. The word "structure" includes the word "building"; the word "person" includes a "firm", "associates", "corporation", "partnership", and "natural person"; the word "used" includes the words "occupied", arranged", "designed", or "intended to be used"; the word "construct" includes the word "erect", "reconstruct", "alter", "move in", "move upon".

The definitions within this section apply to both the Routt County Zoning and Subdivision Regulations.

2.3. Definitions
1. Accessory Uses and Structures:
A use or structure naturally and normally incidental to a use by right or permitted use. Accessory uses and structures shall comply with all of the following criteria:
A. Is clearly incidental and customary to and commonly associated with the operation of the use by right or permitted use;
B. Is built and/or conducted only in conjunction with the use by right or permitted use;
C. Is operated and maintained under the same ownership as the use by right or permitted use;
D. Includes only those structures or structural features consistent with the use by right or permitted use.

2. Addition:
An extension to an existing structure after completion of the original structure.
3. **Administrative Use:**
   A use allowed in the indicated zoning district only pursuant to conditions and requirements imposed by the County as a part of the Administrative Use Permit process.

4. **Agritourism enterprise:**
   Activities conducted on a working farm or ranch and offered to the public for the purpose of recreation, education, or active involvement in the farm or ranch operation. This term includes, but is not limited to, farm tours, hayrides, cooking classes, and classes related to agricultural products or skills offered in conjunction with the above. An Agritourism Enterprise does not include accommodations.

5. **Agreement Defining Permitted Uses:**
   A written agreement as authorized or required in the Routt County Zoning Regulations, signed by all owners of a fee simple interest in the property and agreed to by the County, which runs with the land and which defines permitted uses.

6. **Alley:**
   A right-of-way used primarily as a service or secondary means of access and egress to the service side of abutting property.

7. **Animal Sales Yard:**
   Permanent structure or location specifically for the purpose of transferring ownership of livestock and/or horses.

8. **Attached:**
   To be considered attached, the primary dwelling unit and the attached building or addition must be connected by a common point on the exterior of each unit. Incidental and accessory features such as trellises, decks, patios, breezeways, sheds or other building features that would not be considered part of a Dwelling Unit without the addition, will not be considered as establishing an attached structure.

9. **Avalanche:**
   A mass of snow or ice and other material that may become incorporated therein as such mass moves down a mountain slope.

10. **Avigation Easement:**
    A nonpossessing property interest in airspace over a land parcel or portion of land. It is a legally developed document obtained by an airport to cover items such as the right of flight, right to remove obstructions, etc., but not necessarily to the extent of prohibiting the use of the land within the limits of the rights obtained.

11. **Bed and Breakfast:**
    A single-family dwelling or lodge where overnight or otherwise short-term, temporary lodging for the general public is provided and may include meals.

12. **Board:**
    The Board of County Commissioners of Routt County, Colorado.
13. **Buffer Zone:**
Any area with no, or limited, human related disturbances created either on a seasonal or permanent basis to protect an area of ecological or cultural significance.

14. **Buildable Lot:** (see Lot, Buildable)

15. **Building:**
Any structure having a roof, supported by columns or walls, used or intended for supporting or sheltering any use or occupancy.

16. **Building Envelope:**
An area identified on a plat or Site Plan approved through the Subdivision process, the Minor Development Subdivision Exemption Process, the Land Preservation Subdivision Exemption process, a PUD plan, Site Plan Review or in a Development Agreement entered into as a condition to an approval through any of those processes in which a Dwelling Unit, or other structure may be constructed. Multiple Building Envelopes may be identified on a single Buildable Lot as alternative sites for Dwelling Units and/or structures. Separate Building Envelopes may be identified for structures depending on the nature of the Buildable Lot and the development proposed in the application.

17. **Building Height:**
The maximum vertical rise from the lowest grade on the perimeter of the building to the highest point of the building. Grade shall be from the existing, or finished grade, whichever is more restrictive. The perimeter of the building shall include any and all attached decks. An additional 10' over and above the maximum height will be allowed for deck piers (see illustration). Antennae (except those exempted from federal regulations), chimneys, flues, vents and similar unoccupied appurtenances shall not extend over five feet (5') above the maximum height limit. Those unoccupied appurtenances on the roof shall not exceed five percent (5%) of building footprint area.

18. **Business Day:**
A day, other than a Saturday, Sunday or declared legal holiday of Routt County government, on which the offices of the Routt County Planning Department are open to the public for official business.

19. **C.R.S.:**
Colorado Revised Statutes.

20. **Camping, Private Non-Commercial:**
The use of temporary living accommodations such as tents, tepees, yurts, and recreation vehicles such as motor homes or trailers for up to 60 days.
Section 2 Definitions

21. **Camping, Extended, Private Non-Commercial:**
The use of temporary living accommodations such as tents, tepees, yurts, and recreation vehicles such as motor homes or trailers for more than 60 days, but not more than 180 days.

22. **Campground:**
Any plot of ground which has been planned, improved, or used for the placement of three (3) or more motor homes, tents, tepees, recreational vehicles, or similar accommodations for human habitation.

23. **Central Water System:**
A system which has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days per year.

24. **Central Sewage Treatment System:**
A system which has a design capacity to receive 2,000 or more gallons of discharge daily.

25. **Cluster (Subdivision):**
An intentional assembly of Buildable Lots brought together for the purpose of conserving viable agricultural lands, protecting wildlife habitat, and preserving environmentally sensitive areas.

26. **Commission:**
The Routt County Planning Commission.

27. **Common Road:**
Any road that provides, will provide, or is proposed to provide access to three or more Buildable Lots, whether such road is public or private, and whether it was created by plat, deed, dedication, prescription, or easement.

28. **Conditional Use:**
A use allowed in the indicated zoning district only pursuant to conditions and requirements imposed by the County as a part of the Conditional Use Permit process.

29. **Condominium:**
A legal form of ownership whereby an owner gains title to an interior air space unit, together with interests in the common areas and facilities appurtenant to such unit pursuant to the Colorado Common Interest Ownership Act C.R.S. Section 38-33.3-101, et seq.

30. **Consent Agenda:**
Items that have been recommended for approval by the Planning Director can be placed on the Consent Agenda. These items are voted on without a formal presentation of the project unless a Planning Commissioner or a County Commissioner requests the item be removed from the Consent Agenda and placed on the regular agenda.

31. **Conservation Area:**
The portion of a property subject to a Conservation Easement.
32. **Conservation Easement:**
A written agreement, signed by the owners of land, in favor of a "qualified organization," as defined in Internal Revenue Code Section 170 (h) (3) or any successor thereto, which creates a "qualified real property interest," as defined in Internal Revenue Code Section 170 (h) (2) or any successor thereto and which otherwise meets the requirements for a "qualified conservation contribution" as defined in Internal Revenue Code Section 170 (h) (1) or any successor thereto and which also complies with the requirements of C.R.S. Section 38-30.5-101.

33. **Consolidation:**
The process of creating a lot by the combination of contiguous parcels of land into one larger parcel. If the resulting parcel is less than thirty-five (35) acres, only one interest in said land shall be allowed; if larger than thirty-five (35) acres, such land area divided by the number of interests in the resulting parcel must result in thirty-five (35) or more acres per interest.

34. **Contiguous:**
Land is contiguous only when under single ownership and is all or part of a lot or parcel identified as a single parcel for the purposes of ad valorem real property taxation or, if it is more than a single parcel for the purposes of ad valorem real property taxation, the tax parcels have common boundaries so that all of the property can be described by a single, continuous metes and bounds description. Any discontinuity in such a description caused by a dedicated public road right-of-way, railroad, utility corridor, or a private road under separate ownership, shall be disregarded for the purposes of determining if the land is Contiguous.

35. **Cooking Facilities:**
Area designed for cooking which generally contains a counter, sink, a refrigerator, equipped for 220v and an element utilized for heating or cooking of consumable goods. This definition does not include a wet bar.

36. **County:**
Shall mean Routt County, Colorado.

37. **County Commissioners:**
Shall mean the Board of County Commissioners of Routt County, Colorado.

38. **Day Care Center:**
A building where care, protection, and supervision are provided, on a regular schedule, at least twice a week to more than 12 children or adults, including the children of the adult provider, which is licensed and operated in accordance with State regulations.

39. **Day Care Home:**
A building where care, protection, and supervision are provided, on a regular schedule, at least twice a week to no more than 12 children or adults, including children of the adult provider, which is licensed and operated in accordance with State regulations.

40. **Dedication:**
The intentional commitment of land by the owner to some public use.
41. **Development:**
   Any construction or activity that changes the basic character or use of the land on which the construction or activity occurs.

42. **Development Agreement:**
   A written agreement, in a form as prescribed by Routt County, signed by the owners of the land and anyone holding a lien on the property, which restricts the development or use of said land in accordance with the terms and conditions of a Land Use Approval.

43. **Domestic Predator:**
   Domesticated dogs, cats and other predatory animals that have been kept in captivity and rely upon humans for food but which may also hunt wildlife.

44. **Domestic Sewage Treatment System:**
   Facilities for treatment of wastewater, and a collector network, including any extensions thereto, which system or extension is capable of collecting and treating the wastewater generated by at least twenty persons through domestic uses or the equivalent thereof in commercial or industrial needs, or that discharges in excess of 2,000 gallons daily. Such terms include any collection, treatment, storage, and distribution facilities under control of the operator of such system and any collection, pretreatment or storage facilities not under such control that are used primarily in connection with such system.

45. **Driveway:**
   Any road that provides, will provide, or is proposed to provide direct access to no more than two Buildable Lots from any other road that provides access to more than two Buildable Lots.

46. **Duplex:**
   A single building containing two separate Dwelling Units.

47. **Dwelling or Dwelling Unit:**
   A building or part of a building providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation as defined by the IRC (International Residential Code), for not more than one family.

48. **Easement:**
   An acquired right of use, interest or privilege in land owned by another.

49. **Excavation:**
   Removal or recovery by any means of buildings, earth, stone, minerals, mineral substances or organic substances other than vegetation, from water or land on or beneath the surface thereof, or beneath the land surface, whether exposed or submerged.

50. **Exploration:**
   The act of searching for or investigating a mineral deposit. Exploration includes but is not limited to sinking shafts, tunneling, drilling core and bore holes and digging pits or cuts and other works for the purpose of extracting samples prior to commencement of development or extraction operations, and the building of
roads, access ways, and other facilities related to such work. The term does not include those activities that cause no or very little surface disturbance.

51. **Family:**
   A. A single individual or a collective body of persons in a domestic relationship based upon blood, marriage, adoption or legal custody, living as a separate, independent housekeeping unit, or a group of not more than five (5) unrelated persons, all living together as a separate housekeeping unit.
   
   B. Notwithstanding the foregoing, a family shall be deemed to include five (5) or more persons (but not in excess of twelve (12) persons) that are not related by blood, marriage, adoption, or legal custody occupying a residential Dwelling Unit and living as a single housekeeping unit if the occupants are handicapped persons as defined in title III of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, or disabled persons as defined by § 24-34-301, C.R.S. A household that includes five (5) or more persons identified above shall not be excluded from the definition of "family" by the residence in the household of additional necessary persons (and their families) employed in the care and supervision of such handicapped or disabled persons.

52. **Farm Stand:**
   A permanent or temporary stand for the sale of agricultural products.

53. **Final Subdivision Plat:**
   The final plan of the subdivision prepared for filing or recording in conformance with the Routt County Subdivision Regulations.

54. **Flood Hazard Area:**
   The area adjacent to a river or stream subject to inundation by the waters of a Hundred-Year Flood, creating a hazard to life or property.

55. **Flood Plain:**
   An area adjacent to a river or stream, which is subject to inundation by water, as the result of the occurrence of a One Hundred Year Flood.

56. **Floodway:**
   The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge a Hundred-Year Flood without cumulatively increasing the water surface elevation more than one foot.

57. **Flood Proofing:**
   A combination of provisions, changes, or adjustments to properties and structures subject to flooding primarily for the reduction or elimination of flood damages to properties, water and sanitary facilities, structures, and contents of buildings in a flood hazard area.

58. **Frontage:**
   The linear boundary of any lot or tract adjacent to the single street from which access is provided, not including alleys.
59. **Geologic Hazard:**
   A geologic phenomenon that is so adverse to construction or development as to constitute a significant hazard to public health and safety or to property. This term includes but is not limited to: avalanches, landslides, rock falls, mudflows, unstable or potentially unstable slopes, seismic effects, radioactivity and ground subsidence.

60. **Ground Subsidence:**
   A process characterized by the downward displacement of surface materials.

61. **Groundwater:**
   The supply of fresh water under the surface of the earth in an aquifer or soil that forms the natural reservoir for water.

62. **Guest Ranch:**
   A ranch with an additional use for the lodging and boarding of guests while they engage in recreational activities on or adjacent to the ranch.

63. **Hardship:**
   Unusual physical circumstances peculiar to the subject property and not to the neighborhood in general which would result in a deprivation of all beneficial use of or return from the property if the Zoning Regulations are strictly enforced. A hardship must be unique and peculiar to the property, as distinguished from the general impact of the Zoning Regulations.

64. **Height:** (See Building Height)

65. **Holiday Decorations:**
   Items such as lights, ribbons, and garlands that are hung temporarily for holiday celebration.

66. **Home Industry:**
   A non-residential use that does not qualify as a Home Occupation that may be allowed by permit provided it meets all the requirements of these Regulations. To be valid, a Home Industry must satisfy all of the following criteria in Section 8.17.

67. **Home Occupation:**
   An accessory use consisting of a business activity conducted inside a dwelling unit or its accessory structures which does not change the character of the residential neighborhood in which it is located. To be valid, a home occupation must satisfy all of the following criteria in Section 8.18.

68. **Hotel/Motel/Lodge:**
   A building or group of detached buildings containing individual sleeping and/or living units designed or used for temporary occupation.

69. **(One) Hundred Year Flood:**
   A flood that has a frequency of occurrence of 100 years determined from a professional analysis of floods on a particular stream and other streams in the same general region. It has about a one percent chance of occurring in any given year.
70. Individual Sewage Disposal System (ISDS) Regulations:
Regulations adopted by the State of Colorado and by the County, governing installation and maintenance of individual sewage disposal systems.

71. Indoor Riding Arena or stable:
An enclosed structure with a footprint over 5,000 square feet used for riding lessons, exercising horses, riding competitions, stabling horses, or other similar uses.

Community or commercial: An enclosed structure with over 5,000 square feet of commercially leasable space available to the public on a fee basis or is owned and operated by a homeowners (or similar) association for use by members of the association.

Private: A non-commercial facility for the use of the owner or occupant of the property where the facility is located.

72. Industrial:
Uses engaged in the manufacturing, processing, fabrication, assembly, servicing, preparation, treatment, packaging, research, storage, warehousing and distribution of products that may not be entirely enclosed within a structure.

73. Industrial, Light:
Uses engaged in the manufacturing, processing, fabrication, assembly, servicing, preparation, treatment, packaging, research, storage, warehousing, and distribution of products that is totally enclosed within a building or structure.

74. International Residential Code (IRC):
A document created to serve as a complete, comprehensive code regulating the construction of single-family houses, two-family houses (duplexes) of three stories or less.

75. Isolated Mining: (See Mining, Isolated)

76. Junkyard:
An open or enclosed area on which any junk, inoperative vehicles, machinery, or similar scrap material of any type are stored or dismantled. This definition also includes scrap metal processors, auto-wrecking yards, construction materials, salvage, scrap, and recycle yards, and temporary storage of automobile bodies or parts awaiting disposal as a normal part of a business operation when the business has such materials located on the premises on a customary basis. Junkyards shall, for purposes of these Regulations, be considered industrial uses.

77. Landfill:
A discrete area of land or excavation where solid wastes are placed for final disposal, which is not a treated effluent land application unit, waste impoundment or waste pile. Landfills include, but are not limited to, ash monofills, construction and demolition landfills, industrial landfills, Solid Waste Disposal Sites, tire monofills, and similar facilities where final disposal occurs.

78. Landslide:
The rapid, downward movement of soils and rock as a unit.
Section 2 Definitions

79. **Land Use Change:**
Rezoning of property, subdivision of land, substantial clearing, grading, filling or excavation, construction, alteration or moving of buildings or roads, or any action listed as an “approval requested” in the Zoning Review Process Chart, Section 3.2.1 of the Routt County Zoning Regulations, or the Subdivision Review Process Chart, Section 2.1.1 of the Routt County Subdivision Regulations.

80. **Local Public Road:**
A public road that is not on the Routt County Road System and is not maintained by Routt County, and may include roads dedicated or deeded to special districts or metropolitan districts the service plans of which may provide for road maintenance powers.

81. **Lodge:** (See Hotel/Motel/Lodge)

82. **Lot:**
A measured portion of a subdivision or other parcel of land created by deed or plat intended as a unit for transfer of ownership.

83. **Lot, Buildable:**
A lot or parcel that meets all applicable requirements for building including but not limited to: wastewater disposal, well and septic spacing, setbacks, access, zoning and building requirements and any site specific restrictions imposed as part of a County Land Use Approval or Subdivision approval. Provided that it meets one or more of the following criteria:

A. Was created by deed or plat recorded in the Office of the Routt County Clerk and was not created in violation of Colorado state law or the Routt County Zoning and Subdivision Regulations and met the minimum lot area required for the Zone District in which it was located when it was created.

B. Has received Non-conforming lot approval per Section 3.5.5 of these Regulations.

84. **Lot, Non-Conforming:**
A lot or parcel that does not conform to the Regulations of the Zone District in which it is located.

85. **Lot, Double Frontage:**
A lot which fronts on one public street and backs on another.

86. **Lumbering:**
An operation in which timber is harvested for private use or to offer it for sale to wholesalers, retailers or the general public, and involves the transport of the timber off the premises where it is cut.

87. **Master Plan:**
A plan developed by the Planning Commission in accordance with C.R.S. Section 30-28-106, including, without limitation, any sub-area plan and all portions of and amendments to such plans.
88. **Mineral:**
An inanimate constituent of the earth, in either a solid, liquid or gaseous state. When extracted from the earth, a mineral is usable in its natural form or is capable of conversion into usable form as a metal, metallic compound, a chemical, an energy source, a raw material for manufacturing or construction material. This definition includes but is not limited to sand, gravel, coal, quarry materials, oil and gas, coal bed methane, oil shale, uranium, ore, topsoil, rock and geothermal resources but does not include surface or ground water subject to appropriation for domestic, agricultural or industrial purposes. This definition is limited to the purposes of these Regulations and may not be construed to affect the definition of "mineral" for other purposes, such as for establishing title to minerals.

89. **Mining, In-stream:**
Extraction of minerals from within the normal high water mark of a stream or river.

90. **Mining, Resource Extraction:**
The development or extraction of a mineral from its natural occurrences. The term includes, but is not limited to; open mining, drilling, and surface operations and the disposal of refuse, products, or water from surface or underground mines and wells including injection wells. The term includes the following operations: crushing; screening; concentrating; milling; evaporation; and other processing. The term does not include the extraction and use (not processing) of materials that is clearly accessory to an approved land use provided reclamation is assured by project requirements and the operation is not subject to a permit from the Colorado Division of Minerals and Geology. Examples of such projects include:

A. Excavations where no material is exported from the site, including land leveling, landscaping, or sand and gravel excavations opened for landowners’ use on his/her own property;
B. Landfill sites with county approval;
C. Foundation excavation with county approved building permit;
D. Building or subdivision development with county approved Final Planned Unit Development plan or Final Plat;
E. Water or road tunnel development with county approval;
F. Excavation and export of up to 1,000 Cubic Yards (CY) of material from one site to another provided there is no commercial sale of material and a valid Grading and Excavating permit has been obtained.

91. **Mining, Isolated:**
Any Mining and accessory use that meet all the following criteria:

A. The operation shall serve a specific one-time major construction project.
B. The extraction site and the project area shall be owned or controlled/leased by the same person, company or agency.
C. The area of surface disturbance will be limited to a maximum of 9.9 acres.
D. The operation will be located in an area where there are no existing mining operations that could serve the project without creating significant impacts on the road system or to surrounding areas.

E. The operation will serve only the project for which it was intended under this permit.

92. **Minor Use:**

A use allowed in the indicated zoning district only pursuant to conditions and requirements imposed by the County as a part of the Minor Use Permit process.

93. **Mitigation:**

May include one or more of the following:

A. Minimizing impacts by limiting the degree or magnitude of the action and its implications;

B. Rectifying the impact by repairing, rehabilitating, or restoring the affected environment;

C. Reducing or eliminating the impact over time by preservation and maintenance during the life of the action;

D. Compensating for the impact by replacing or providing substitute resources or environments.

94. **Mobile Home:**

Any portable structure originally constructed to have no foundation other than wheels, jacks, or skirting, so designed or constructed to permit occupancy as living quarters or sleeping quarters; for residential purposes; shall have been issued a manufacturer's statement of origin; exceeding either eight (8) feet in width or thirty-two (32) feet in length, excluding towing gear and bumpers; without motive power; and which may be drawn over the public highways by a motor vehicle. Such structures which meet either (1) the Uniform Building Code requirements in Routt County concerning snow load capacity, or (2) which have been approved and designated by the Colorado Division of Housing as factory built homes, shall be considered Dwelling Units and not mobile homes as long as they are placed on a permanent foundation.

95. **Motel:** (See Hotel/Motel/Lodge)

96. **Motor Home:**

Any wheeled vehicle that meets State Highway regulations, either pulled by another vehicle or self propelled, which is designed and commonly used for occupancy as a temporary residence on temporary locations.

97. **Motor Home/Recreational Vehicle (RV)/Tent Camping Resort:** (See Campground)

98. **Mudflow:**

The downward movement of mud in a mountain watershed because of the peculiar characteristics of extremely high sediment yield and occasional high runoff.

99. **Multi-Family Dwelling:**

A single building containing two or more Dwelling Units.
Section 2 Definitions

100. **Natural Hazard:**
An atmospheric or geologic condition that poses a danger and/or risk to humans and/or human activities.

101. **Net Land Area:**
The land area devoted to residential uses, excluding streets, roads, driveways, and open parking areas.

102. **Non-conforming Building:**
A building or portion thereof, legally built prior to the effective date of these Regulations or any amendment thereto, which does not conform to the Regulations of the Zone District in which it is located.

103. **Non-conforming Lot:** (See Lot, Non-conforming)

104. **Non-conforming Structure:**
A structure or portion thereof, legally built prior to the effective date of the Routt County Zoning Regulations or any amendment thereto, that does not conform to the Regulations of the Zone District in which it is located.

105. **Non-conforming Use:**
A use lawfully commenced prior to the effective date of these Regulations or any amendment thereto, that does not conform to the Regulations of the Zone District in which it is located.

106. **Office:**
A building or portion of a building used for conducting the affairs of a business, profession, service, enterprise, or government, but not for use as a residence.

107. **Official Zoning Map:**
The Official Zoning Map of Routt County, Colorado, any detail maps supplementary thereto, any amendments made pursuant to these Regulations, and any maps subsequently adopted pursuant to law. Said maps and amendments shall be adopted by the Board of County Commissioners and shall be available for public review at the Routt County Planning Department.

108. **Opaque:**
Not transmitting light; not transparent or translucent.

109. **Open Space, Usable:**
Open area designed and developed for public or quasi-public uses including, but not limited to, recreation, courts, gardens, parks, and walkways. The term shall not include space devoted to streets, roads and parking and loading areas.

110. **Ordinary High Water Mark (OHWM)**
The line on the shore or streambank established by the fluctuations of water on a regular or frequent basis and is indicated by physical characteristics. The following list of physical characteristics is not exhaustive, but should be considered when making an OHWM determination, to the extent that they can be identified and are deemed reasonably reliable:

- Natural line impressed on the bank
- Leaf litter disturbed or washed away
- Shelving
- Scour
Changes in the character of the soil  Deposition
Destruction of terrestrial vegetation  Multiple observed flow events
Presence of litter and debris  Bed and banks
Wracking  Water staining
Vegetation matted down, bent, or absent  Change in plant community
Sediment sorting

111. **Outdoor Storage:**
The keeping of machinery, equipment, vehicles including recreational vehicles, parts, materials, or other goods in an unenclosed area on any property such that the materials or items are wholly or partially visible. This definition does not apply to vehicles, implements, or equipment used for farming or ranching purposes in agricultural zone districts.

112. **Overburden:**
All of the earth and other materials which lie above a natural mineral deposit and also such earth and other material disturbed from their natural state in the process of mining.

113. **Parks and Recreation Lands Not Including Athletic Fields:**
An area devoted to non-commercial recreational uses and generally characterized by its natural, historic or landscaped features that is used for either passive or active forms of recreation. May include trails, trailheads, playgrounds, tennis courts etc, but does not include athletic fields. No exterior lighting of playgrounds or other facilities is allowed.

114. **Parks and Recreation Lands Including Athletic Fields:**
An area devoted to non-commercial recreational uses and generally characterized by its natural, historic or landscaped features that is used for either passive or active forms of recreation. May include trails, trailheads, playgrounds, tennis courts and athletic fields. Exterior lighting of playgrounds, athletic fields or other facilities may be included.

115. **Permanent Monument:**
Any structure of masonry and/or metal permanently placed on or in the ground, including those expressly placed for surveying reference.

116. **Personal Service Establishment:**
An establishment primarily engaged in providing services involving the care of a person or his or her personal goods or apparel, such as beauty shops, shoe repair, domestic services.

117. **Permit:**
A document issued by Routt County, Colorado, granting permission to perform an act or service that is regulated by the County.

118. **Planned Unit Development (PUD):**
Development in accordance with Section 7 of these Regulations which is intended to allow flexibility in development in a manner varying from the
119. **Planning Commission:**
The Routt County Planning Commission.

120. **Plat:**
A map and supporting materials of certain described land, prepared in accordance with the Routt County Subdivision Regulations as an instrument for recording of real estate interests with the County Clerk and Recorder.

121. **Preliminary Subdivision Plan:**
The map or maps of a proposed subdivision and specified supporting materials, drawn and submitted in accordance with the requirements of the Routt County Subdivision Regulations.

122. **Primary Dwelling Unit:**
The Dwelling Unit permitted as a use by right in the applicable Zone District that is not limited in size.

123. **Production Facility, Renewable Energy:**
Production Facilities, Renewable Energy are relating to the operation of solar, wind, hydrologic, bio-fuels or other energy production not based on fossil fuels such as coal, oil, gas or coal bed methane (see also Solar Energy System).

124. **Property Line:**
The boundaries of a parcel of real property; includes "lot line".

125. **Protected Structure:**
For the purposes of Section 9.7.3, Protected Structure shall mean anything constructed or erected requiring a fixed location on the ground or attached to something having a fixed location on the ground, an edifice or building of any kind, or any man-made object that serves a specific purpose. The term Protected Structure includes, but is not limited to, pipelines, telephone lines, electrical power lines, walks, driveways, roads, dams, bridges, water tanks, railroads, and towers. The term Protected Structure does not include fences.

126. **Public Hearing:**
A meeting noticed pursuant to law and these Regulations held by the Planning Commission, Board of Adjustment, or County Commissioners at which citizens' opinions may be voiced concerning the subject of the hearing.

127. **Public Improvements:**
Street grading and surfacing, with or without curbs and gutters, sidewalks, crosswalks, water mains, sanitary and storm sewers, other utilities, culverts, bridges, street trees or other such installations as may be designated by the Planning Commission or the Board of County Commissioners.

128. **Public Meeting:**
A meeting noticed pursuant to law and these Regulations held by the Planning Commission, or County Commissioners at which citizens' opinions may be voiced concerning the subject of the meeting. Under these Regulations the outcome of a Public Meeting is advisory.
129. **Public Road:**

All roads over private lands dedicated to the public use by deed to that effect, filed with the County Clerk and recorder of the county in which such roads are situate, when such dedication has been accepted by the board of county commissioners. A certificate of the County Clerk and recorder with whom such deed is filed, showing the date of the dedication and the lands so dedicated, shall be filed with the county assessor of the county in which such roads are situate.

A. All roads over private or other lands dedicated to public uses by due process of law and not heretofore vacated by an order of the board of county commissioners duly entered of record in the proceedings of said board;

B. All roads over private lands that have been used adversely without interruption or objection on the part of the owners of such lands for twenty consecutive years;

C. All toll roads or portions thereof which may be purchased by the board of county commissioners of any county from the incorporators or charter holders thereof and thrown open to the public;

D. All roads over the public domain, whether agricultural or mineral.

130. **Public Utilities – Major Facilities:**

A. Major facilities of telephone utilities including: Central office buildings, microwave relay sites, or garages and storage yards

B. Major facilities for collection, distribution, transmission, or processing of natural gas, petroleum or other minerals including but not limited to:
   1) Gas transmission pipelines and associated facilities designed for or capable of transporting gas at pressures in excess of 100 pounds per square inch.
   2) A processing or compressing facility that is part of a common carrier pipeline.
   3) Storage areas appurtenant to pipelines described above.

C. Major facilities of electrical utilities including:
   1) Electrical generating plants and associated facilities designed for, or capable of, operation at a capacity of ten megawatts or more.
   2) Electrical transmission lines of greater than 44 KV or more.
   3) Electrical substations utilized for the purpose of transforming voltage up to a voltage level above 44 KV or for transforming voltages down from a voltage level greater than 44 KV, and related equipment.
   4) A facility utilized for switching purposes and related equipment operated at a voltage above 44 KV, other than switches mounted on a line structure.

D. Major facilities of other Public Utilities including but not limited to water pipelines.
131. **Public Utilities – Regional Distribution:**
   A. Telephone or cable television lines, except those lines or cables required to provide service to individual users.
   B. Distribution pipelines and associated facilities for natural gas designed for and capable of transporting gas at pressures of 100 pounds per square inch or less.
   C. Electrical transmission or distribution lines with voltages between 44 KV and 25 KV and electrical substations utilized for the purpose of transforming voltages of 44 KV to 25 KV down to a lower voltage.

132. **Public Utilities – Local Distribution and Service Lines:**
   A. Telephone or cable television lines providing service to individual users.
   B. Local distribution and service pipelines and associated facilities for natural gas.
   C. Electrical transmission, distribution and service lines with voltages less than 25 KV.

133. **Qualifying Sealed Vault System:**
To be a qualifying sealed vault system, the system must comply with all regulations of the Colorado State Board of Health and Routt County concerning Individual Sewage Disposal Systems. It must also be a system for which the Routt County Department of Environmental Health has issued a permit. The system must also serve a lot or parcel within a metropolitan district or special district having authority to provide sewage treatment and collection services, which district and Routt County are parties to an intergovernmental agreement existing as of December 3, 1998, in which such district has agreed to accept sewage from the sealed vault system.

134. **Reclamation:**
The procedures designed to minimize the disruption of land and to provide for the establishment of plant cover, stabilization of soil, protection of water resources, or other measures appropriate to the subsequent beneficial use of such land.

135. **Recreation Facilities, Indoor:**
An enclosed structure for recreational uses including but not limited to a recreation center, video game arcade, bowling alley, pool hall, dance hall, teen club, health club, shooting range, and paint ball facility.

136. **Recreation Facilities, Outdoor – Urban:**
Structures and/or areas for recreational activities, including but not limited to, batting cages, commercial athletic fields, miniature golf, grand prix miniature race cars, go-carts, water slides, alpine slides and amusement rides, where part or all of such activities are outdoors and not necessarily dependent on a rural location and which do not meet the definition of Parks and Recreation Lands.

137. **Recreation Facilities, Outdoor – Rural:**
Structures and/or areas for recreational activities such as cross-country or downhill skiing, shooting ranges, sporting clays, racetracks, rally racing, where part or all of such activities are outdoors and generally dependent on a rural location and which do not meet the definition of Parks and Recreation Lands.
138. **Recreation Facilities, Outdoor – Rural with Overnight Accommodations:**
Structures and/or areas for recreational activities such as cross-country or downhill skiing, shooting ranges, sporting clays, racetracks, rally racing, where part or all of such activities are outdoors and generally dependent on a rural location and which do not meet the definition of Parks and Recreation Lands and includes overnight accommodations. The overnight accommodation component is accessory and normally incidental to the overall permitted use of the land.

139. **Remainder Parcel:**
The portion of a property which has been reviewed under either the Minor Development Subdivision Exemption process or the Land Preservation Subdivision Exemption process whose acreage has been used to permit the creation of other smaller Buildable Lots and whose further development and subdivision has been limited pursuant to the Development Agreement entered into as a part of such process.

140. **Replat / Resubdivision:**
The reconfiguration of any existing lot or lots of any subdivision plat previously recorded with the County Clerk and Recorder.

141. **Restaurant:**
A commercial establishment where meals are prepared and served to the public, whether seated or not and may or may not include a bar or lounge as an accessory use.

142. **Retail Sales:**
Sales of goods or services to the general public.

143. **Right-of-Way:**
The entire dedicated or otherwise designated tract or strip of land that is reserved for, or otherwise used by the public for circulation and service.

144. **Road:** (See Street)

145. **Road Engineering Study:**
A study that evaluates the effects a particular project’s or use’s traffic will have on the road system structure and provides recommendations to mitigate the impacts.

146. **Safety Training Facility:**
A site, with or without structures, that is utilized for the purpose of providing training focused on public or personal safety, and is not used for recreational purposes.

147. **School:**
An institution for instruction. Schools are classified as either public or private and by the type of instruction provided and the age of the students. A public school is an institution providing instruction which secures the major part of its funding from taxes or from government agencies. A private school is an institution providing instruction which secures the major part of its funding from sources such as tuition and donations, and not from taxes or government agencies.
148. **Secondary Dwelling Unit:**
A Dwelling Unit, other than the Primary Dwelling Unit on a Buildable Lot, which may be restricted as to location or size.

149. **Secondary Sewage Treatment:**
A method of sewage treatment in which a minimum of 85 percent of the biochemical oxygen consuming material is removed.

150. **Setback, Front, Side and Rear Yard:**
The area within a parcel of land determined by the Section 5.2.1 - Dimensional Standards Table of these Regulations in which no building can be located. On corner lots, that portion of a lot contiguous to a public right-of-way or private street shall be considered as a front yard area for the purpose of applying setback regulations. In a corner lot situation, the property lines opposite such front yards shall be considered side yards.

151. **Short-Term Rentals:**
The rental of a Dwelling Unit for a term or time period of less than one month.

152. **Sign, Attached:**
Signs attached to a building.

153. **Sign, Commercial:**
A sign that is commercial in nature and placed on a parcel of land in which the commercial activity advertised is taking place.

154. **Sign, Detached:**
Signs supported to any degree by a structure separate from a building.

155. **Sketch Plan:**
The sketch maps or maps of a proposed subdivision drawn and submitted in accordance with the requirements of the Routt County Subdivision Regulations, to evaluate feasibility and design characteristics at an early stage in the planning.

156. **Skylined:**
A structure is skylined when, because of its placement on a ridgeline or other topographical feature, all or any portion of it, when viewed from a specified observation point such as a public right-of-way, appears to project above the ground surrounding the structure into the sky which is in the background of the structure.

157. **Sludge:**
Any solid or semi-solid waste generated by municipal, commercial, or industrial wastewater treatment plant, water supply treatment plant, or air pollution control facility, that has been treated to obtain pathogen destruction, odor control, or putrescibility control.

158. **Sludge Disposal:**
Land application or beneficial use: Placement of sludge on the land at agronomic rates so as to use the nutrients and/or moisture in the sludge as a soil conditioner or low-grade fertilizer for the promotion of vegetative growth.
Placement in a dedicated disposal site: Placement of sludge in a landfill facility that has received permits from the State of Colorado for sludge disposal.

159. **Small Structure:**
A structure subordinate to the other buildings on a lot, used for the purposes customarily incidental to the buildings on a lot and associated with playhouses, or storage of lawn and pool care equipment, decks less than 30” above finished grade or any other items used in the normal maintenance of residential property which does not exceed 120 square feet. Small Structures do not have a permanent foundation and do not require a building permit. No more than one (1) structure may be considered within the setback per property under this definition and be no closer to any property line than four (4) feet.

160. **Solar Energy System:**
A system composed of a solar energy collector which may include an energy storage facility and components for the transmission and distribution of transformed energy sized to 120% of the average annual load of the use by right and/or an approved use.

161. **Solid Waste:**
Any garbage, refuse, sludge from a waste treatment plant, water supply treatment plant, or air pollution control facility, or other discarded material; including solid, liquid, semisolid, or contained gaseous material resulting from residential, industrial, commercial, or community activities. “Solid Waste” does not include any of the following:
- solid or dissolved materials in domestic sewage,
- agricultural wastes, or solid or dissolved materials in irrigation return flows,
- industrial discharges which are point sources subject to permits under provisions of the “Colorado Water Quality Control Act”, Title 25, Article 8, CRS
- materials handled at facilities licensed pursuant to the provisions of the “Radiation Control Act” in Title 25, Article 11, CRS,
- scrap metal that is being recycled,
- shredded circuit boards that are being recycled

162. **Special Event:**
A public or commercial use that occurs no more than bi-annually on the same parcel and is of limited duration (no more than 5 calendar days) and will have limited impact beyond the parcel boundaries.

163. **Special Use:**
A use allowed in the indicated zoning district only pursuant to conditions and requirements imposed by the County as a part of the Special Use Permit process.
164. **Stable:** (See Indoor Riding Arena or Stable)

165. **State Highway:**
A highway that is part of the state highway system under the jurisdiction of the Colorado Department of Transportation.

166. **Street:**
Any street, avenue, boulevard, road, lane, parkway, viaduct, or other way for the movement of vehicular traffic which is an existing federal, state, county or municipal roadway, or a street or way shown upon a plat, heretofore approved, pursuant to law or approved by official action; and includes the land between street lines, whether improved or unimproved, and may comprise pavement, shoulder, gutters, sidewalks, parking areas and other areas within the right-of-way.

167. **Structure:**
Anything constructed or erected requiring a fixed location on the ground or attached to something having a fixed location on the ground, an edifice or building of any kind, a container greater than 120 sq. ft., or any piece of work built or composed of parts joined together in some definite manner. This shall not include pipelines, telephone lines or electrical power lines, raised garden beds, retaining walls under 4-foot, culverts, ranch entry ways, mailboxes, paver patios or on-grade patios or decking, walks, driveways, fences, and roads.

168. **Subdivider or Developer:**
Any person or legal entity that participates as owner, promoter, developer, or sales agent in the planning, platting, development, promotion, sale or lease of a subdivision.

169. **Subdivision:**
For purposes of these Regulations, the term "subdivision" shall have the same meaning as the terms "subdivision or subdivided land" as set forth in C.R.S. § 30-28-101(10), as amended, and in the case of a conflict the definition contained in C.R.S. § 30-28-101(10), as amended, shall control. At the time of adoption of these Regulations, C.R.S. § 30-28-101(10) provided in substance as follows, and the term Subdivision shall have the following meaning:

A. Any parcel of land in the state which (1) is to be used for condominiums, apartments, or any other multiple-Dwelling Units, unless such land when previously subdivided was accompanied by a filing which complied with these Regulations and the provisions of part 1 of Article 28, Title 30 C.R.S. (the "County Planning Law"), with substantially the same density, or (2) which is divided into two or more parcels, separate interests, or interests in common, unless exempted below. As used in this section, "interests" includes any and all interests in the surface of land but excludes any and all subsurface interests.

B. The term “Subdivision” shall not apply to any division of land that creates parcels of land each of which comprises thirty-five or more acres of land and none of which is intended for use by multiple owners.

C. Unless the method of disposition is adopted for the purpose of evading these Regulations or the County Planning Law, the term “Subdivision” shall not apply to any division of land:
Section 2 Definitions

1. Which creates parcels of land, such that the land area of each of the parcels, when divided by the number of interests in any such parcel, results in thirty-five or more acres per interest;

2. Which could be created by any court in this state pursuant to the law of eminent domain, or by operation of law, or by order of any court in this state if the board of county commissioners of the county in which the property is situated is given timely notice of any such pending action by the court and given opportunity to join as a party in interest in such proceeding for the purpose of raising the issue of evasion of the County Planning Law prior to entry of the court order; and, if the board does not file an appropriate pleading within twenty days after receipt of such notice by the court, then such action may proceed before the court;

3. Which is created by a lien, mortgage, deed of trust, or any other security instrument;

4. Which is created by a security or unit of interest in any investment trust regulated under the laws of this state or any other interest in an investment entity;

5. Which creates cemetery lots;

6. Which creates an interest in oil, gas, minerals, or water, which is severed from the surface ownership of real property;

7. Which is created by the acquisition of an interest in land in the name of a husband and wife or other persons in joint tenancy or as tenants in common, and any such interest shall be deemed for purposes of this definition as only one interest;

8. Which is created by the combination of contiguous parcels of land into one larger parcel. If the resulting parcel is less than thirty-five acres in land area, only one interest in said land shall be allowed. If the resulting parcel is greater than thirty-five acres in land area, such land area, divided by the number of interests in the resulting parcel, must result in thirty-five or more acres per interest. Easements and rights-of-way shall not be considered interests for purposes of this subparagraph 8.

9. Which is created by a contract concerning the sale of land which is contingent upon the purchaser's obtaining approval to subdivide, pursuant to this article and any applicable county Regulations, the land to be acquired pursuant to the contract;

10. Which creates a cluster development pursuant to part 4, Article 28, Title 30 C.R.S.

D. The Board of County Commissioners may, pursuant to rules and Regulations or resolution, exempt from this definition of the term “Subdivision” any division of land if the Board of County Commissioners determines that such division is not within the purposes of these Regulations or the County Planning Law.
170. **Subdivision Improvements Agreement Guarantee:**
One or more security arrangements in a form prescribed by the County to secure the construction of improvements as are required by the County and shall include collateral acceptable to the Board.

171. **Subdivision Plan:**
The map or maps of a proposed subdivision and specified supporting materials to permit the evaluation of the proposal prior to detailed engineering and design.

172. **Telecommunication Facility:**
A commercial facility consisting of equipment for the reception, switching and transmission of wireless telecommunications, including, but not limited to, personal communication service (PCS), enhanced specialized mobile radio (ESMR), paging, cellular telephone and similar technologies. This definition does not include telecommunications equipment that is clearly accessory to a use by right or permitted use.

173. **Temporary Workforce Housing (TWH)**
TWH is non-permanent housing for the commercial, industrial, transportation, oil and gas or mineral extraction operations.

174. **Tent or Tepee or Yurt:**
A collapsible structure of canvas or other flexible material constructed and sustained by poles and used for camping outdoors or as a temporary building.

175. **Threatened or Endangered Species:**
A species that has been designated as either threatened or endangered under either the Federal Endangered Species Act or Colorado Law.

176. **Traffic Impact Study:**
A study that evaluates the effects a particular project’s or use’s traffic will have on the transportation network and provides recommendations to mitigate the impacts.

177. **Transportation Overview:**
A written statement prepared by an applicant that includes a detailed description of the proposed access route, traffic circulation plan, and vehicle information (type, size, weight, number, and frequency of vehicles).

178. **Transportation Summary Information:**
A document prepared by an applicant that includes the information needed for a consultant to start preparing a Road Engineering Study.

179. **Two-Family Dwelling:** *(See Duplex)*

180. **Unstable or Potentially Unstable Slopes:**
An area susceptible to landslide, mudflow, rock fall or accelerated creep of soils.

181. **Usable Open Space:** *(See Open Space, Usable)*

182. **Use by Right:**
A use that is listed as a use permitted by right in any given Zone District in these Regulations. Uses by right are not required to show need for their location but
may be required to obtain other permits in order to comply with federal, state and local regulations.

183. **Value Added Agricultural Processing:**

The processing of agricultural products including the processing of poultry. Except for poultry, this does not include the processing of meat or game. Examples include but are not limited to: the manufacturing of herbal products, food products, woolen products, and cheese. May include accessory retail sales and/or a farm stand.

A. **Small Agricultural Processing Operation**

A value added agricultural processing operation that meets the following thresholds:

1. 75% (by volume) of raw materials to be processed are raised or grown on the site; and

2. The total processing area is 1200 sq. ft. or less in gross floor area; and

3. Traffic generation from the value added processing and/or sale of value added processing products is less than 50 vehicle trips per day, including customers, employees and deliveries; and

4. The total number of birds processed per year is less than 250.

B. **Medium Agricultural Processing Operation**

A value added agricultural processing operation that meets the following thresholds:

1. The parcel on which the agricultural use is proposed is 35 acres in area or greater; and
   a. More than 50 percent (by volume) of raw materials to be processed are raised or grown on the site; and/or
   b. The total processing area is between 1201 to 4000 sq. ft. in gross floor area; and
   c. Traffic generation from the value added processing and/or sale of value added processing products is less than 50 vehicle trips per day, including customers, employees and deliveries; and/or
   d. The total number of birds processed per year is in between 250 and 500.

2. The parcel on which the agricultural use is proposed is less than 35 acres; and
   a. More than 50 percent (by volume) of raw materials to be processed are raised or grown on the site; and/or
   b. The total processing area is 1200 sq. ft. or less in gross floor area; and
   c. Traffic generation from the value added processing and/or sale of value added processing products is less than 50 vehicle trips per day, including customers, employees and deliveries; and/or
d. The total number of birds processed per year is in between 250 and 500.

C. **Large Agricultural Processing Operation**

A value added agricultural processing operation that meets the following thresholds:

1. The parcel on which the agricultural use is proposed is 35 acres in area or greater; and
   a. Less than 50 percent (by volume) of raw materials to be processed are raised or grown on the site; and/or
   b. The total processing area is more than 4000 sq. ft. in gross floor area; and/or
   c. Traffic generation from the value added processing and/or sale of value added processing products is 50 or more vehicle trips per day, including customers, employees and deliveries; and/or
   d. The total number of birds processed per year is in between 501 and 1,000.

2. The parcel on which the agricultural use is proposed is less than 35 acres; and
   a. Less than 50 percent (by volume) of raw materials to be processed are raised or grown on the site; and/or
   b. Total processing area is between 1201 to 4000 sq. ft. in gross floor area; and/or
   e. Traffic generation from the value added processing and/or sale of value added processing products is 50 or more vehicle trips per day, including customers, employees and deliveries; and/or
   f. The total number of birds processed per year is in between 501 and 1,000.
### Value Added Agricultural Processing Operation

<table>
<thead>
<tr>
<th>Acreage</th>
<th>Small – Administrative Permit</th>
<th>Medium – Conditional Use Permit</th>
<th>Large – Special Use Permit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any Acreage</td>
<td>More than 35</td>
<td>Less than 35</td>
<td>More than 35</td>
</tr>
<tr>
<td>More than 50%</td>
<td>Less than 50%</td>
<td>Less than 50%</td>
<td>Less than 50%</td>
</tr>
<tr>
<td>1200 square feet or less</td>
<td>1201-4000 sq. ft.</td>
<td>1200 square feet or less</td>
<td>4000 square feet or greater</td>
</tr>
<tr>
<td>Less than 50</td>
<td>Less than 50</td>
<td>Less than 50</td>
<td>More than 50</td>
</tr>
<tr>
<td>0-249</td>
<td>250-500</td>
<td>250-500</td>
<td>501-1,000</td>
</tr>
<tr>
<td>501-1,000</td>
<td>501-1,000</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

184. **Vehicle – Inoperative:**
A motor vehicle that cannot be moved under its own power.

185. **Waterbody:**
A perennial or intermittent river, stream, lake, reservoir, or pond, whether natural or artificial, but does not include irrigation or roadway drainage ditches, or artificial lakes or ponds which are created and used for the primary purpose of agricultural activities. A “perennial” river, stream, lake, reservoir, or pond is one that normally holds water or flows continuously during all of the calendar year as a result of ground-water discharge or surface runoff. An “intermittent” river, stream, lake, reservoir, or pond is one that normally holds water or flows continuously for at least ninety (90) days of the calendar year as a result of ground-water discharge or surface runoff.

186. **Weed, Noxious:**
An alien plant or parts of an alien plant that have been designated by the State of Colorado as being noxious or has been declared a noxious weed by the Routt County Weed Board.

187. **Wildfire Hazard:**
The combination of fuels and topography that present potential for wildfires to endanger life or property.

188. **Wildlife:**
All species of wild animals native to Routt County, including, but not limited to, big game species such as elk, moose and deer as well as threatened and endangered species.

189. **Wildlife, Critical Wildlife Habitat:**
Areas used by wildlife that are critical to the survival of a particular species. Such areas include, depending on the species, breeding areas, birthing areas,
migration routes, critical winter habitat, summer feeding and resting areas, staging areas and cover areas for movement.

190. **Wildlife, Critical Winter Habitat:**
That part of the winter range of a species where densities are 200 percent greater than the surrounding winter range density during the same period used to define winter range in the average five winters and may be listed pursuant to these Regulations as either Winter Concentration areas or Severe Winter Range.

191. **Wildlife, Winter Range:**
Areas used by wildlife species during the winter months for foraging and for shelter from severe weather conditions.

192. **Wind Generator (and associated):**
A machine specifically designed to convert kinetic energy from wind into electrical energy. A wind generator may include a generator, tower, electric lines and associated control or conversion electronics. Large generators > than 80 feet in height operated by a public utility or primarily for the sale of electricity to a public utility shall be defined as a “Public Utility-Major Facility” and shall comply with the Standards for both Public Utility-Major and Wind Generator > 80’.

193. **Yurt: (see Tent or Teepee or Yurt)**
SECTION 3. ADMINISTRATION

3.1. Generally
All land use changes within the County shall be required to follow the procedures and satisfy the requirements set forth in these Regulations. "Land Use Change," as used in these Regulations, is a general and inclusive term. The applicant is required to attend in person or by authorized representative all public meetings or hearings at which the project is considered, unless otherwise notified by the Planning Department. No land use change may be undertaken except in accordance with and pursuant to the appropriate review procedures listed in the Review Process Chart, Section 3.2.1.

Anyone considering an application for any land use change is encouraged to meet with County Planning Staff as early in the process as possible. The County Planning
Department has resources available that can help identify issues related to the proposed land use change. These resources include copies of various federal, state, and local studies and planning documents; natural hazard, floodplain, wildlife, and other maps; and archives of previous land use applications and approvals.

3.2. Review Process

All land use changes must be reviewed and approved in accordance with the review process and standards set forth in this section. The following Review Process Chart, Section 3.2.1 establishes the required review steps applicable to different forms of approval that may be requested. Applicants should refer to the chart to determine which one or more "Approval Requested" under the left-hand column of the chart applies to their proposed Land Use Change. The required stages of review for each approval are shown on the lines to the right. Submission requirements and the specific review process for each stage are set out in detail in the balance of these Regulations under the appropriate headings. Incomplete applications (as determined by the Planning Director) shall not be processed or scheduled for review. Unless otherwise indicated, amendment or modification of a prior approval follows the procedure for review of the original application.
### Section 3 Administration

#### 3.2.1. Review Process Chart

<table>
<thead>
<tr>
<th>Approval Requested</th>
<th>Notice Requirements</th>
<th>Approval Authority</th>
<th>Required Public Meeting and/or Public Hearing</th>
<th>Appeals</th>
<th>Final Documentation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minor Use Permit, B.P. Signoff</td>
<td>Mailed, Posted, Published</td>
<td>Staff Planner</td>
<td>None</td>
<td>Per Section 3.2.7, except B.P. signoff appeals which are heard by BOA</td>
<td>Minor Use Permit issued or initials on B.P.</td>
</tr>
<tr>
<td>Skyline Prior Certification</td>
<td>15 days prior to decision</td>
<td>Planning Director</td>
<td>No Public Meeting or Hearing - Planning Director makes decision 21 days after application has been deemed complete</td>
<td>Appeal to PC at a Public Hearing</td>
<td>Administrative Use Permit is issued</td>
</tr>
<tr>
<td>Administrative Permit</td>
<td>15 days prior to decision</td>
<td>Planning Director</td>
<td>No Public Meeting or Hearing - Planning Director makes decision 21 days after application has been deemed complete</td>
<td>Appeal to PC at a Public Hearing</td>
<td>Planning Director may refer application to PC or BCC for a final decision.</td>
</tr>
<tr>
<td>Conditional Use Permit (CUP)</td>
<td>30 days before PC</td>
<td>PC</td>
<td>PC - Public Hearing</td>
<td>Any Appeal will be reviewed by BCC at a Public Hearing</td>
<td>CUP is issued</td>
</tr>
<tr>
<td>Special Use Permit (SUP)</td>
<td>30 days before PC &amp; BCC</td>
<td>BCC after review by PC</td>
<td>PC - Public Hearing (recommendation to BCC)</td>
<td>Appeal to District Court</td>
<td>SUP is issued</td>
</tr>
<tr>
<td>Site Plan Review</td>
<td>30 days before PC</td>
<td>PC</td>
<td>PC - Public Hearing</td>
<td>Any Appeal will be reviewed by BCC at a Public Hearing (Per Section 3.2.7)</td>
<td>Letter from Planning Staff</td>
</tr>
<tr>
<td>Vacation of platted ROW or Public Utility Easement</td>
<td>30 days before PC &amp; BCC</td>
<td>PC</td>
<td>PC - Public Hearing</td>
<td>Appeal to District Court</td>
<td>Record Resolution</td>
</tr>
<tr>
<td>Vacation of unplatted ROW</td>
<td>30 days before BCC</td>
<td>BCC</td>
<td>BCC - Public Hearing (final decision)*</td>
<td>Appeal to District Court</td>
<td>Record Resolution</td>
</tr>
<tr>
<td>Zoning Regulations Amendment</td>
<td>30 days before PC &amp; BCC</td>
<td>BCC after review by PC</td>
<td>PC - Public Hearing (recommendation to BCC)</td>
<td>Appeal to District Court</td>
<td>Record Resolution</td>
</tr>
<tr>
<td>Conceptual PUD</td>
<td>30 days before PC &amp; BCC</td>
<td>BCC after review by PC</td>
<td>PC - Public Hearing (recommendation to BCC)</td>
<td>Appeal to District Court</td>
<td>Letter from Planning Staff</td>
</tr>
<tr>
<td>Final PUD</td>
<td>30 days before PC</td>
<td>PC</td>
<td>PC – Public Hearing</td>
<td>Any Appeal will be reviewed by BCC at a Public Hearing (Per Section 3.2.7)</td>
<td>Record Final PUD plan</td>
</tr>
<tr>
<td>Zone Change</td>
<td>30 days before PC &amp; BCC</td>
<td>BCC after review by PC</td>
<td>PC - Public Hearing (recommendation to BCC)*</td>
<td>Appeal to District Court</td>
<td>Record Resolution &amp; amend Zoning Map</td>
</tr>
<tr>
<td>Variance</td>
<td>30 days before BOA</td>
<td>BOA</td>
<td>BOA – Public Hearing</td>
<td>Appeal to District Court</td>
<td>Letter from Planning Staff</td>
</tr>
</tbody>
</table>

- Proposals must be reviewed by PC, BCC, and BOA will be scheduled on the first open agenda for which all notification requirements can be met; the review of any proposal may be delayed if additional information and/or studies are required to determine if all applicable Zoning Resolution Standards can be met.
- Proposals must comply with all applicable Standards of Sections 3, 4, 5, 6, 7, 8, and 9 of these Regulations to be approved.
- Conditions may be placed on any Approval if they are deemed necessary to ensure compliance with the applicable Standards of these Regulations
- Permit extensions or renewals, Amendments, and Revocations must follow same procedure as original approval unless otherwise noted.
- No process listed above shall result in a site-specific development plan approval or in a vesting of property rights except as may be provided in Section 3.2.15.
- Planning Director may authorize a concurrent review of any of the processes listed above provided all minimum notification requirements are met.
- * Vacation of ROW or Public Utility Easement and Zone Changes heard in concert with a subdivision plat that results in an overall reduction in the number of Buildable Lots may be heard on the PC’s and BCC’s Consent Agenda.
3.2.2. Application Fees

To help defray the costs of processing and administering these Regulations, Application Fees shall be paid to Routt County by applicants at the time of filing the application in an amount as noted in the Fee Schedule – Appendix B attached to these Regulations.

3.2.3. Pre-Application Meeting with a Staff Planner

Prior to any application for a Land Use Approval, the applicant should meet with a staff planner. At the meeting the staff planner will work with the applicant to determine the appropriate process for the proposed land use change. In addition the staff planner will provide a preliminary list of submittal requirements.

3.2.4. Pre-Application Conference

At the discretion of the Planning Director, or the request of an applicant, a pre-application conference may be held with the Planning Commission and/or Board of County Commissioners for the purpose of establishing general guidelines and eliciting feedback from the members of the Planning Commission and/or Board of County Commissioners regarding specific questions or problem areas related to a proposed development. The pre-application conference is intended to provide the applicant with general guidance prior to the expenditure of large amounts of time and money in the planning effort. A pre-application conference is non-binding and advisory only.

3.2.5. Procedure

A. Application shall be submitted in writing to the Planning Department along with such evidence as may be necessary to demonstrate compliance with the conditions and requirements set forth for the particular land use change according to these Regulations.

B. The Planning Director shall review the application and accompanying evidence and thereafter determine if the application is complete in accordance with the Submittal Schedule (Appendix A). Once an application has been deemed complete by the Planning Director it will be scheduled for review in accordance with the Review Process Chart (Section 3.2.1). The review of any proposal may be delayed if additional information and/or studies are required to determine if all applicable Regulations can be met. If, in the opinion of the Planning Director, a submittal at any stage of review is incomplete, the matter shall be removed from the agenda and not further processed until deemed complete.

C. Upon application or at any stage of review of any land use change the Planning Commission, Board of County Commissioners, Board of Adjustment or Planning Director may require at the applicant's expense the submission or completion of any plan, study, survey or other information (e.g., a Road Engineering Study), in addition to that specified in these Regulations, as such body or individual may determine necessary to enable it to review and act upon the application or in order to determine whether the application complies with the requirements of these Regulations.

D. Approval authority and review process for each type of approval are as noted in the Review Process Chart (Section 3.2.1). Approvals may be
Section 3 Administration

granted by designated Approval Authority provided all applicable requirements of the Routt County Zoning and Subdivision Regulations have been met.

E. For approvals that require a Public Meeting or Public Hearing the Planning Director shall schedule the application for review on the next open agenda (Planning Commission, Board of County Commissioners, Board of Adjustment as applicable) consistent with the notice requirements set forth herein. Pursuant to Section 3.2.5.B, the review of any proposal may be delayed if additional information and/or studies are required to determine if all applicable Regulations can be met.

F. All approvals may be subject to conditions as necessary to ensure compliance with the applicable standards of these Regulations.

3.2.6. Scope of Conditions

The approval authority, as noted in the Review Process Chart (Section 3.2.1), in granting any approval, may, in addition to any other condition, restriction or limitation, further condition issuance of such approval in any or all of the following respects:

A. Installation and proper and continuing maintenance of landscaping, lighting and/or buffering materials or structures;

B. Limitation on the number of permissible customers and/or vehicle trips received or generated by the use, measured by the hour, day, week, month or other suitable increment;

C. Limitation on hours and/or days of operation;

D. Setback requirements greater than those generally applicable in the Zone District in which the use is proposed;

E. Limitation upon area, size, height or scope of proposed use;

F. Requirement for performance bond or bonds to guarantee permit condition compliance or site restoration;

G. Requirement for review, on an annual or other basis, of the history of permit condition compliance;

H. Right to revise or further condition the permit in the future;

I. Right to prohibit or restrict transfer of permit;

J. Duration of the permit;

K. Such other conditions as are found to be reasonable and appropriate to address or mitigate any significant negative impacts or a threat to public health, safety or welfare presented by the proposed land use change.

3.2.7. Appeals

A. The Board of County Commissioners (BCC) or any individual member of the BCC, Planning Commission (PC) or any individual member of the PC, applicant or any adjacent property owner who would have been entitled to receive notice of the original permit application, pursuant to Section 3.3.4 may appeal the decision of Planning Staff, Planning Director, Planning Commission, BCC or other County board or department with authority under this Section 3, to the next stage of review. In general the stages of review occur in the following order: Planning Staff, Planning Director,
Planning Commission, BCC. Exceptions are noted in the Review Process Chart, Section 3 Administration Routt County Zoning Regulations (Section 3.2.1). In the event the review stage is before the BCC, the application may not be further processed following a denial, and any appeal or review of such denial should be as provided by law.

B. Any appeal of a decision must be filed with the Planning Director in writing within five (5) business days of the decision. The appeal shall be filed on forms provided by the Planning Department.

C. Any appeal considered by an individual member of the PC or BCC will be scheduled by the Planning Director at the next regularly scheduled Public Hearing for that individual’s respective commission for consideration of formally furthering the appeal. If a commission quorum approves the furtherance of the appeal or if the appeal was initiated by the applicant or adjacent property owner, then the appeal shall be scheduled for a Public Hearing at the next available agenda to the next stage of review for which the minimum public notice requirements of Section 3.3 can be met. Appeals considered by the Planning Director shall be processed within five business days, unless additional information is required.

D. Upon hearing the appeal PC or the BCC (as applicable) may uphold or reverse the decision, or uphold or reverse the issuance of the permit and may add, eliminate, or modify conditions of approval.

3.2.8. Issuance

The final documentation as noted on the Review Process Chart (Section 3.2.1) shall be initiated by planning staff once the applicable appeals period has expired, all required conditions of approval have been met, and the applicant has submitted any necessary information. No construction may begin until such time as final documentation has been completed, unless otherwise approved by Routt County.

3.2.9. Term of Approval

A. Approvals shall be valid for the time period specified at the time of issuance of the Approval, or if no time period is specified, for the life of the use; provided, however, that the permittee has diligently pursued construction of or initiation of the use within the first year after issuance of the Approval, unless otherwise approved.

B. Whenever an approved use has been discontinued for a period of one (1) year, the Approval shall be deemed to have automatically lapsed, except for Permitted uses that are customarily operated seasonally or periodically.

C. The expiration date of a permit may be extended without notice by the Planning Director for a period not to exceed 90 days. Only one extension by the Planning Director shall be allowed. All conditions in the existing permit shall continue to apply to such extensions. Requests submitted to extend the permit must be accompanied by an application for renewal that has been deemed complete by the Planning Director.

3.2.10. Minor Changes and Amendments to a CUP, SUP, or Site Plan Approval

A. The Planning Director may authorize minor changes, technical corrections or clarifications to applicable conditions of approval or
development plans for any Land Use Approval so long as the corrections or clarifications do not increase the scope or extent of the approval or change the intended purpose of the conditions.

B. The Planning Director may authorize the review of Minor Amendments, not qualifying as minor changes, technical corrections or clarifications as allowed in Section 3.2.10.A, to a CUP, SUP, or Site Plan approval through the Administrative Permit process as outlined in the Review Process Chart (Section 3.2.1). Applications that meet the following criteria are eligible to be processed as Minor Amendments:

1) The proposed amendment is to amend or delete conditions of approval that are either obsolete or no longer serve the intended purpose; or

2) The proposed amendment meets all of the following:
   a) The proposed amendment will not increase permitted building square footage by more than 25% (building permits may still be required); and
   b) The proposed amendment will not increase traffic generated by more than 20%; and
   c) There is sufficient land available to support any increased intensity of use.

3.2.11. Approval Review

Any Land Use Approval granted pursuant to these Regulations is subject to review at any time. In general reviews are conducted by Planning Department staff to ensure conformance with the terms and conditions of approval. Timing and frequency of review varies based on a variety of factors including: type of approval, conditions of approval, life of permit, and public comment.

The Planning Director, Planning Commission, or Board of County Commissioners may schedule a formal review that includes the possibility of amending or revoking the approval under either of the following conditions:

A. If there is reasonable cause to believe any applicable requirements of these Regulations have been violated, or any conditions of an Approval have been violated. In determining if a formal review is necessary, emphasis will be placed on knowing and willful violations and/or a pattern of repeated violations.

B. If there is reasonable cause to believe the operation of the permitted use has created significant negative impacts inconsistent with representations made by the applicant during the original approval process.

3.2.12. Amendment or Revocation of Approval

An Approval may be revoked or amended by the applicable Approval Authority as noted in the Review Process Chart (Section 3.2.1) at any time during the term of the Approval. Such action may only be taken following the same procedure as required for the original approval and only after a determination by the applicable Approval Authority that one of the following conditions exists:

A. There has been a violation of a condition of Approval; or

B. There has been a violation of any of the applicable requirements of these Zoning Regulations; or
C. Operation of the permitted use has created significant negative impacts inconsistent with representations made by the applicant during the original approval process.

3.2.13. Transfer of Permit or Land Use Approval

Transfer of any Administrative, Conditional, and Special Use Permit or other Land Use Approval may occur only after a statement has been filed with the Planning Director by the transferee guaranteeing that they will comply with the terms and conditions of the permit. If transferee is not the landowner of the permitted area, Transferee shall submit written consent to the transfer by the landowner. Failure to receive approval for the transfer shall constitute sufficient cause for revocation of the permit if the subject property is transferred. Bonds, insurance certificates or other security required in the permit shall also be filed with the Planning Director by the transferee to assure the work will be completed as specified. Any proposal to change the terms and conditions of a permit shall require a new permit.

3.2.14. Bonding

If required by the County, the applicant shall furnish evidence of a bank commitment of credit in favor of Routt County, or bond or certified check, in an amount of 150% of the cost of improvements or restoration of the site. Such bonding shall guarantee site restoration or installation of required improvements. Such commitment, bond, or check shall be payable to and held by the Board of County Commissioners or its agent. Bonding for restoration of mining operations is addressed in Section 9 of these Regulations; all applicants for mining operations shall follow the requirements of that Section.

3.2.15. Vesting

No process listed in the Review Process Chart (Section 3.2.1) shall result in a site-specific development plan approval or in a vesting of property rights except where the result is a development agreement which specifically provides for the vesting of property rights or as may be allowed per Section 2.1.9 of the Routt County Subdivision Regulations.

3.3. Public Hearing Notices

3.3.1. Applicability Generally

The requirements of this section apply only to public hearings required by these Regulations and as shown on the Review Process Chart (3.2.1). This section does not apply to public meetings (in contrast to public hearings) and notice of such meetings are subject only to the requirements of the Colorado Open Meetings law, C.R.S. § 24-6-401, et seq.

3.3.2. Published Notice

Prior to any public hearing for a land use change that requires published notice; the Planning Director shall cause to be published in the legal section of a newspaper of general circulation within the County a notice of such public hearing in conformance with the requirements of the Review Process Chart (3.2.1). The notice shall specify the kind of action requested; the hearing authority; the time, date and location of hearing; and the location of the parcel under consideration, by both address and legal description.
3.3.3. **Posted Notice**

Prior to any public hearing which requires posted notice, the Planning Director shall cause to be prepared, and the applicant shall post signs upon the parcel under consideration which provide notice of the kind of action requested; the hearing authority; the time, date and location of hearing; and the location of the parcel by address or approximate address or a short legal description. The signs shall be of a size and form prescribed by the County and shall consist of at least one sign facing, and reasonably visible and legible from, each adjacent public right-of-way. The signs shall be posted in conformance with the requirements of the Review Process Chart (3.2.1). The fact that a parcel was not continuously posted the full period shall not, at the sole discretion of the hearing authority, constitute grounds for continuance where the applicant can show that a good faith effort to meet this posting requirement was made.

3.3.4. **Mailed Notice**

Prior to any public hearing that requires notification by letter, the Planning Director shall cause to be sent, by first class U. S. mail, a letter to:

A. Owners of property whose land abuts the subject property or is separated from the subject property only by a public right-of-way or water course, and

B. Owners of property included within the application.

The letter shall be sent in conformance with the requirements of the Review Process Chart (3.2.1). The letter shall include information as necessary regarding the application and an announcement of the date, time and location of the scheduled hearing. The letters shall specify the kind of action requested; the hearing authority; and the location of the parcel under consideration by address or approximate address or a short legal description.

Failure of a property owner to receive a mailed notice will not necessitate the delay of a hearing and shall not be regarded as constituting inadequate notice.

3.3.5. **Referral Agency Notice**

Prior to any public hearing that requires referral agency notification, the Planning Director shall cause to be sent, by first class U. S. mail or by email, a notice to all applicable referral agencies in conformance with the requirements of the Review Process Chart (3.2.1). Referral Agencies may include any local, state, and/or federal agencies or departments that are required by these Regulations to be notified or in the judgment of the Planning Director might have particular knowledge or interests that could be of assistance during the review of the land use change. Failure of a Referral Agency to receive a notice will not necessitate the delay of a hearing and shall not be regarded as constituting inadequate notice.

3.3.6. **Public Notice Time Requirements**

Unless otherwise provided in these Regulations, public notice time requirements include the day the notice is posted, appears in the newspaper, is mailed, and shall also include the day of the public hearing.
3.4. **Board of Adjustment**

3.4.1. **Establishment**

A Board of Adjustment, hereinafter referred to in this section as "BOA", is hereby established.

3.4.2. **Membership**

The BOA shall consist of five members, and two alternate members as may be appointed by the Board of County Commissioners. Not more than one of the members and one of the alternate members may also be members of the Planning Commission. Members shall serve without compensation. Each member and alternate shall serve a three-year term unless such member resigns or is removed for cause by the Board of County Commissioners upon written charges and after a public hearing. Vacancies shall be filled for unexpired terms in the same manner as in the case of original appointments. Alternate members of the BOA shall take the place of any regular Board member in the event that the regular member is temporarily unable to act due to the absence from the County, illness, interest in the case before the Board, or any other reasonable cause.

3.4.3. **Officers**

The BOA shall, at its first meeting following appointments made each year by the Board of County Commissioners, select a chairman and vice chairman. The Planning Director or his or her designee shall serve as secretary to the BOA.

3.4.4. **Powers and Duties**

The Board of Adjustment shall have the powers and duties granted by Colorado Revised Statute Sections 30-28-117 and 118, including:

A. To hear and decide appeals where it is alleged by the applicant that there is error in any order, requirement, decision or refusal made by an administrative official or agency based on or made in the enforcement of these Regulations, including the refusal to issue a building permit.

B. To grant, upon an appeal relating to appellant's property, a variance from the strict application of any regulations regarding:
   1) Minimum setbacks,
   2) Minimum lot width,
   3) Maximum allowable building height, or
   4) Maximum separation permitted between a Secondary Dwelling Unit and a Primary Dwelling Unit.

C. No appeal to the BOA shall be allowed for building use violations that may be prosecuted pursuant to Colorado Revised Statutes, Section 30-28-124 (1) (b).

3.4.5. **Procedure**

A. Appeals to the BOA must be made within 30 days after the occurrence of the grievance or decision that is the subject of the appeal.

B. All appeals shall be in writing and in such form as shall be prescribed by the BOA. Every appeal shall indicate what provision of these Regulations is involved, what relief from this provision is being sought, the ground
upon which such appeal is being sought, and a site plan illustrating the manner in which the appeal or variance, if granted, would affect the subject property and adjacent uses. The applicant shall have the burden of demonstrating that the applicable standards of Section 3.4.6 have been met.

C. The concurring vote of four out of five of the seated members of the BOA shall be necessary to reverse any order, requirement, decision or determination of any administrative official or agency or to decide in favor of the appellant.

3.4.6. Standards for the Grant or Denial of Variances

A. The BOA may grant a variance if all of the following are found to exist:

1) Peculiar and exceptional practical difficulties or an unnecessary and unreasonable hardship will be imposed on the property owner if the provisions of this Resolution are strictly enforced.

2) Circumstances creating the hardship were in existence on the effective date of the regulations from which a variance is requested or created subsequently through no fault of the appellant.

3) That the property for which a variance is requested possesses exceptional narrowness, shallowness, shape or topography or other extraordinary and exceptional situation or condition which does not occur generally in other property in the same Zone District.

4) That the variance, if granted, will not diminish the value, use or enjoyment of the adjacent properties, nor curtail desirable light, air and open space in the neighborhood, nor change the character of the neighborhood.

5) The variance, if granted, will not be directly contrary to the intent and purpose of this Resolution or the Routt County Master Plan.

B. Under no circumstances shall a variance be granted on the sole basis of personal convenience or special privilege to the applicant.

C. Under no circumstance shall the BOA grant a variance to allow a use not permissible under the terms of this Resolution in the appropriate Zone District.

D. Variances shall be granted with respect to specific plans or within defined parameters. Unless otherwise specified by the BOA, a variance may be transferred to successive owners prior to construction if no changes are made to the approved plan. Variances shall run with the land after the construction of any authorized structures and only for the life of such structures.

E. The BOA may condition the granting of a variance on the issuance of a building permit within a specific time period and may require the applicant to pursue completion of the construction with due diligence. If such conditions are not satisfied, the variance shall become null and void.

F. In order to insure that the protection of the public good and the intent and purpose of these Regulations are preserved, the BOA may impose any
other condition upon the grant of a variance, including those categories of conditions which may be placed upon Land Use Approvals under Section 3.2.6.

3.4.7. Appeal from BOA Decisions

Appeals from decisions of the BOA may be made to the District Court, as provided by law, with the BOA as defendant and the variance applicant as a party. All parties to such action shall have the full right and authority to appeal subsequent adverse rulings and decisions.

3.5. Non-conforming Uses and Structures

Certain uses of land and buildings may be found to be in existence at the time of passage of these Regulations or amendments thereto that do not meet the requirements of the regulations. It is the intent of these Regulations to allow the continuance of non-conforming uses and structures. In an effort to facilitate the continuance of non-conforming uses and structures, a registration program has been created.

3.5.1. Expansion or Enlargement

A. A non-conforming structure may be extended or enlarged provided the portion of the structure to be extended or enlarged conforms to the requirements of these Regulations and the portion of the structure which is non-conforming is not enlarged or extended without a variance.

B. A non-conforming activity may be extended through any part of a structure that was arranged or designed for such activity at the enactment of these Regulations.

3.5.2. Repairs and Maintenance

The following changes or alterations may be made to a non-conforming building or to a conforming building housing a non-conforming use:

A. Maintenance repairs that are needed to maintain the good condition of a building, except that if a building has been officially condemned, it may not be restored under this provision.

B. Any structural alteration that does not increase the degree of non-conformance or that changes the use to a conforming use.

3.5.3. Restoration or Replacement

A. If a non-conforming structure is destroyed or damaged in any manner to the extent that the cost of restoration to its condition before the occurrence shall exceed fifty percent of the costs of reconstructing the entire structure, it shall be restored only if it complies with the requirements of these Regulations.

B. Where a conforming structure devoted to a non-conforming activity is damaged less than fifty (50) percent of the cost of reconstructing the entire structure, or where a non-conforming structure is damaged less than seventy-five percent of the cost of reconstructing the entire structure, either may be repaired or restored, provided any such repair or restoration is started within twelve (12) months and is completed within twenty-four (24) months from the date of partial destruction.
C. The cost of land or any factors other than the cost of the structure are excluded in the determination of cost of restoration for any structure or activity devoted to a non-conforming use.

3.5.4. Discontinuance

A. Whenever a non-conforming use has been discontinued for a period of twelve (12) months it shall not thereafter be re-established, and any future use shall be in conformance with the provisions of these Regulations.

B. Any non-conforming use in existence at the time of the effective date of these Regulations that has an assessed valuation of all improvements of $150 or less shall be discontinued within two (2) years from the effective date of non-conformance.

3.5.5. Non-conforming Lot Approval

The Planning Director may approve a Non-conforming Lot for building or other use provided all other relevant requirements are met, including, by way of example, but without limitation, septic system and well spacing, setbacks, access, or other building and zoning requirements (see Buildable Lot definition) and it is described in one or more of the following categories.

A. Any pre-existing parcel or tract of land divided prior to the effective date of the Routt County Subdivision Regulations (09/08/1970).

B. A lot or parcel subdivided between 09/08/1970 and 08/07/1972 that is 15 acres or larger and/or that was created as part of a subdivision of less than five (5) lots.

C. A lot or parcel created by a plat, resolution or other approved method subsequent to a Minor Development Subdivision Exemption approval, a Land Preservation Subdivision Exemption approval, a Subdivision approval or a Subdivision Exemption approval.

3.5.6. Change in Non-conforming Use

No non-conforming use of a building or lot may be changed to another non-conforming use. A non-conforming use of a building or lot may be changed to a conforming use.

3.6. Religious Facility or Use Provisions

In the event that a person, a religious assembly or institution who or that has filed or intends to file an application for a permit or approval under these Regulation for what that person, assembly or institution contends is a Religious Facility or Use (see Section 8.16) and also contends that some process or rule imposed by these Regulations in connection with the proposed Religious Facility or Use constitutes or will constitute a substantial burden on the religious exercise of that person, assembly or institution, such person, assembly or institution may request a prompt determination by the Board of County Commissioners as to whether (1) the proposed use or facility is a Religious Facility or Use; (2) whether the specified rule or process constitutes a substantial burden on the religious exercise by the person, assembly or institution; (3) whether the burden imposed is in furtherance of a compelling governmental interest; and (4) whether the burden imposed is the least restrictive means of furthering that compelling governmental interest. The Routt County Planning Department shall have the burden of establishing criteria (3) and (4).
SECTION 4. ZONE DISTRICTS AND ALLOWABLE USES

4.1. Establishment of Zone Districts

In order to carry out the purpose of these Regulations the following Zone Districts are established:

AC  Agricultural Conservation
AF  Agriculture and Forestry
MRE Mountain Residential Estates
MHR Mobile Home Residential
GR  General Residential
LDR Low Density Residential
MDR Medium Density Residential
HDR High Density Residential
C   Commercial
I   Industrial
M   Mining
OR  Outdoor Recreation
PUD Planned Unit Development
HPH Hahn's Peak Historical District

4.2. Zoning Map and Boundaries

The locations of the Zone Districts hereby established are shown on the Official Zoning Map and any amendments made thereafter pursuant to law. Said maps and amendments, along with any explanatory matter thereof, are hereby made a part of these Regulations. If there shall be any conflict between zoning maps filed with the Routt County Clerk and Recorder the map with the latter date of filing shall take
precedence, or if both have the same date of filing, a detail map of a specific area shall take precedence over a county-wide zoning map.

Unless otherwise specified on the Zoning Map, Zone District boundary lines are lot lines; the centerlines of streets, alleys, highways, or such lines extended; boundary lines of incorporated areas; the center line of natural boundaries such as streams; section lines; other recognized land lines; or other lines drawn to scale on the zoning map.

4.3.  AC - Agriculture Conservation
This Zone District is created for the purpose of voluntarily protecting the productive agricultural lands of Routt County and preserving the visual and cultural values associated with agricultural lifestyles in rural, unincorporated areas of Routt County. The Zone District does not provide for any non-agricultural accessory uses, and specifically discourages rural residential development.

4.4.  AF - Agriculture and Forestry
This Zone District is created for the purpose of providing the productive agricultural and forested lands of Routt County and preserving the visual, productive, and cultural values associated with agriculture and agricultural lifestyles in rural, unincorporated areas of Routt County. The Zone District also provides for other uses including resource extraction, most requiring permits.

4.5.  MRE - Mountain Residential Estates
Except as provided for in the Routt County Master Plan or an adopted sub-area plan, or for the purpose of rezoning from LDR, MDR, or HDR to MRE, no additional land will be placed in the MRE Zone District after July 1, 2006. The principal purpose of this Zone District is to allow rural residential development compatible with adjacent agricultural uses. The Zone District also provides for other uses, most requiring permits.

4.6.  MHR - Mobile Home Residential
No additional land will be placed in the MHR Zone District after July 1, 2006. The existing MHR Zone Districts are designed to provide areas for affordable, mid-density residential development designed in a manner to create livable space in a rural setting, yet conveniently located to reduce unnecessary commuting. The Zone District also provides for other uses (most requiring permits) to create a balanced residential area.

4.7.  GR - General Residential
Except as provided for in the Routt County Master Plan or an adopted sub-area plan, no additional land will be placed in the GR Zone District after July 1, 2006. GR zoning is designed to provide areas for single family and two family dwellings on sites with a minimum lot size of ½ an acre, designed in a manner to create livable space in a rural setting, yet conveniently located to reduce unnecessary commuting. The Zone District also provides for other uses (most requiring permits) to create a residential area.

4.8.  LDR - Low Density Residential
Except as provided for in the Routt County Master Plan or an adopted sub-area plan, no additional land will be placed in the LDR Zone District after July 1, 2006. LDR zoning is designed to provide areas for a variety of housing types including single family, two family, and multiple family dwellings low density lots, designed in a manner to create
livable space in a rural community setting. The Zone District also provides for other uses (most requiring permits) to create a residential area.

4.9. **MDR - Medium Density Residential**

Except as provided for in the Routt County Master Plan or an adopted sub-area plan, no additional land will be placed in the MDR Zone District after July 1, 2006. MDR zoning is designed to provide areas for single family, two family and multiple family dwellings on a medium density lots, designed in a manner to create livable space in a rural community setting. The Zone District also provides for other uses (most requiring permits) to create a residential area.

4.10. **HDR - High Density Residential**

No additional land will be placed in the HDR Zone District after July 1, 2006. HDR zoning is designed to provide areas for multiple family dwellings on existing lots zoned and/or subdivided at a minimum lot size of 3,000 square feet. The Zone District also provides for other uses (most requiring permits) to create a balanced residential area.

4.11. **C - Commercial**

This Zone District is intended to provide a full range of retail, office, and service uses for County residents that are conveniently located to residential areas. Development within this Zone District is encouraged in centers that are planned as a unit rather than extended strips along roadways in order to provide an orderly land use pattern, efficient traffic circulation, and safe pedestrian movement.

4.12. **I - Industrial**

This Zone District is intended to provide areas for office, research, warehousing, and product assembly, manufacturing and distribution facilities located to efficiently utilize public investment in infrastructure and to exercise economies of scale.

4.13. **M - Mining**

This zoning district applies only to existing coal mines designated as Mine Zones on the Routt County Zoning Map. No additional land will be placed in the Mining Zone District. Future coal mining operations outside Mine Zones and expansions of existing mines beyond Mine Zones will be subject to review pursuant to Section 4.18 – Uses by Zone District Table. Other mining and extraction uses (including oil and gas, coal bed methane, and sand and gravel operations) will be subject to review pursuant to Section 4.18 – Uses by Zone District Table. Other uses unrelated to mining and extraction, but permitted within the zone, will be subject to appropriate permit review.

4.14. **OR - Outdoor Recreation**

This Zone District is intended to provide areas for various active and passive outdoor recreational activities, as well as retail commercial facilities that support such recreational areas. All development in the OR zone requires approval of a PUD plan pursuant to the provisions of Section 7, Planned Unit Development (PUD).

4.15. **HPH - Hahn’s Peak Historical Zone District**

This Zone District is intended to preserve the historic and cultural heritage of Hahn’s Peak Village, balancing residential and commercial development while protecting the
community’s existing character. The town site of Hahn’s Peak has significant local historical importance including being the first County Seat and the center of the early history of the County. Hahn’s Peak contains a historic site that is listed on the National Register of Historic Places.

The purpose of this Zone District is to ensure that any development in the Hahn’s Peak Village will be conducted in a manner that will minimize damage to these historical resources and that any development is designed to harmonize with the character of the historic area.

4.16. PUD - Planned Unit Development

The PUD Zone District is intended to allow flexibility in development in a manner varying from the constraints upon innovative design and creative land use that might otherwise be imposed by zoning and subdivision regulations when narrowly construed. Having PUD as a distinct Zone District will highlight the existence of a site-specific PUD plan whereby permitted land uses have been determined through the review and approval of a PUD to anyone reviewing the zoning map.

4.17. AO - Airport Overlay Zone District

The Airport Overlay (AO) Zone District is a supplemental Zone District that overlays any standard zoning district. Any use by right, or permitted use in the underlying Zone District is also permitted in an AO Zone District so long as that use meets the special conditions required in an AO Zone District.

The AO Zone District is designed to minimize exposure of residential and other sensitive land uses to aircraft noise areas, to avoid danger from aircraft accidents, to reduce the possibility for such accidents, and to restrict incompatible land uses in proximity to and within airport influence areas. It is also designed to minimize the potential negative impacts of structures and land uses on airport operations and navigable airspace.

The degree of protection provided by this overlay Zone District is considered reasonable and prudent for land use regulatory purposes and is based on established parameters on control. Establishment of this Zone District, however, does not imply that areas outside of the Zone District will be totally free from airport and aircraft related hazards nor that all hazards within the Zone District will be completely mitigated. Establishment of this overlay Zone District shall not create a liability on the part of or cause any action against Routt County or any officer, employee or contractor thereof for any damages that may result directly or indirectly from reliance on the provisions contained herein.

4.18. Uses by Right, Minor, Administrative, Conditional, and Special Uses

The uses permitted in each zoning district correspond to the unique characteristics of that Zone District. Each zoning district is intended to be consistent with and have the least possible adverse effect in the use of the land as it is related to its physical-cultural environment.

In all Zone Districts, care is taken to allow for potential development under reasonable controls. To accomplish this goal, the allowable uses are divided into five categories: uses by right, minor uses, administrative uses, conditional uses, and special uses. Uses for each Zone District are classified into one of the five categories based on their potential impact and compatibility with other uses in that Zone District. This allows for a review of the proposed land use change commensurate with its potential impact.
4.18.1. Uses Allowed by Right

Uses so designated are allowed automatically, without further application or administrative review by the Planning Department provided they are undertaken in compliance with the requirements of these Regulations. It should be noted that permits from other agencies may be required for certain uses by right, for example, a building permit is required to construct a new single-family residence even though it is a use by right in certain Zone Districts.

4.18.2. Minor Uses

Uses so designated are allowed by permit only. The permit must be granted upon proof that certain conditions and performance standards will be complied with. Since these uses are generally limited in impact and/or duration there are no requirements to notify adjacent property owners and the permit can be issued without a Public Hearing.

4.18.3. Administrative Uses

Uses so designated are allowed by permit only. The permit must be granted upon proof that certain conditions and performance standards will be complied with. These uses are generally limited in impact and/or duration. However they may have the potential to have significant impacts on surrounding properties. While no Public Hearing is required to approve these uses notification of adjacent property owners is required prior to approval.

4.18.4. Conditional Uses

Uses so designated are allowed by permit only. The permit must be granted upon proof that certain conditions and performance standards will be complied with. These uses generally have a greater potential for impacts on surrounding properties than Minor or Administrative uses. Consequently the permit can only be issued after notification of adjacent property owners and consideration of the proposed use at a Public Hearing.

4.18.5. Special Uses

Uses so designated are allowed by permit only. The permit may be granted or denied. If granted, certain conditions and performance standards must be complied with. These uses receive the highest level of scrutiny of any of the five categories of uses including notification of adjacent property owners, review by Planning Commission and a final decision by the Board of County Commissioners at a Public Hearing.

4.19. Uses by Zone District Table

The following table indicates which land uses are uses allowed by Right, which are Minor uses, Administrative uses, Conditional uses, and which are Special uses. Uses not listed are prohibited. All uses allowed by Right, Minor, Administrative, Conditional, and Special uses shall be subject to the provisions of these Regulations.
## Section 4 Zone Districts and Allowable Uses

### Uses by Zoning District

<table>
<thead>
<tr>
<th>Use Codes</th>
<th>Zone Districts</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>R - Use Permitted by Right</td>
<td>AC – Agriculture Conservation</td>
<td>All uses are subject to the General Performance and Development Standards in Section 5. Requirements in Sections 5, 6, 7, 8, and 9 apply to certain uses listed below. Allowable uses for a PUD are site specific to the PUD after review and approval of a Final PUD plan.</td>
</tr>
<tr>
<td>M - Use Permitted by Minor Use Permit</td>
<td>AF – Agriculture and Forestry</td>
<td></td>
</tr>
<tr>
<td>A - Use Permitted by Administrative Permit</td>
<td>MRE - Mountain Residential Estates</td>
<td></td>
</tr>
<tr>
<td>C - Use Permitted by Conditional Use Permit</td>
<td>C – Commercial</td>
<td></td>
</tr>
<tr>
<td>S - Use Permitted by Special Use Permit</td>
<td>I – Industrial</td>
<td></td>
</tr>
<tr>
<td>Blank Cell indicates use is not permitted</td>
<td>M – Mining</td>
<td></td>
</tr>
<tr>
<td>Italics indicate there are specific standards for the listed use in Section 4, 5, 8, or 9.</td>
<td>PUD – Planned Unit Development</td>
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</tr>
<tr>
<td>Hatching denotes site plan review required for all building permits or new uses.</td>
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### Uses by Zoning District

<table>
<thead>
<tr>
<th>USE</th>
<th>AC</th>
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<th>MRE</th>
<th>MHR</th>
<th>GR</th>
<th>LDR</th>
<th>MDR</th>
<th>HDR</th>
<th>C</th>
<th>I</th>
<th>M</th>
<th>HPH</th>
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</thead>
<tbody>
<tr>
<td>Agricultural, Resource Extraction and Related Uses</td>
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<tr>
<td>Greenhouses and plant nurseries – no retail sales</td>
<td>R</td>
<td>R</td>
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<tr>
<td>Greenhouse or plant nurseries – with retail sales</td>
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<td>Farm Stand – All products grown on site</td>
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<tr>
<td>Small Agricultural Processing Facility</td>
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<td>Large Agricultural Processing Facility</td>
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<tr>
<td>Agritourism Enterprise – less than 50 vehicle trips per day</td>
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<tr>
<td>Agritourism Enterprise – more than 50 vehicle trips per day</td>
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<tr>
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<tr>
<td>Hunting/Fishing Facilities (Private or commercial with permanent staging or permanent lodging area associated with commercial hunting)</td>
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<tr>
<td>Indoor riding arena or stable – community or commercial</td>
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<tr>
<td>Indoor riding arena or stable – private</td>
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<tr>
<td>Injection Wells and Commercial Wastewater Disposal sites related to oil, gas, and coal bed methane development as identified in Section 9.8.1</td>
<td>S</td>
<td>S</td>
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<tr>
<td>Landing Strip/Helipad – private non-commercial</td>
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<tr>
<td>Log and soil storage – no imported materials</td>
<td>R</td>
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</table>
### Section 4 Zone Districts and Allowable Uses

#### Uses by Zoning District

<table>
<thead>
<tr>
<th>Use Codes</th>
<th>Zone Districts</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>R - Use Permitted by Right</td>
<td>AC – Agriculture Conservation</td>
<td>All uses are subject to the General Performance and Development Standards in Section 5.</td>
</tr>
<tr>
<td>M - Use Permitted by Minor Use Permit</td>
<td>AF – Agriculture and Forestry</td>
<td>Requirements in Sections 5, 6, 7, 8, and 9 apply to certain uses listed below.</td>
</tr>
<tr>
<td>A - Use Permitted by Administrative Permit</td>
<td>MRE – Mountain Residential Estates</td>
<td>Allowable uses for a PUD are site specific to the PUD after review and approval of a Final PUD plan.</td>
</tr>
<tr>
<td>C - Use Permitted by Conditional Use Permit</td>
<td>C – Commercial</td>
<td>* Requires PUD zoning and Final PUD plan unless zoned MHR. Requires Mobile Home Park Permit in MHR. Mobile Home Park Permits are approved following the same process required for Special Use Permits.</td>
</tr>
<tr>
<td>S - Use Permitted by Special Use Permit</td>
<td>I – Industrial</td>
<td></td>
</tr>
<tr>
<td>Blank Cell</td>
<td>M – Mining</td>
<td></td>
</tr>
<tr>
<td></td>
<td>PUD – Planned Unit Development</td>
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</tr>
</tbody>
</table>

**Use Codes**

- **R** - Use Permitted by Right
- **M** - Use Permitted by Minor Use Permit
- **A** - Use Permitted by Administrative Permit
- **C** - Use Permitted by Conditional Use Permit
- **S** - Use Permitted by Special Use Permit

**Blank Cell** indicates use is not permitted

**Italics** indicate there are specific standards for the listed use in Section 4, 5, 8, or 9.

**Notes**

- Italics indicate there are specific standards for the listed use in Section 4, 5, 8, or 9.
- Hatching denotes site plan review required for all building permits or new uses.

**USE**

<table>
<thead>
<tr>
<th>USE</th>
<th>AC</th>
<th>AF</th>
<th>MRE</th>
<th>MHR</th>
<th>GR</th>
<th>LDR</th>
<th>MDR</th>
<th>HDR</th>
<th>C</th>
<th>I</th>
<th>M</th>
<th>HPH</th>
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</thead>
<tbody>
<tr>
<td>Log and soil storage – imported materials</td>
<td>C</td>
<td>C</td>
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</tr>
<tr>
<td>Lumbering/Timbering</td>
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<td>R</td>
<td>R</td>
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<tr>
<td>Mining – Isolated as identified in Section 9.3.1</td>
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<td>S</td>
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<td>S</td>
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<td>S</td>
<td>S</td>
<td>R</td>
<td></td>
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<tr>
<td>Mining, Resource Extraction and accessory uses</td>
<td>S</td>
<td>S</td>
<td>S</td>
<td>S</td>
<td>S</td>
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<td>Resource Exploration and/or Core Sampling (non Oil &amp; Gas)</td>
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<tr>
<td>Oil, gas, and coal bed methane exploration</td>
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<tr>
<td>Oil, gas, and coal bed methane production and development</td>
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<tr>
<td>Ranching, farming and general agriculture on parcels 1 acre or larger</td>
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<tr>
<td>Ranching, farming and general agriculture on parcels &lt; 1 acre</td>
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<tr>
<td>Seismic Testing as identified in Section 9.7.1 or Mineral Exploration</td>
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**Residential and Related Uses**

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<tr>
<th>USE</th>
<th>AC</th>
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<th>MRE</th>
<th>MHR</th>
<th>GR</th>
<th>LDR</th>
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<th>C</th>
<th>I</th>
<th>M</th>
<th>HPH</th>
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<tbody>
<tr>
<td>Bed and Breakfast</td>
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<tr>
<td>Dwelling Unit(s) attached to a business</td>
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<td>Home Industry</td>
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<td>Mobile Home park or development*</td>
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<td>Multi-family Dwelling</td>
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<td>Camping, Extended, Private Non-Commercial</td>
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</table>

**Routt County Zoning Regulations**

4-8
# Uses by Zoning District

## Use Codes

<table>
<thead>
<tr>
<th>Use Code</th>
<th>Description</th>
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</thead>
<tbody>
<tr>
<td>R</td>
<td>Use Permitted by Right</td>
</tr>
<tr>
<td>M</td>
<td>Use Permitted by Minor Use Permit</td>
</tr>
<tr>
<td>A</td>
<td>Use Permitted by Administrative Permit</td>
</tr>
<tr>
<td>C</td>
<td>Use Permitted by Conditional Use Permit</td>
</tr>
<tr>
<td>S</td>
<td>Use Permitted by Special Use Permit</td>
</tr>
</tbody>
</table>

*Blank Cell indicates use is not permitted. Italics indicate there are specific standards for the listed use in Section 4, 5, 8, or 9.*

## Note

All uses are subject to the General Performance and Development Standards in Section 5.

Requirements in Sections 5, 6, 7, 8, and 9 apply to certain uses listed below.

Allowable uses for a PUD are site specific to the PUD after review and approval of a Final PUD plan.

* Requires PUD zoning and Final PUD plan unless zoned MHR. Requires Mobile Home Park Permit in MHR; Mobile Home Park Permits are approved following the same process required for Special Use Permits.

## Use

### Commercial and Related Uses

<table>
<thead>
<tr>
<th>USE</th>
<th>AC</th>
<th>AF</th>
<th>MRE</th>
<th>MHR</th>
<th>GR</th>
<th>LDR</th>
<th>MDR</th>
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<th>C</th>
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</thead>
<tbody>
<tr>
<td>Adult oriented businesses</td>
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<td>Agricultural equipment sales and service</td>
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Hatching denotes site plan review required for all building permits or new uses.
**Uses by Zoning District**

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**Industrial and Related Uses**

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**Notes**

- All uses are subject to the General Performance and Development Standards in Section 5.
- Requirements in Sections 5, 6, 7, 8, and 9 apply to certain uses listed below.
- Allowable uses for a PUD are site specific to the PUD after review and approval of a Final PUD plan.
- * Requires PUD zoning and Final PUD plan unless zoned MHR. Requires Mobile Home Park Permit in MHR; Mobile Home Park Permits are approved following the same process required for Special Use Permits.
Uses by Zoning District

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Notes:
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Blank Cell indicates use is not permitted

* Italics indicate there are specific standards for the listed use in Section 4, 5, 8, or 9.

Hatching denotes site plan review required for all building permits or new uses.
# Uses by Zoning District

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<tr>
<td>Solid Waste Disposal Site</td>
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<td>Solid Waste Transfer Site or Recycling station</td>
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<tr>
<td>Telecommunication Facilities – freestanding antennas and towers</td>
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<td>Telecommunication Facilities – co-location on buildings or permitted towers</td>
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<td>Wildlife preserves</td>
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<td>Wind Generator &lt;80 feet</td>
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<tr>
<td>Wind Generator &gt;80 feet</td>
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<td>Miscellaneous and Related Uses</td>
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<td>Accessory uses and structures</td>
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<tr>
<td>Camping – private non-commercial</td>
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<tr>
<td>Central Water or Sewage Treatment System – outside a County approved Special District</td>
<td>S</td>
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<td>Central Water or Sewage Treatment System – within a County approved Special District</td>
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<td>Fishing – private non-commercial</td>
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<tr>
<td>Reservoirs, non-agricultural greater than 1 acre</td>
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<tr>
<td>Safety Training Facility</td>
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<tr>
<td>Special Events</td>
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</tbody>
</table>

**Notes**

- All uses are subject to the General Performance and Development Standards in Section 5.
- Requirements in Sections 5, 6, 7, 8, and 9 apply to certain uses listed below.
- Allowable uses for a PUD are site specific to the PUD after review and approval of a Final PUD plan.

* Requires PUD zoning and Final PUD plan unless zoned MHR. Requires Mobile Home Park Permit in MHR. Mobile Home Park Permits are approved following the same process required for Special Use Permits.

**Use Codes**

- **R** - Use Permitted by Right
- **M** - Use Permitted by Minor Use Permit
- **A** - Use Permitted by Administrative Permit
- **C** - Use Permitted by Conditional Use Permit
- **S** - Use Permitted by Special Use Permit

**Blank Cell** indicates use is not permitted

**Italics** indicate there are specific standards for the listed use in Section 4, 5, 8, or 9.

**Hatching** denotes site plan review required for all building permits or new uses.
SECTION 5. GENERAL PERFORMANCE AND DEVELOPMENT STANDARDS

5.1. General Performance Standards

These standards are designed to limit or eliminate conditions that could negatively impact the environment and/or use of surrounding properties. These standards shall apply in all Zone Districts and to all land uses unless otherwise noted.

5.1.1. Health, Safety and Welfare

Every use shall be operated so that it does not pose a danger to public health, safety or welfare.

5.1.2. Local, State, and Federal Regulations and Standards

It is the intent of Routt County to avoid unnecessary and duplicative regulations. Where other local, state, or federal regulations adequately address local land use issues Routt County has chosen not to enact additional regulations.

Every use shall be operated in conformance with all applicable federal, state and local regulations and standards. Failure to comply with any and all applicable federal, state and local regulations and standards may be cause for review and/or revocation of any Land Use Approval granted pursuant to these Regulations.

5.1.3. Building Construction and Enforcement

A. Building Permits

No building shall be erected, occupied, moved or structurally altered until the Building Official has issued any permits required under building codes adopted by Routt County for such work; and no permits shall be issued unless the proposal is in full compliance with these Regulations, except in those instances where the Board of Adjustment has granted a variance. All applications for building permits shall be accompanied by a drawing showing the location of all improvements in relation to the lot and indicating the height of all structures relative to both existing and proposed finish grade. No building permit may be issued without a building permit signoff following the procedures laid out for a Minor Use Permit in the Review Process Chart, Section 3.2.1 of these Regulations.
B. Individual Sewage Disposal System (ISDS) Permits

No building shall be erected, occupied, moved or structurally altered until the Environmental Health Director has issued an ISDS permit therefore. Buildings connected to an approved central sewage collection system are exempt from this requirement.

C. Non Dwelling Unit with Plumbing – Agreement Limiting Use Required

In the event an owner of land applies for a building permit for a structure which is not allowed by these Zoning Regulations to be used as a Dwelling Unit but which contains plumbing for water and/or sewage systems, the Planning Director shall require the owner to sign a recordable agreement limiting the use of the building to uses other than as a Dwelling Unit. The Planning Director may refuse to allow a building permit to be issued without the signed agreement.

5.1.4. Outdoor Storage of Hazardous Materials

Outdoor storage of materials that pose a present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of, or otherwise managed is prohibited unless such storage is within enclosed containers or unless a determination is made that such use will not have a detrimental impact on human health or the environment and is specifically approved by the Planning Director, Planning Commission and/or the Board of County Commissioners.

5.1.5. Outdoor Storage of Non-Hazardous Materials

Outdoor storage of any materials, including but not limited to machinery, equipment, parts, vehicles, junk, scrap, timber, trash, debris, or goods that are not incidental to a use by right or an approved permitted use is prohibited unless such storage is specifically approved by the Planning Director, Planning Commission and/or the Board of County Commissioners. This section does not apply to unlicensed vehicles being actively maintained for racing or competitive purposes or to vehicles defined as collector’s items by 42-12-101, et seq., Colorado Revised Statutes, as amended. This section does not apply to materials used for farming or ranching purposes in Agricultural Conservation and Agricultural and Forestry Zone Districts. The term “incidental” as used in this section shall mean naturally, customarily, and commonly associated with the operation of the use by right or permitted use.

5.2. Dimensional Standards

All land uses shall comply with the Dimensional Standards for the applicable Zone District as contained in the following Dimensional Standards Table (5.2.1).
### 5.2.1. Dimensional Standards Tables

<table>
<thead>
<tr>
<th>Standards</th>
<th>AC - Agriculture Conservation</th>
<th>AF - Agriculture and Forestry</th>
<th>MRE - Mountain Residential Estates</th>
<th>MHR - Mobile Home Residential</th>
<th>GR - General Residential</th>
<th>LDR - Low Density Residential</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential Lot Area - Min</td>
<td>160 acres</td>
<td>35 acres except for lots created through the LPS or MDSE process.</td>
<td>Without CSCS Five (5) acres</td>
<td>5,000 sf per mobile home or SFR: requires CSCS</td>
<td>One-half (.5) acre/ Dwelling Unit; requires CSCS or Qualifying Sealed Vault System</td>
<td>10,000 sf/Dwelling Unit; requires CSCS or Qualifying Sealed Vault System</td>
</tr>
<tr>
<td>Lot Frontage – Min**</td>
<td>No min.</td>
<td>200 ft, must include 200 ft of frontage except for lots created through the LPS or MDSE process.</td>
<td>100 ft</td>
<td>50 ft</td>
<td>100 ft</td>
<td>75 ft</td>
</tr>
<tr>
<td>Structure Height</td>
<td>40 ft</td>
<td>40 ft</td>
<td>40 ft</td>
<td>25 ft</td>
<td>40 ft</td>
<td>40 ft</td>
</tr>
<tr>
<td>Structure Setbacks***</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Front – Min</td>
<td>50 ft from property line</td>
<td>50 ft or 80ft from the centerline of a public road whichever is more restrictive</td>
<td>50 ft from property line</td>
<td>15 feet from edge of right of way****</td>
<td>15 ft from property line</td>
<td>15 ft from property line</td>
</tr>
<tr>
<td>Side – Min</td>
<td>50 ft from property line</td>
<td>50 ft from property line</td>
<td>50 ft from property line</td>
<td>20 feet between mobile homes or SFR****</td>
<td>15 ft from property line</td>
<td>10 ft from property line</td>
</tr>
<tr>
<td>Rear – Min</td>
<td>50 ft from property line</td>
<td>50 ft from property line</td>
<td>50 ft from property line</td>
<td>20 feet between mobile homes or SFR****</td>
<td>15 ft from property line</td>
<td>15 ft from property line</td>
</tr>
</tbody>
</table>
| Other                      | Secondary Dwelling Units allowed per Section 5.3 | Secondary Dwelling Units allowed per Section 5.3 | Secondary Dwelling Units allowed per Section 5.3 | The addition of new SFR, mobile homes or mobile home spaces is subject to the requirements in Appendix A of these Regulations | For Duplexes:  
  • Building setbacks do not apply to common walls  
  • CSCS required  
  • Central water system required | For Duplexes:  
  • Building setbacks do not apply to common walls  
  • CSCS required  
  • Central water system required |

* In Phippsburg, Milner and Hahns Peak the Planning Director may authorize reductions in required front, side, or rear setbacks without a variance, provided proposed setbacks are generally consistent with existing buildings in the vicinity (3+ lots in either direction). In no case will setbacks less than 5 ft be allowed under this provision.

** Wedge shaped lots or lots fronting on cul-de-sacs shall not be less than 30 feet in length along the front property line. On lots accessed via an easement or which are legal non-conforming as to frontage, documentation shall be provided that said lot can be provided legal and feasible access and upon its construction can meet the Routt County access regulations.

*** On corner lots, that portion of a lot contiguous to a street shall be considered as a front yard area for the purpose of applying setback regulations and the property lines opposite such front yards shall be considered side yards.

**** Accessory structures may have a 4 foot side and rear yard setback.
## Section 5 General Performance and Development Standards

### 5.2.1. Dimensional Standards Tables

<table>
<thead>
<tr>
<th>Standards</th>
<th>MDR - Medium Density Residential</th>
<th>HDR - High Density Residential</th>
<th>HPH – Hahns Peak Historical</th>
<th>C - Commercial</th>
<th>I - Industrial</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Area - Min</td>
<td>6,000 sf/Dwelling Unit; requires CSCS or Qualifying Sealed Vault System</td>
<td>3,000 sf/Dwelling Unit; requires CSCS or Qualifying Sealed Vault System</td>
<td>Existing Ownership Units: The existing ownership unit shall be the minimum. However, the existing ownership unit does not require more than four (4) lots (25' x 125') as a minimum, subject to approval by the Colorado Department of Public Health and Environment and the local health authority. (8-8-78) New Ownership Units; 12,500 sf per Dwelling Unit, and 18,000 sf for non residential use subject to approval by the Colorado Department of Public Health and Environment and the local health authority.</td>
<td>No minimum lot area except as required during site plan review.</td>
<td>No minimum lot area except as required during site plan review.</td>
</tr>
<tr>
<td>Lot Frontage – Min**</td>
<td>50 ft</td>
<td>50 ft</td>
<td>100 ft</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>Structure Height</td>
<td>40 ft</td>
<td>40 ft</td>
<td>Res – 35 ft; All other uses, No max – as required by site plan review</td>
<td>No max – as required by site plan review</td>
<td>No max – as required by site plan review</td>
</tr>
<tr>
<td>Structure Setbacks***</td>
<td>15 ft from property line *</td>
<td>15 ft from property line</td>
<td>25 ft from property line *</td>
<td>No Min – as required by site plan review</td>
<td>No Min – as required by site plan review</td>
</tr>
<tr>
<td>Front – Min</td>
<td>15 ft from property line</td>
<td>15 ft from property line</td>
<td>25 ft from property line *</td>
<td>No Min – as required by site plan review</td>
<td>No Min – as required by site plan review</td>
</tr>
<tr>
<td>Side – Min</td>
<td>10 ft from property line</td>
<td>10 ft from property line</td>
<td>25 ft from property line *</td>
<td>No Min – as required by site plan review</td>
<td>No Min – as required by site plan review</td>
</tr>
<tr>
<td>Rear – Min</td>
<td>15 ft from property line *</td>
<td>15 ft from property line</td>
<td>25 ft from property line *</td>
<td>No Min – as required by site plan review</td>
<td>No Min – as required by site plan review</td>
</tr>
<tr>
<td>Other</td>
<td>For Duplex and Multi-family dwellings: • Building setbacks do not apply to common walls • CSCS required • Central water system required</td>
<td>For Duplex and Multi-family dwellings: • Building setbacks do not apply to common walls • CSCS required • Central water system required</td>
<td>All new construction, including new structures, additions to, or alterations of existing structures shall conform to the all the following standards; • be sited and have such size, height and bulk as to compliment rather than detract from surrounding structures; • have an exterior which harmonizes with surrounding structures and the natural environment of the site; • Alteration of the natural environment shall be the minimum necessary to allow the construction.</td>
<td>• Site Plan Review required prior to building permit or establishment of new use.</td>
<td>• Site Plan Review required prior to building permit or establishment of new use.</td>
</tr>
</tbody>
</table>
| ** In Phippsburg, Milner and Hahns Peak the Planning Director may authorize reductions in required front, side, or rear setbacks without a variance, provided proposed setbacks are generally consistent with existing buildings in the vicinity (3+ lots in either direction). In no case will setbacks less than 5 ft be allowed under this provision. ** Wedge shaped lots or lots fronting on cul-de-sacs shall not be less than 30 feet in length along the front property line. On lots accessed via an easement or which are legal non-conforming as to frontage, documentation shall be provided that said lot can be provided legal and feasible access and upon its construction can meet the Routt County access regulations. *** On corner lots, that portion of a lot contiguous to a street shall be considered as a front yard area for the purpose of applying setback regulations and the property lines opposite such front yards shall be considered side yards. **** Accessory structures may have a 4 foot side and rear yard setback.

Abbreviations:
- CSCS – Central Sewer Collection System that includes secondary treatment and disinfection facilities as approved by the Colorado Department of Public Health and Environment and the local health authority.
5.3. **Secondary Dwelling Unit Standards for all Residential Zone Districts**

A. Secondary Dwelling Units and the Primary Dwelling Unit must use a single entry point on to the public road system or the road system in the subdivision in which the Buildable Lot is located.

B. None of the Secondary Dwelling Units on the Buildable Lot may be separated by more than 200 feet on less than 35 acres or 300 feet on 35 acres or more from the Primary Dwelling Unit measured from the closest part of the foundation of one Dwelling Unit to the closest part of the foundation of the other Dwelling Unit.

C. Detached Secondary Dwelling Units are permitted in all cases where allowed, provided that all setbacks and other requirements are met.

D. The maximum size for a Secondary Dwelling Unit is 800 square feet of habitable space, measured by the area within the inside face of the walls of the structure, including habitable space in the basement but excluding garages and decks and porches that are not enclosed.

E. Minimum lot size for a Secondary Dwelling Unit without Central Water and Central Sewage Collection System is 5 acres.

5.3.1. **Secondary Dwelling Unit Control Chart**

Only one of the exceptions or authorization processes for additional Dwelling Units in the AF Zone District shall be available under the following chart with respect to any Buildable Lot, it being intended that these exceptions and authorization processes shall not be cumulative.

<table>
<thead>
<tr>
<th>Secondary Dwelling Unit (SDU) Categories</th>
<th>Minimum Lot Size</th>
<th># Secondary Dwelling Units Permitted</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>With CSCS and Central Water System</td>
<td>Without CSCS</td>
<td></td>
</tr>
<tr>
<td>SDU built before 3/7/72</td>
<td>N/A</td>
<td>N/A</td>
<td>No limit</td>
</tr>
<tr>
<td>SDU built 3/7/72 thru 6/19/95 w/o ADPU or BP</td>
<td>N/A</td>
<td>N/A</td>
<td>1</td>
</tr>
<tr>
<td>SDU built after 6/19/95</td>
<td>Any 5 ac.</td>
<td>Any 5 ac.</td>
<td>1</td>
</tr>
<tr>
<td>Large Lot Approval (per Section 5.3.2)</td>
<td>70 ac.</td>
<td>70 ac.</td>
<td>1 for each 35 ac. in excess of 35 ac. SDU may have up to 2000 sf. of living space. Section 5.3 Design Standards do not apply</td>
</tr>
<tr>
<td>MDSE or LPS Lot</td>
<td>N/A</td>
<td>N/A</td>
<td>1</td>
</tr>
</tbody>
</table>

**Key:**
- CSCS - Central Sewage Collection System with secondary treatment and disinfection
- SDU - Secondary Dwelling Unit
- BP - Building Permit
- ADPU - Agreement Defining Permitted Uses, Agreement Regarding Development of Land or similar agreement
5.3.2. Large Lot Approval Standards

For parcels of 70 acres or larger Secondary Dwelling Units may be constructed on a single Buildable Lot in accordance with the following regulations:

A. Any Secondary Dwelling Unit permitted shall not exceed 2000 square feet of habitable space in size.

B. The total number of Dwelling Units on a parcel shall be limited to one (1) Dwelling Unit per 35 acres.

C. Prior to the issuance of a building permit, the owner of the Buildable Lot must execute a recordable agreement in a form prescribed by the Planning Department which prevents any separation of interests or division of the Buildable Lot that would increase the residential density on the Buildable Lot in excess of that permitted by this section.

5.3.3. Registration and Inspection

A. The Planning Department will maintain a register of Secondary Dwelling Units.

B. The owner of any structure constructed prior to March 7, 1972, which was being used as a Dwelling Unit at that time, or the owner of any Secondary Dwelling Unit or Dwelling Unit used for housing agricultural employees constructed prior to June 20, 1995, pursuant to a validly issued building permit may register that unit. The owner shall submit proof of the date of construction and of the subsequent use of the unit. The records of the Routt County Assessor may be used to establish the date of construction. Unless the Planning Director requests the owner to provide additional information within 60 days of the date on which the unit is registered, it shall thereafter be deemed a permitted Secondary Dwelling Unit. If the owner fails to provide the requested information within 60 days of the request, the registration shall be canceled. If the Planning Director determines that the unit is not entitled to be registered, the Planning Director shall notify the owner in writing and the owner shall have the right to appeal to the Board by filing a written notice of appeal with the secretary to the Board within 30 days of the date of the Planning Director’s decision. No charge shall be made for the registration of these Secondary Dwelling Units.

C. The owner of any Guest Unit or Caretaker Unit constructed pursuant to an Agreement Defining Permitted Uses entered into between June 20, 1995, and October 31, 1997, or similar agreement prior to that period, may make written request to the Planning Director to have the restrictions on the use of such Unit released so as to be consistent with the then current rules concerning the use of Secondary Dwelling Units, notwithstanding conformity with the distance and size requirements of this Section 5.3. If the Planning Director agrees, he or she shall submit to the Board of County Commissioners a recordable document releasing the unit from the restrictions contained in the Agreement. If the Planning Director determines that the use restrictions should not be released, he or she shall notify the owner in writing and the reasons for it. The owner shall have the right to appeal such decision to the Board by filing a written notice of appeal with the secretary to the Board within 30 days of the date of the Planning Director’s decision. The hearing on the appeal shall be
scheduled on the first regular agenda of the Board which is at least 10 days after the filing of the appeal and, on which appropriate open time is available.

D. The owners of Secondary Dwelling Units required to register their units as shown on the SDU Control Chart, Section 5.3.1, shall, between November 1, 1997, and October 31, 1998, register those Secondary Dwelling Units with the Planning Department. The owner shall pay a registration fee of $50 per Dwelling Unit to Routt County at the time of registration.

The owner shall also have such Secondary Dwelling Units inspected by the Building Department no later than one year after registering such unit, for the purpose of determining compliance of the unit with the current Routt County Building Code provisions relating to: (i) required exits; (ii) emergency egress; (iii) structural safety; (iv) weather protection; (v) stairs and handrails; (vi) guardrails; (vii) safety glazing; (viii) electrical safety; (ix) sanitary plumbing systems; (x) mechanical heating systems; and (xi) battery operated smoke detectors. If the unit being inspected is located within the Steamboat Springs Airshed governed by Routt County Resolution Number 91-032, the inspection shall also determine if the unit is in compliance with that resolution concerning solid fuel burning devices.

The Building Department shall arrange for the inspection of any septic system by the Routt County Department of Environmental Health for the purpose of determining if the septic system is properly functioning and in compliance with applicable state regulations. The owner shall pay an inspection fee of $100 to Routt County at the time inspection is requested.

If the Building Department determines that the unit is in compliance with the foregoing criteria, it shall issue a certificate so stating. The certificate does not warrant that the unit has been constructed in accordance with the Routt County Building Code. No certificate of occupancy shall be issued based upon the inspection. The Planning Director shall note the results of the inspection on the register of Secondary Dwelling Units.

If the Building Department determines that the unit does not comply with the criteria, the owner shall correct any deficiencies. Unless all corrective work has been completed and accepted by the Building Department following a final inspection within one year after the initial inspection, the Planning Director shall note on the register of Secondary Dwelling Units that the unit may not thereafter be used as a Dwelling Unit unless permitted in accordance with subpart E, below. The one-year period for inspection may be extended for up to an additional one year by the Planning Director upon a written application made by the owner prior to the expiration of the original reinspection period. The owner may appeal the Building Department inspection report to the Board of County Commissioners by filing a written notice of appeal to the Board within 30 days of the date of the report.

E. The owner of a unit that has been designated as an historic site pursuant to Routt County Resolution 93-006 or is listed on the state or federal register of historic buildings may request relief from strict compliance with this section by a petition to the Board of County Commissioners. Such
relief may be granted if the owner demonstrates that the historic nature of the building would be damaged if strict compliance were required and that strict compliance is not necessary to protect the safety, health or welfare of the public.

F. Secondary Dwelling Units subject to registration under the SDU Control Chart, Section 5.3.1, which are either not registered prior to November 1, 1998, or which have not been determined to be in compliance with the criteria within the applicable time period, may thereafter be registered as Secondary Dwelling Units only upon payment of a registration fee of $100. Any such unit must also be brought into compliance with the then-applicable Routt County Building Code in accordance with the procedures for the review, approval and inspection of buildings constructed without building permits, including, without limitation, the payment of a $500 inspection fee, plan review fees and use taxes based on the then-current value of the improvements. Any such unit, otherwise in compliance with Section 5.3.1, may not be used as a Secondary Dwelling Unit unless and until it has been registered and passed final inspection by the Building Department.

5.3.4. Reconstruction of Registered Secondary Dwelling Units

Secondary Dwelling Units registered or eligible to be registered, in conformance with Sections 5.3.1 and 5.3.3 of these Regulations may be reconstructed provided the reconstructed unit meets all of the following standards:

A. No change in location, except as approved by the Planning Director to bring the reconstructed Secondary Dwelling Unit into greater conformance with the required setbacks of the applicable zone district

B. No increase in building footprint.

C. No increase in total building square footage.

5.4. Parking Standards

In order to reduce or prevent traffic congestion and shortage of on-street parking areas, off-street parking and loading facilities shall be provided in accordance with these Regulations in proportion to the need for such facilities created by the particular type of use. Off-street parking and loading areas are to be designed, maintained, and operated in a manner that will ensure their usefulness, protect the public safety, and insulate surrounding land uses from their impacts.

5.4.1. Applicability

Off-street parking and loading spaces shall be provided for any new building, for any addition to an existing building, or for any new Land Use Approval. For additions to an existing building or new uses or changes in use that would increase the total number of parking spaces required for such building, the additional parking shall be required for only such addition, new use, or change in use and not for the entire building or use. If an old building is replaced by a new building housing the same use, parking shall be provided for the net increase in square feet.

5.4.2. Location

Parking spaces, aisles, and turning areas shall be entirely within lot lines and shall not encroach on any public right-of-way. For parking facilities
accommodating more than four (4) cars, off-street parking areas shall be designed so that it will not be necessary for vehicles to back into any street or public right-of-way.

5.4.3. Size of Space
In all Zone Districts with the exception of the industrial Zone District, each off-street parking space shall not be less than nine (9) feet wide and eighteen (18) feet long. In the industrial Zone District, each off-street parking space shall not be less than ten (10) feet wide and twenty (20) feet long. When required parking spaces for a commercial, multifamily, or mixed-use development are enclosed or covered, there must be a minimum clearance height of eight (8) feet.

5.4.4. Maneuvering Space
Each parking area for a use other than a single-family or two-family residential dwelling shall provide for safe access and maneuvering of vehicles. Maneuvering aisles shall be constructed consistent with the following standards:

<table>
<thead>
<tr>
<th>Parking Space Arrangement</th>
<th>Width of Aisle (feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Perpendicular (90°) parking, both side</td>
<td>24</td>
</tr>
<tr>
<td>Angled (60°) parking, both sides</td>
<td>18</td>
</tr>
<tr>
<td>Angled (45°), parking both sides</td>
<td>15</td>
</tr>
<tr>
<td>Perpendicular parking on one side, angled (60°) on other</td>
<td>24</td>
</tr>
<tr>
<td>Perpendicular parking on one side, angled (45°) on other</td>
<td>24</td>
</tr>
<tr>
<td>Perpendicular parking on one side, parallel on other</td>
<td>24</td>
</tr>
<tr>
<td>Angled (60°) parking on one side, angled (45°) parking on other</td>
<td>17</td>
</tr>
<tr>
<td>Angled (60°) parking on one side, parallel on other</td>
<td>18</td>
</tr>
<tr>
<td>Angled (45°) parking on one side, parallel on other</td>
<td>15</td>
</tr>
<tr>
<td>Perpendicular parking, one side only</td>
<td>24</td>
</tr>
<tr>
<td>Angled (60°) parking, one side only</td>
<td>18</td>
</tr>
<tr>
<td>Angled (45°) parking, one side only</td>
<td>15</td>
</tr>
<tr>
<td>Parallel parking, one side only</td>
<td>12</td>
</tr>
<tr>
<td>Self-service storage units, both sides</td>
<td>24</td>
</tr>
</tbody>
</table>

5.4.5. Surfacing
All required off-street parking spaces shall generally be required to be asphaltic, concrete or other higher type surfaces in the C and I Zone Districts, and in those areas within a PUD, SUP, or CUP which contain similar use characteristics and densities as the C and I Zone Districts. Porous pavements or other techniques to reduce runoff are encouraged. The Planning Director, Planning Commission or Board of County Commissioners may authorize an exemption from this requirement.

5.4.6. Parking Lot Run-Off
New and reconstructed parking lots that have ten (10) or more spaces shall provide storm-water quality management treatment facilities. Alternative methods of drainage/run-off control, such as porous pavements or the creation of wetlands, are encouraged.
5.4.7. Accessible Spaces

Accessible spaces shall be provided in accordance with the "Americans with Disabilities Act Accessibility Standards" for parking space size and quantities or as required during site plan review.

5.4.8. Required Parking Spaces

Each use shall provide at least the number of parking spaces shown below, unless a different standard is specifically stated elsewhere in these Regulations or is modified through the Land Use Approval process. Special parking regulations applicable to specific Zone Districts shall take precedence over required standards in this section. Where fractional requirements result from the application of this schedule, the fraction shall be raised to the next whole number. No additional parking requirements shall be imposed as a result of the construction of outdoor decks or patios so long as such decks or patios do not displace existing parking facilities. The Director shall have authority to determine the type of use and the parking requirement for each use or combination of uses, subject to the provisions of this section. Required parking for uses not specifically listed below shall also be determined by the Director based on the characteristics of the use and consideration of the parking requirements for other uses with similar characteristics:

<table>
<thead>
<tr>
<th>Residential Uses</th>
<th>Minimum Parking Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Secondary Dwelling Unit</td>
<td>One space per Dwelling Unit</td>
</tr>
<tr>
<td>Bed and Breakfast</td>
<td>One (1) space for owner/caretaker plus one (1) additional space for each rentable bedroom</td>
</tr>
<tr>
<td>Mobile home</td>
<td>Two (2) spaces per mobile home</td>
</tr>
<tr>
<td>Single-family/duplex/Multi-family residential</td>
<td>Two (2) spaces per Dwelling Unit</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Commercial Uses</th>
<th>Minimum Parking Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Auditorium/theater/church</td>
<td>One space/four (4) seats</td>
</tr>
<tr>
<td>Automobile filling station, automobile service station, automobile repair</td>
<td>Three (3) spaces/service bay Two (2) spaces per pump station (space adjacent to pump station is counted)</td>
</tr>
<tr>
<td>Bowling alley</td>
<td>Two (2) spaces per lane</td>
</tr>
<tr>
<td>Home Industry</td>
<td>One (1) space/500 s.f. floor area devoted to the home industry</td>
</tr>
<tr>
<td>Day care home, Day care centers</td>
<td>One (1) space per employee One space/six (6) children</td>
</tr>
<tr>
<td>Indoor Recreational</td>
<td>One space/one hundred (100) s.f. floor area</td>
</tr>
<tr>
<td>Hotel, motel, lodge, inn</td>
<td>One space per lodging unit</td>
</tr>
<tr>
<td>Neighborhood store</td>
<td>One space/five hundred (500) s.f. floor area</td>
</tr>
<tr>
<td>Office</td>
<td>One space/three hundred (300) s.f. floor area</td>
</tr>
<tr>
<td>Office, dental or medical</td>
<td>One space/two hundred (200) s.f. floor area</td>
</tr>
</tbody>
</table>
Restaurant/tavern | One space/one hundred fifty (150) s.f. floor area
Retail | One space/three hundred (300) s.f. floor area
Self service storage facility | Storage facility: 1/20 units, with a minimum of five (5) spaces required for any self-service storage facility
Schools (public and private) | K-8: Two (2) spaces/classroom, 9-12: Five (5) spaces/classroom, Other schools: One space per three (3) students

### Industrial Uses

<table>
<thead>
<tr>
<th>Minimum Parking Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Industrial uses</td>
</tr>
<tr>
<td>Manufacturing</td>
</tr>
<tr>
<td>Warehouse</td>
</tr>
</tbody>
</table>

#### 5.4.9. Credit for Multiple-Use Parking Facilities and/or Mixed Use Developments

Where a single parking facility serves more than one use, is for a mixed use development, or where employee units are provided, and where evidence is presented that the uses do not normally overlap and no substantial conflicts will result from the parking reduction, the total parking requirement for all uses may be reduced up to 20% based on a site-specific review.

#### 5.5. Addressing Standards

No building permit shall be issued for any construction on property in unincorporated Routt County unless the road accessing such property has been assigned a name pursuant to the Routt County Requirements for Addressing adopted by resolution of the Board of County Commissioners. In addition, no building permit shall be issued for any construction on any Buildable Lot in unincorporated Routt County unless an address has been assigned for the Buildable Lot pursuant to the Routt County Requirements for Addressing.

#### 5.6. Access to Buildable Lot Standards

All Buildable Lots shall have access to the public road system pursuant to this Section 5.6. All building permits or other permits required by Routt County for any building, structure, or use on any Buildable Lot, if approved, shall be approved only if or on the condition that such Buildable Lot, structure, or use has access to the public road system consistent with this Section 5.6

##### 5.6.1. Driveways

Access to a Buildable Lot shall be shown, in part, by compliance with the following provisions:

A. **Driveways Off of County and Other Local Public Roads:**

A Right of Way Access Permit (per Section 5.7) issued by the Routt County Road and Bridge Department is required for the proposed use of the property and the Right of Way Access shall be constructed by the applicant and approved by Road and Bridge Department. The building or other permit shall have as a condition that a Right of Way Access Permit
shall be issued and that the Right of Way Access Point shall be constructed and approved in compliance therewith. For building permits, the Right of Way Access Permit shall be issued and the Right of Way Access Point shall be constructed and approved no later than the approval of Temporary Electric Service or issuance of a Certificate of Occupancy, whichever comes first.

B. Driveways Off of Private Roads:

Right of Way Access Permits shall not be required for design and construction of Right of Way Access Points under this Section 5.6 as a condition of the issuance of a building permit, although applicants should review any private or other independent requirements such as homeowners association or subdivision covenants, and applicants are encouraged to follow the standards set forth in Sections 5.6.2, 5.7 (Right of Way Access) and 5.8 (Common Roads). Applicants may be required to construct such access as a condition of approval of special use, conditional use, administrative use, or minor use permits. In addition, applicants may be required to obtain a Grading and Excavation Permit from the Road and Bridge Department.

5.6.2. Standards for Internal Portion of Driveways

In order to promote safe and adequate access to all Buildable Lots, uses, and structures, in particular for emergency (e.g., fire, police, ambulance) services and response, Routt County recommends that landowners comply with the following minimum design standards and criteria for the construction of the internal portions of a driveway, other than the Right of Way Access Point. Information, design resources, and limited technical assistance, provided at the discretion and convenience of the Road and Bridge Department, is available from the Road and Bridge Department. Applicants may be required to construct driveways in compliance with the following standards as a condition of approval any land use or subdivision approvals, and shall be required to comply with other zoning requirements including, without limitation, Water Body Setback regulations at Section 5.11. In addition, applicants may be required to obtain a Grading and Excavation Permit pursuant to the Building Code. Individual fire protection districts may have adopted these driveway design and construction requirements which are not voluntary as a part of an approved Fire Code applicable in such districts; in such cases, Routt County shall require a sign off from any such fire district prior to issuance of a building permit certifying that the fire district's fire code provisions regarding Right of Way Access have been satisfied, whether by compliance with these driveway criteria or by approved fire protection mitigation measures. The interpretation of such Fire Code provisions relating to the adequacy of a Right of Way Access and the reasonableness of any required mitigation measures may be reviewed by the Fire Code Board of Appeals as set forth in and established by such Fire Codes. Any decision of the Fire Code Board of Appeals may be appealed to the Board of County Commissioners for final decision.

A. Driveways providing access to only one Buildable Lot: Unobstructed width of not less than 12 feet, not including snow storage, parking or road shoulders;
Section 5 General Performance and Development Standards

B. Driveways providing access to two Buildable Lots: Unobstructed width of not less than 16 feet, not including snow storage, parking or road shoulders;

C. Unobstructed vertical clearance of not less than 13 feet 6 inches;

D. Minimum centerline turning radius of 60 feet;

E. Grade not to exceed 10%; any curve with a radius of less than 80 feet shall have a grade less than 4% within 100 feet of the point of curvature of the curve or switchback;

F. Driveways shall be surfaced to provide a reasonable level of all weather access given the site conditions (grade, soil type, drainage, etc.), but should at a minimum consist of "3-inch minus" structural gravel at a depth of four inches (4");

G. Driveways longer than 150 feet shall have approved turnarounds, either "T" turnarounds or cul-de-sacs, as set forth in the diagrams appended to this Section 5.6 as Figures 5.6-1 through 5.6-3;

H. Driveways in excess of 200 feet in length and less than 20 feet in width shall be provided with turnouts. Turnouts shall be an all-weather road surface at least 10 feet wide and 40 feet long. See Figure 5.6-4 appended to this Section 5.6.
Figure 5.6 – 1
16-foot T-Turnaround

Figure 5.6 – 2
12-foot T-Turnaround
Figure 5.6 – 3
Standard Cul-de-sac

SINGLE FAMILY/DUPLEX: R=35’ ALL WEATHER SURFACE WITH 40’ CLEAR AREA
ALL OTHER USES: R=48’

Figure 5.6 – 4
Standard Turnout

12’ or 16’ DRIVE
10’
45°
40’
60’
Section 5 General Performance and Development Standards

5.6.3. Common Roads

Access to a Buildable Lot shall also be shown by the existence, at the time of the application for a building or other permit, of a Common Road complying with the following provisions as verified by the Planning Department at the time of review of such permit:

Common Roads shall have been constructed, or be guaranteed to be constructed (i.e., pursuant to a subdivision improvements or other agreement), prior to the issuance of a building or other permit for any building, use, or structure on a Buildable Lot to be accessed by such Common Road. An inspection by the Planning Department may be required prior to the issuance of such building or other permit to verify the existence and level of construction of such Common Road. The following categories of Common Roads shall satisfy this requirement:

A. Common Roads existing and constructed prior to February 4, 2003 that do not require additional construction, completion, upgrade, or improvement other than normal maintenance.

B. Common Roads constructed after February 4, 2003 pursuant to a Road Construction Permit as set forth in Section 5.8, including Driveways converted to Common Roads and any existing Common Road that requires additional construction, completion, upgrade or improvement beyond normal maintenance.

5.7. Right of Way Access Standards and Permits

A Right of Way Access Permit is required prior to construction of any new access point onto a County Road or other Local Public Road or Right of Way. A Right of Way Access Permit is a Minor Use Permit as outlined in the Review Process Chart, Section 3.2.1. The Road and Bridge Department is the issuing authority of Right of Way Access Permits. Applicants are required to contact the Road and Bridge Department for preliminary site inspection, design consultation, and permit issuance prior to any construction of the Right of Way Access.

Applicants shall apply to the Road and Bridge Department and shall pay a fee as set forth in the Fee Schedule adopted by the Board of County Commissioners. A double permit fee shall be imposed if the applicant has constructed a Right of Way Access Point prior to the issuance of the permit. The construction of any Right of Way access on a County or other local public road prior to preliminary inspection and the issuance of a Right of Way Access Permit is at the risk of the landowner, and in addition to the double permit fee, any such work may be required to be removed at the expense of the applicant if it is determined that it does not comply with the required standards.

Depending on local snow or drainage conditions, the Road and Bridge Department, in its discretion, may withhold the issuance of a Right of Way Access Permit during the months of November through May. A Right of Way Access Permit shall be good only for the calendar year in which it is issued and it shall expire automatically on the 30th day of November of such year.

5.7.1. Right of Way Access Standards

A. Access
No more than one Right of Way Access point shall be approved to a single Buildable Lot or to contiguous Buildable Lots which were under the same ownership at the time such Buildable Lots were created, unless it can be shown that additional accesses would be significantly beneficial to the safety and operation of the road or the local circulation. When two different roads can access a parcel, Right of Way Access shall be on the road with the lowest functional classification or lowest ADT ("average daily trips"), as determined by the Road and Bridge Department, except that a Right of Way Access shall not be required to come off a road classified "minimal maintenance" where the other road has a higher functional classification.

B. Sight Distance and Minimum Distance Between Access Points

Right of Way Access Points shall be located so that they will be visible from a vehicle traveling on the adjoining road for the minimum distance indicated below, corresponding to the design speed of the road. The minimum sight distance is also the minimum distance allowed between consecutive Right of Way Access Points on the same road.

<table>
<thead>
<tr>
<th>Design Speed (Posted Limit or 85th percentile, whichever is greater):</th>
<th>Minimum Distance:</th>
</tr>
</thead>
<tbody>
<tr>
<td>50 mph</td>
<td>500 feet</td>
</tr>
<tr>
<td>40 mph</td>
<td>400 feet</td>
</tr>
<tr>
<td>30 mph</td>
<td>300 feet</td>
</tr>
<tr>
<td>20 mph</td>
<td>200 feet</td>
</tr>
</tbody>
</table>

C. Drainage

All driveways and approaches shall be constructed so that they do not interfere with the drainage system of the roadway. The applicant shall pay for all materials and drainage structures at access points and shall install them at their own expense. Such drainage structures shall become an integral part of the existing drainage system of the County or other road. Maintenance of the drainage improvements is the responsibility of the property owner using the access. Driveway culverts for drainage shall be 18 inches in diameter or larger as may be required by the Right of Way Access Permit. Exceptions may be approved by the Road and Bridge Department during the preliminary inspection for a Right of Way Access Permit.

D. Alignment and Construction

1) Right of Way Access Points shall have a minimum width of 20 feet within the right of way. The Right of Way Access point shall be constructed to match the grade at the shoulder of the road. The grade of the entrance shall slope downward and away from the road surface at a maximum of 4% for a distance of at least 25 feet from the traveled way.

2) The horizontal axis of an approach to the roadway shall normally be at a right angle (90 degrees) to the centerline of the roadway and extend a minimum of forty feet beyond the traveled way. An
angle of between 90 and 60 degrees shall be permitted if it can be shown that physical constraints exist that require an approach angle less that 90 degrees. An angle less than 60 degrees is not permitted.

3) An access approach that is gated shall be designed so that the longest vehicle using it can completely clear the traveled way when the gate is closed. In no event shall such distance be less than thirty (30) feet.

4) Access approaches shall not have an equivalent turning radius of less than twenty (20) feet. Access designed for use by vehicles exceeding thirty (30) feet shall have minimum 50-foot turning radius.

5) The access shall be surfaced with 4 inches of class 6, or ¾ minus road base, to the edge of the right of way, but not less than thirty (30) feet from the centerline of the county road.

5.8. Road Construction Standards and Permits

Prior to the construction of any Common Road, a Road Construction Permit pursuant to this Section 5.8 shall be required which shall be issued by the Road and Bridge Department. A Grading and Excavation Permit from the Building Department may also be required. The applicant shall pay a fee in advance as established by the Fee Schedule adopted by the Board of County Commissioners. The approval and construction of Common Roads may be reviewed as a part of the appropriate subdivision review or other County permitting process as set forth in the Subdivision Regulations and Zoning Regulations, in which case the approval of the Road Construction Permit shall be a part of the Subdivision or other permit review process and no additional fee shall be charged. A pre-application conference shall be held if required, at the discretion of the Road & Bridge Director, with one or more of the following: Planning Director, Road & Bridge Director, Building Official, Fire Protection District Chief, Environmental Health Officer, or other persons or entities.

5.8.1. Standards for Common Roads

A. At a minimum, all Common Roads shall be designed and constructed to comply with the CDOT standards for Off System and Low Volume Roadways. In addition Road Construction Permits for roads within a County approved subdivision shall require design and construction of roads to such other standards as may be required by the Routt County Subdivision Regulations or as a condition of the subdivision approval.

B. Once a Common Road is completed pursuant to the terms and conditions of the Road Construction Permit, the applicant shall be required to submit a licensed professional engineer's or licensed professional surveyor's stamped certificate that the road has been constructed in compliance with the plans approved as part of the permit and shall also submit "as built" drawings of the completed road stamped by a licensed professional civil engineer or licensed professional surveyor. The Planning Director and the Road & Bridge Director, or an engineer designated by them, shall have the right to inspect the road during and after construction. After the submittal of the above certification and drawings, and an opportunity to
inspect the road, such period not to exceed 30 days, the Road and Bridge Department shall issue a completion certificate.

C. A building or other permit may be issued prior to the completion of the road pursuant to this Section 5.8 only if the applicant enters into an agreement in a form substantially similar to the form of a subdivision improvements agreement and submits to the Board of County Commissioners adequate security to guarantee the construction of the road, in a form acceptable to the Board and in the amount of 125% of the cost to complete the road.

D. Where a Fire District has adopted these Common Road standards as a part of a Fire Code enforceable in such District, the interpretation by the District of such Fire Code provisions relating to the adequacy of a common road for emergency access and the reasonableness of required mitigation measures may be reviewed by the Fire Code Board of Appeals as set forth in and established by such Fire Codes. Any decision of the Fire Code Board of Appeals may be appealed to the Board of County Commissioners for final decision.

5.9. **Sign Standards and Permits**

5.9.1. **Purpose and Objectives**

A. Promote the use of signs that are aesthetically pleasing, of appropriate scale and integrated with the rural landscape, in order to meet the County’s Master Plan objectives related to the quality and character of the rural landscape;

B. Protect the public welfare and enhance the appearance and economic value of the rural landscape by protecting scenic views and avoiding visual clutter and pollution that can compromise the character and quality of the rural landscape;

C. Ensure that signs are compatible with their surroundings and prevent the placement of signs that are a nuisance to occupants of adjacent and contiguous properties and the traveling public;

D. Promote the safety of persons and property by ensuring that signs do not create a hazard by confusing or distracting motorists or impairing motorists’ ability to see obstacle or other vehicles or to read traffic signs;

E. Assist in wayfinding; and

F. Provide fair and consistent permitting and enforcement.

5.9.2. **Applicability**

A. All construction, relocation, enlargement, alteration, and modification of signs within the unincorporated areas of Routt County shall be in compliance with the regulations of this Section 5.9, all State and Federal laws and regulations concerning signs and advertising, and applicable building codes.

B. No sign or part of a sign, lighting for a sign, may be constructed, relocated, enlarged, altered, or modified without a Minor Use Permit pursuant to Section 3.2.1, unless specifically exempted by this Section 5.9.
5.9.3. **Exemptions**

The following signs do not require a permit. Unless specifically mentioned below, all signs shall comply with the General Standards contained in Section 5.9.4:

A. **Public Signs.** Signs required or specifically authorized for a public purpose by any law or by a Resolution of the Board of County Commissioners.

B. **Address Signs.** Signs limited to the name of the resident and address of the premises provided that the sign does not exceed two (2) square feet in area, and that no more than one (1) is placed on the frontage. All address signs shall comply with the Routt County Addressing requirements.

C. **Site Signs.** A temporary sign that is posted on property that is actively marketed for sale. Such signs shall be no greater than twelve (12) square feet in size and shall be limited to no more than one (1) sign per parcel of land.

D. **Trespass Signs.** Signs located on a property, posting said property for warnings, or prohibitions on trespassing, hunting, fishing, swimming, or other prohibited activity. Such signs shall be no larger than one (1) square foot in size and shall be spaced no closer than one hundred fifty (150) feet apart.

E. **Cornerstones, Plaques.** Signs in the nature of cornerstones, commemorative tablets, and historical signs not more than six (6) square feet per sign in area and not legible from the roadway.

F. **Road Signage.** Typical road signage related to public safety that the County or the Colorado Department of Transportation installs or requires a land owner to install.

G. **Temporary Signs.** Temporary signs shall be displayed for a period of not more than 120 consecutive days and not more than 120 days in the aggregate in any 12 month period of time. Such signs shall be no greater than 32 square feet.

H. **Window Signs.** Signs inside a structure in a window. Such signs shall be not greater than four (4) square feet per sign in area, and shall be limited to no more than one (1) sign per eight (8) square feet of window area.

I. **Directional Signs.** Signs indicating entrances, exits, and one-way streets and located on the property to which the sign relates. Such signs shall not exceed six (6) inches by thirty (30) inches and shall be located only at driveways and building access.

J. **Ranch Signs.** Signs limited to the name of ranch, name of resident and address of premises located on the same property or access easement to which it relates.

K. **Flags.** Flags are limited to one per property and shall be displayed on a flag pole affixed to the ground or to a structure.

L. **Internal Signs.** Signs that are posted internally on a piece of property that are not discernible from the property line.
Section 5 General Performance and Development Standards

M. **Typical Maintenance.** Painting, repainting or cleaning of a sign without changes to the structure, or lighting, or any other change that would require a permit.

5.9.4. **General Standards**

All signs which require a permit shall conform to all the following standards:

A. **Number:**
   1) No more than two (2) signs per parcel, provided that only one (1) sign per frontage may be detached from a structure on the parcel.
   2) Only one (1) sign per frontage shall be permitted for any frontage less than fifty (50) feet.

B. **Location.**
   1) **Detached Signs:** No portion of a detached sign, or its frame, bracing or support structure shall be located closer than five (5) feet from every boundary line of the lot or fifteen (15) feet from any public right-of-way, unless approved by Routt County Public Works.
   2) **Attached Signs:** may not project from its related structure, other than the allowable depth of the sign, unless minimum clearance above grade is at least nine (9) feet; and no sign shall project from the related structure, other than the allowable depth of the sign, closer than fifteen (15) feet to any public right-of-way.
   3) Any sign not approved by Routt County Public Works to be located in the right-of-way may be removed by the County at any time.
   4) No sign shall be located so as to obstruct a motorist’s vision of oncoming traffic.

C. **Height above grade:**
   1) Detached signs shall not exceed a height above grade of twenty (20) feet.
   2) Attached signs shall not project above the roof of the supporting building.
   3) The height for both attached and detached signs shall be measured to the highest point of the sign trim or support structure.

D. **Sign Area:**
   1) **Total Sign Area:** Twenty (20) square feet or one (1) square foot per each foot of lot frontage; not to exceed a total of 100 square feet for all signs on a single frontage.
   2) **Attached signs:** There is no maximum size for an attached sign provided it meets the requirements for Total Sign Area.
   3) **Detached signs:** The maximum sign area for any detached sign shall be forty (40) square feet, and the ratio of height to width shall not be less than one (1) to three (3) nor greater than three (3) to one (1).

E. **Computation of Sign Area:** The area of all signs shall be computed by determining the sum of the area of each square, rectangle, triangle,
portion of a circle, or any combination thereof which creates the smallest continuous single perimeter enclosing the extreme limits of the display surface or faces of the sign excluding reasonable frames or non-structural trim, bracing and support structure. The measured area shall include only one side of the sign, and one additional sign face is authorized, provided it is attached to the approved sign, identical to the approved sign, and separated from the approved sign, by an angle of at least 270 degrees on a horizontal plane.

F. **Metallic Signs.** Signs with metallic surfaces shall be treated to reduce reflection, whether from sunlight or artificial illumination, on nearby residential properties and the vision of passing motorists.

G. **Lighting.** Illuminated signs shall conform to the following standards:
   1) Signs illuminated from an exterior source shall be downcast and opaquely shielded.
   2) Signs illuminated from an interior light source shall be allowed provided that the light source is not visible from the exterior of the sign and provided the wattage does not exceed the following requirements:
      a. Fluorescent lights not to exceed five (5) watts per square foot of sign area;
      b. Incandescent lights not to exceed twenty-five (25) watts per square foot of sign area;
      c. Gas-fired lights not to exceed thirty (30) milliamps per eight (8) linear feet of tube. Such gas-fired lights may include but are not restricted to: neon, argon, and mercury.
   3) None of the foregoing provisions shall be construed to allow sign illumination that constitutes a traffic hazard.

### 5.9.5 Prohibited Signs and Sign Elements

This section identifies signs and sign elements that are not allowed anywhere in the County.

A. **Prohibited Signs and Content:**
   1) Off-Site Commercial Signs;
   2) Signs with blinking, moving, or animate features;
   3) Signs with more than two sign faces;
   4) Signs with manually or electronically changeable text or graphics;
   5) Signs that are a traffic hazard because they simulate or imitate any traffic sign or signal;
   6) Portable signs, except as specifically identified in this section and Section 5.9.2;
   7) Signs erected, painted or maintained on trees, rocks, or natural features;
   8) Text or graphics of an indecent or immoral nature and harmful to minors;
   9) Text of graphics that advertise unlawful activity;
10) Text or graphics that are obscene, fighting words, defamation, incitement to imminent lawless action or true threats; or

11) Text or graphics that present a clear and present danger due to their potential confusion with traffic control signs or signs that provide public safety information (for example, signs that use the words “Stop”, “Yield”, “Caution”, or “Danger,” or comparable words phrases, symbols, or characters in such a manner as to imply a safety hazard that does not exist).

B. Prohibited Design Elements:

1) Sound, smoke, or odor emitters;

2) Flags, banners, or comparable elements that are designed to move in the wind that are not affixed to permanent flagpoles or flagpoles that are mounted to buildings;

3) Spinning or moving parts;

4) Motor vehicles, unless the vehicle is functional, used as a motor vehicle, and has current registration and tags;

5) Semi-trailers, shipping containers, or portable storage units, unless:
   a. The trailer, container, or portable storage unit is functional, used for their primary storage purpose, and, if subject to registration, has current registration and tags;
   b. The display of signage is incidental to the use for temporary storage, pick-up, or delivery; and
   c. If a semi-trailer, such trailer is parked in a designated loading area or on a construction site at which it is being used for deliveries or storage.

5.9.6 Non-Conforming Signs

A. Continuance of Non-conforming Signs

Subject to the terms herein, any non-conforming sign may be continued in operation and maintained after the effective date of these Regulations; provided, however, that no such sign shall be changed in any manner that increases the non-compliance of such sign with the provision of these Regulations established for signs in the district in which the sign is located; and, provided further, the burden of establishing a sign to be non-conforming under this section rests entirely upon the person or persons, firm, corporation, or other entity claiming such status for a sign. Signs can be maintained but not replaced.

B. Termination of Non-conforming Signs

The right to maintain a non-conforming sign terminates immediately upon any of the following:

1) By abandonment of a sign for a continuous period of six (6) months;

2) By destruction or damage, whenever the sign is damaged or destroyed from any cause whatsoever to the extent that the cost
of restoration to its condition before the occurrence shall exceed fifty (50) percent of the cost of reconstructing the entire sign; or

5.10. Standards for Structures within Mapped Skylined Areas

5.10.1. Skyline Area Map

A. The Board of County Commissioners has adopted the Skyline Area Map which is made a part of these zoning Regulations and attached to this Section 5.10 as Figure 5.10-1. The official Skyline Area Map is on digital file at the Routt County Planning Department. Precise GIS verification of parcels, the boundary of the Skyline Applicability Area, and the parcel coverage of specific Mapped Skylined Areas shown on the Skyline Area Map may be obtained at the Planning Department.

B. Parameters used in the creation of the “Mapped Skylined Areas” as shown on the Routt County Skyline Area Map are as follows: 1) six foot observer, 2) structure height of 40’, 3) skylined sites visible from between ¼ and 3 miles from any point along designated County roads, 4) skylined sites visible from at least one mile (cumulative) along designated County roads, and 5) that the designated County roads are limited to those shown on the Routt County Skyline Area Map, depicted in Figure 5.10-1.

5.10.2. Applicability

The provisions of this section shall only apply to new Structures or additions to existing Structures, or any part thereof, proposed to be constructed within Mapped Skylined Areas, shown in red on the Skyline Area Map, which are located inside the boundaries of the Skyline Applicability Area, shown in purple on the Skyline Area Map.

Where construction is proposed outside of Mapped Skylined Areas or outside of the Skyline Applicability Area, skylined structures are discouraged by Routt County. Applicants are strongly encouraged, but not required, to follow the mitigation measures suggested in the General Skyline Development Guidelines available at the Planning Department.

The following structures are exempt from these standards:

A. Structures or additions to Structures located on Buildable Lots created pursuant to the Land Preservation Subdivision Exemption regulations set forth in the Routt County Subdivision Regulations.

B. Communications towers less than 100 feet in height;

C. Utility lines, towers, and associated structures;

D. Replacement of or modification to structures in existence, or for which a building permit has been issued, as of April 8, 2003, provided that such replacement or modification does not increase the height or square footage of habitable space of such structures.

5.10.3. Review at Building Permit.

No part of any new Structure or addition to an existing Structure will be permitted to be constructed on land within any Mapped Skylined Area inside the Skyline Applicability Area, as depicted on the Skyline Area Map, unless

A. No more than fifteen (15) vertical feet of such proposed Structure or addition, or part thereof, will be Skylined as viewed from any point along
the designated public roadways shown on the Skyline Area Map within a three (3) mile radius of the proposed Structure or addition, but not including designated public roadways within a one quarter (1/4) mile radius of the proposed Structure or addition; and

B. The exterior of the structure shall utilize non-reflective and earth tone finishes that blend the structure with the immediately surrounding area.

5.10.4. Prior Certifications

A landowner may obtain from the Planning Director a certification prior to the issuance of a building permit that a proposed Structure or addition would be permitted under this Section 5.10. The applicant shall submit at a minimum a site plan and building elevations, in addition to other information as may be required by the Planning Director.

5.10.5. Process

A. The Planning Director shall have 15 business days after submission and acceptance of a complete application for building permit or prior certification in which to review, and approve or deny, the application. If the Planning Director has not acted within the 15 business day period, the proposed Structure or addition, as described in the application, shall be deemed to be permitted under this Section 5.10.

B. Any certification approved under this section shall be good only for the proposed Structure or addition described in the application; if there are any modifications in either the location, the footprint, or the elevations of the Structure, then the applicant will be required to go through review under Sections 5.10.3 or 5.10.4 prior to construction of any such Structure or addition.

5.10.6. Appeal

The application of this Section 5.10 may be appealed by the landowner to the Planning Commission for the sole purpose of contesting whether the proposed building site is within a Mapped Skyline Area using the parameters of Section 5.10.1.B. There shall be no variance or other appeal to the Board of Adjustment of the provisions of this Section 5.10.
5.11. Water Body Setback Standards and Permits

5.11.1. Objectives

A. Provide adequate buffers around water bodies to protect water quality, and reduce adverse impacts to wildlife habitat and visual quality surrounding such water bodies, thereby protecting the health, safety and welfare of the inhabitants of Routt County;

B. Avoid sedimentation, flood and runoff impacts to private property resulting from development activity in and around water bodies;

C. Provide for the protection of water bodies by avoiding development activity in and around Waterbodies whenever possible, and minimizing the impacts of unavoidable development activity in and around Waterbodies, unless mitigated; and

D. This section shall not be construed to encourage or allow trespass on private property or the taking of private property for recreational use.

5.11.2. Applicability

A. This section shall apply to all water bodies, as defined, in unincorporated Routt County.

B. This section shall not repeal, override, abrogate, or impair any existing federal, state, or local law, rule, or regulation, or any legal requirement there under.

5.11.3. Determination of Ordinary High Water Mark (OHWM)

A. The OHWM shall be determined by staff, or a qualified water resources professional, as approved by the County. A qualified professional shall submit a resume to the Planning Department showing at least five (5) years worth of successful recent experience in wetland or OHWM delineation or other similar field. The County reserves the right to accept or reject the consultant’s qualifications.

B. In the event that the certification is made by a qualified professional, any conclusions shall be based on the definition of OHWM and shall comply with the objectives of this section.

5.11.4. Exemptions

The following structures, improvements, or activities shall be exempt from the requirements and regulations of this section:

A. Activities solely for agricultural purposes including clearing and grading of land for the purpose of, and reasonably necessary for, preparing the soil for crop production, weed control, maintenance and construction of agricultural-related water structures, other agricultural cultivation purposes, and the construction of fences and other agriculture-related structures that are exempt from the requirements of obtaining a building permit; and

B. Projects for the enhancement, protection, and/or restoration of stream banks, stream channels, riparian areas and/or piscatorial or wildlife habitat approved or sponsored by a wildlife or conservation organization,
Section 5 General Performance and Development Standards

or a governmental agency including the U.S. Army Corps of Engineers; and

C. The continued existence and reasonable maintenance and repair of structures in existence prior to the creation of a Waterbody, as determined by the Planning Director under the standards of Section 5.11.5; and

D. Structures that are water dependent (i.e. docks, piers, watercraft launches and ramps, flood control structures); and

E. Activities, structures, and improvements that occur around man-made Waterbodies; and

F. Waterbodies located of Federal land.

5.11.5. Minimum Setbacks from a Waterbody

All activity, as defined in Section 5.11.6 and excepting those listed in Section 5.11.4, shall be located a minimum of fifty (50) feet from the OHWM of any Waterbody (waterbody is defined in Section 2) unless a Waterbody Setback permit is obtained.

5.11.6. Waterbody Setback Permits

Construction of roads, driveways, structures or improvements within the water body setback, otherwise prohibited by this section, may be permitted by the Planning Director upon the application for and granting of an Administrative Permit pursuant to Section 3.2.1, and pursuant to the following standards:

A. No such permit shall be issued unless the applicant has shown that the activity proposed within the Waterbody Setback falls into one of the following categories:

1) The activity is unavoidable.

A showing on unavoidability may be made by showing at least one of the following to the satisfaction of the Planning Director:

a. Because of the physical features, other restrictions, and conditions of the Buildable Lot, construction outside of the Waterbody Setback is not technically feasible (i.e., the entire Buildable Lot is within the Waterbody setback), or would contribute to a hazardous condition on the property;

b. In the case of a road, the road is necessary to achieve access to the Buildable Lot or to a building site thereon and no other access route which would avoid the Waterbody Setback is technically feasible;

c. If, in the reasonable judgment of the Planning Director, requiring the proposed activity to take place outside the Waterbody Setback would result in a greater negative impact to the objectives of the Zoning Regulations than permitting limited activity within the setback.

d. For the purposes of paragraphs (a) and (b) above:

1) Any such features, restrictions, or conditions of a Buildable Lot which make construction outside of the Waterbody Setback unavoidable, must have been in existence on the
original effective date (July 26, 1996) of this section, or been created subsequently through no fault of the owner of land or the applicant; and

2) Construction outside of the Waterbody Setback may be technically feasible even if such construction requires a different permit or variance to build in the area outside of the Waterbody Setback, in which case the Planning Director shall grant an Administrative Permit under this section only if the applicant has applied for such other permit or variance and has been denied or, even after grant of such other permit or variance, there remains insufficient area to build outside of the Waterbody Setback.

2) Impacts deemed avoidable.
This language shall only apply to roads and temporary impacts associated with grading and excavating within the setback and crossings of a Waterbody, including bridges, culvers, and other methods of crossings and shall not apply to structures.

If, at the staff level, the proposed activity is determined to be avoidable, then the application shall be reviewed using the same process as a Special Use Permit as outlined in the Review Process Chart, Section 3.2.1. The following standards apply:

a. The permit may be approved if CPW reviews the proposals with County Planning staff, and it is determined by the County that the impacts from the proposed activity will be offset by the habitat improvements performed on-site by the project proponent; and

b. The applicant provides a narrative, prepared by a qualified professional, containing alternatives that were considered. The narrative shall include an analysis of the impacts that would be created by each alternative and rationale as to why the preferred alternative was chosen. The rationale shall be based on the objectives of this section and show compliance with the Zoning Regulations.

B. The structure or improvement shall be designed, sited, and constructed in accordance with the currently effective CDOT Erosion Control and Storm Water Quality Guide or other recognized Best Management Practices (BMP’s) so as to minimize: (1) the encroachment of the structure or improvement into the Waterbody Setback area; and (2) the impact of the structure or improvement on the water quality, drainage, vegetation, wildlife habitat, or other functional characteristics of the Waterbody.

C. It shall be the responsibility of the person proposing the structures or improvement to provide a Restoration Plan (Plan) which is limited to the subject property, and includes, at a minimum, provisions for erosion control, appropriate drainage, grading, bank protection and stabilization, revegetation, native plantings or seedlings, enhancement of wildlife habitat, monitoring and a schedule for such monitoring not to exceed five (5) years, and other reasonable factors as the Planning Director may deem appropriate. Said Plan may be required to be prepared under the
authority and direction, and submitted by a qualified professional, as detailed in Section 5.11.3. As part of the Plan, the person proposing the structure or improvement may be required to post a performance bond, letter of credit, or other security as may be acceptable to the decision maker, in conformance with Section 3.2.14 of the Zoning Regulations.

5.12. Airport Overlay (AO) Zone District Standards

5.12.1. General Standards

A. No use may be made of land within the Zone District in such a manner as to create electrical interference with radio communication between an airport or heliport and aircraft or make it difficult for pilots to distinguish between airport or heliport lights and other lights, cause glare in the eyes of pilots using the airport or heliport, impair visibility in the vicinity of the airport or heliport or otherwise endanger the taking off or the maneuvering of aircraft in the vicinity of the airport or heliport.

B. Within AO Zone Districts land use patterns will be encouraged that separate airport related noise sources from residential and other noise-sensitive areas and that avoid danger to public health and safety or to property due to aircraft operations.

C. Noise attenuation in building design shall be encouraged and may be required for structures to be erected within the Zone District.

D. In areas subject to flight hazards, uses such as schools, churches, hospitals and libraries are not encouraged. Open space, recreational and agricultural uses shall be encouraged.

E. An avigation easement may be required as a condition of approval of any land use change.

F. An avigation easement shall be required as a condition of approval of any residential subdivision that creates new Buildable Lots.

G. The owner of any non-conforming structure or object of natural growth is hereby required to permit the installation, operation or maintenance thereon of such markers or lights as shall be deemed necessary by the Board of County Commissioners or any other appropriate authority to indicate to the operators of aircraft in the vicinity of the airport or heliport the presence of such non-conforming structures or objects of natural growth. Such markers and lights shall be installed, operated and maintained at the expense of the owners and/or operators of the airport.

H. The Planning Department shall provide notification to the appropriate airport of applications for Land Use Approvals within an AO Zone District consistent with the Referral notice requirements of Review Process Chart, Section 3.2.1 of these Regulations.

5.12.2. Height and Surface Standards:

Height and Surface limitations within an AO Zone District include all land and air space within the Zone District that would be hazardous to air navigation if infringed upon. Surface limitations include areas above imaginary surfaces and in the clear zone and are established to regulate the height of structures and natural objects in the vicinity of an airport or heliport. These surface limitations are set forth by the Federal Aviation Administration in the Federal Aviation
Regulations, Part 77, and more specifically in the approved Airport Layout Plan for each airport which are hereby adopted by reference.

A. Height limitations within an AO Zone District, except as otherwise provided for herein, are subject to the limitations of the Zone District within which the property is located.

B. Terrain Obstruction Areas are lands within the AO Zone District where the existing ground elevation infringes upon any imaginary surface noted in Section 5.12.2. These areas have been mapped and included as special areas within the AO Zone District on the Routt County Zoning map. Submission of a Notice of Proposed Construction and Alteration (Form 7460-1), and subsequent approval from the Federal Aviation Administration shall be required prior to the issuance of any building permit within a Terrain Obstruction Area. Submission of a Notice of Proposed Construction and Alteration (Form 7460-1), and subsequent approval from the Federal Aviation Administration may be required prior to the issuance of any building permit anywhere within the AO Zone District if the Planning Director determines there is reasonable cause to assume that the proposed construction may infringe on any imaginary surface as noted in Section 5.12.2.

C. Before any structure or natural object is permitted to be erected, altered, maintained or allowed to grow above the imaginary surfaces as noted in Section 5.12.2, a Notice of Construction or Alteration (Form 7460-1) shall be filed with the Federal Aviation Administration for a determination of hazardous or non-hazardous conditions and of effect on the airport rules and regulations. Approval of any such development shall not be granted until after receipt and consideration of the Federal Aviation Administration recommendation.

D. A notice and approval from the Federal Aviation Administration shall be required for the construction or alteration of any structure two hundred (200) feet or higher.

5.13. Flood Damage Prevention


A. Statutory Authorization

The legislature of the State of Colorado, in the Local Land Use Control Enabling Act (C.R.S. § 29-20-101 et. seq) and in County Planning and Building Codes (C.R.S. § 30-28-101 et. seq), has delegated to county governments the responsibility to adopt regulations designed to minimize losses due to flooding. Therefore, the Board of County Commissioners of the County of Routt does hereby adopt the following floodplain management regulations.

B. Findings of Fact

1) The Special Flood Hazard Areas of Routt County are subject to periodic inundation which could result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and
relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.

2) These flood losses are caused by the cumulative effect of obstructions in Special Flood Hazard Areas which increase flood heights and velocities and, when inadequately anchored, create hazards in other areas. Uses and structures, which are inadequately flood-proofed, elevated, or otherwise protected from damage, which occupy areas of special flood hazard also contribute to flood loss.

C. Methods of Reducing Flood Losses

1) Regulating or prohibiting uses which are dangerous to health, safety and property due to water or erosion hazards or which result in damaging increases in erosion or in flood heights or velocities.

2) Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction.

3) Controlling the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of flood waters.

4) Controlling filling, grading, dredging, and other development which may increase flood damage.

5) Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas.

D. Statement of Purpose

The purpose of these regulations is to promote the public health, safety, and general welfare and to minimize public and private losses due to flood conditions in specific areas. The objectives of these regulations are as follows:

1) Protect human life and health;

2) Minimize expenditure of public funds for costly flood control projects;

3) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the public;

4) Minimize prolonged business interruptions;

5) Minimize damage to critical facilities and infrastructure such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in Special Flood Hazard Areas;

6) Help maintain a stable tax base by providing for the sound use and development of Special Flood Hazard Areas so as to minimize future flood blight areas;

7) Ensure that potential buyers are notified that property is in a Special Flood Hazard Area; and

8) Ensure that those who occupy Special Flood Hazard Areas assume responsibility for their actions.
5.13.2. Definitions

Unless specifically defined below, words or phrases used in these regulations shall be interpreted to give them the meaning they have in common usage and to give these regulations their most reasonable application.

A. **100-Year Flood** means having a recurrence interval that has a one-percent chance of being equaled or exceeded during any given year (1-percent-annual-chance-flood). The terms “one-hundred-year-flood” and “one percent chance flood” are synonymous with the term “100-year flood”.

B. **100-Year Floodplain** means the area of land susceptible to being inundated as a result of the occurrence of a one-hundred-year flood.

C. **500-Year Flood** means a flood having a recurrence interval that has a 0.2-percent chance of being equaled or exceeded during any given year (0.2-percent-chance-annual-flood).

D. **500-Year Floodplain** means the area of land susceptible to being inundated as a result of the occurrence of a five-hundred-year flood.

E. **Addition** means any activity that expands the enclosed footprint or increases the square footage of an existing structure.

F. **Alluvial Fan Flooding** means a fan-shaped sediment deposit formed by a stream that flows from a steep mountain valley or gorge onto a plain or the junction of a tributary stream with the main stream. Alluvial fans contain active stream channels and boulder bars, and recently abandoned channels.

G. **Area of Shallow Flooding** means a designated Zone AO or AH on a community’s Flood Insurance Rate Map (FIRM) with a one percent chance or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident.


I. **Basement** means any area of a building having its floor sub-grade on all sides.

J. **Channel** means the physical confine of a stream or waterway consisting of a bed and stream banks, existing in a variety of geometries.

K. **Channelization** means the artificial creation, enlargement or realignment of a stream channel.


M. **Community** means any political subdivision in the state of Colorado that has authority to adopt and enforce floodplain management regulations through zoning.

N. **Conditional Letter of Map Revisions (CLOMR)** means FEMA’s comments on a proposed project, which does not revise an effective
floodplain map, that would, upon construction, affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodplain.

O. **Construction, New** means structures for which the start of construction commenced on or after the effective date of these regulations.

P. **Construction, Start of** means the date the building permit was issued, provided the actual start of construction, including substantial improvements, was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site. Permanent construction does not include land preparation, installation of streets and/or walkways, the erection of forms, or the installation of accessory buildings not occupied as a dwelling unit or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether that alteration affects the external dimensions of the building or not.

Q. **Critical Facility** means a structure or related infrastructure, but not the land on which it is situated, that if flooded, may result in significant hazards to public health and safety or interrupt essential services and operations for the community at any time before, during and after a flood.

R. **Development** means any man-made change to improved or unimproved real estate, including but not limited to buildings, agricultural buildings, accessory structures and other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

S. **Digital Flood Insurance Rate Map (DFIRM)** means a FEMA digital floodplain map which serve as “regulatory floodplain maps” for insurance and floodplain management purposes.

T. **DFIRM Database** means a database which usually are spreadsheets containing data and analyses that accompany DFIRMs.

U. **Elevated Building** means a building without a basement in Zones A1-30, AE, A, A99, AO, AH, B, C, X, and D, which have the top of the elevated floor above the water and is adequately anchored so as not to impair the structural integrity of the building during a flood of up to the 100-year flood. In the above zones, an “elevated building” also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters.

V. **Federal Register** means the official daily publication for Rules, proposed Rules, and notices of Federal agencies and organizations, as well as executive orders and other presidential documents.

W. **FEMA** means Federal Emergency Management Agency, the agency responsible for administering the National Flood Insurance Program.

X. **Flood or Flooding** means a general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of water from channels or spillways, the unusual and rapid accumulation or runoff of surface waters from any source, or mudslides or mudflows that is sufficiently fluid so as to flow over the surface of normally dry land areas
(such as earth carried by a current of water and deposited along the path of the current).

Y. **Flood Insurance Rate Map (FIRM)** means an official map of a community on which FEMA has delineated both the Special Flood Hazard Area and the risk premium zones applicable to the community.

Z. **Flood Insurance Study (FIS)** means the official report provided by FEMA which contains the FIRM, as well as, flood profiles for studied flooding sources that can be used to determine Base Flood Elevations for some areas.

AA. **Floodplain or Flood-Prone Area** means an area adjacent to a river or stream which is susceptible to inundation by water as the result of a flood.

BB. **Floodplain Administrator** means the Routt County Planning Director or his or her designee.

CC. **Floodplain Development Permit** means a permit issued by the Routt County Floodplain Administrator which is required before beginning development or construction in any area of special flood hazard.

DD. **Floodplain Management** means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works, and floodplain damage prevention regulations.

EE. **Floodplain Management Regulations** means Zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power, which provide standards for the purpose of flood damage prevention and reduction.

FF. **Flood Control Structure** means a physical structure designed and built expressly or partially for the purpose of reducing, redirecting, or guiding flood flows along a particular waterway and are constructed in conformance with sound engineering standards.

GG. **Floodproofing** means a combination of provisions, changes, or adjustments to properties and structures subject to flooding primarily for the reduction or elimination of flood damage to properties, water and sanitary facilities, structures, and contents of buildings in flood hazard areas.

HH. **Floodway or Regulatory Floodway** means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge a 100-year flood without cumulatively increasing the water surface elevation more than one-half foot.

II. **Freeboard** means the vertical distance in feet above a predicted water surface elevation intended to provide a margin of safety to compensate for unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood.

JJ. **Grading and Excavating Permit** means a permit issued by the Routt County Road & Bridge Department which is required for all land disturbances for any excavation of 300 cubic yards or more of material; any fill of 300 cubic yards or more of material; any soil disturbance of one
Section 5 General Performance and Development Standards

acre or more; or any activity that occurs within the 50-foot water body setback of any water body, as defined in the Routt County Zoning Regulations.

KK. **Highest Adjacent Grade** means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

LL. **Historic Structure** means any structure that is listed individually in the National Register of Historic Places maintained by the Department of Interior or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; individually listed in the Colorado State Register of Historic Properties; or individually listed on a local inventory of historic places in communities with historic preservation programs.

MM. **Letter of Map Revision (LOMR)** means FEMA’s official revision of an effective FIRM, or Flood Boundary and Floodway Map (FBFM), or both.

NN. **Letter of Map Revision Based on Fill (LOMR-F)** means FEMA’s modification of the SFHA shown on the FIRM based on the placement of fill outside the existing regulatory floodway.

OO. **Levee** means a man-made embankment, usually earthen, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.

PP. **Levee System** means a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

QQ. **Lowest Floor** means the lowest floor of the lowest enclosed area, including the basement which is used for living purposes including working, storage, sleeping, cooking and eating, or recreation or any combination thereof. An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access, or storage in an area other than a basement area, is not considered the building’s lowest floor provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of these regulations.

RR. **Manufactured Home** means a structure, transportable in one or more section, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term “manufactured home” does not include “recreational vehicles”.

SS. **Manufactured Home Park or Subdivision** means a parcel or contiguous parcels of land divided into two or more manufactured home lots for rent or sale.

TT. **Manufactured Home Park or Subdivision, Existing** means a manufactured home park or subdivision for which the construction of
facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of these regulations.

UU. **Manufactured Home Park or Subdivision, Expansion To** means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

VV. **Manufactured Home Park or Subdivision, New** means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of these regulations.

WW. **Mean Sea Level** means, for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1988 or other datum to which base flood elevations shown on a community's FIRM are referenced.

XX. **Material Safety Data Sheet (MSDS)** means a form with data regarding the properties of a particular substance. It provides procedures for handling or working with a substance in a safe manner, and includes information such as physical data (melting point, boiling point, flash point, etc), toxicity, health effects, first aid, reactivity, storage, disposal, protective equipment, and spill-handling procedures.

YY. **National Flood Insurance Program (NFIP)** means FEMA’s program of flood insurance coverage and floodplain management administered in conjunction with the Robert T. Stafford Relief and Emergency Assistance Act. The NFIP has applicable Federal regulations promulgated in Title 44 of the Code of Federal Regulations.

ZZ. **No-Rise Certification** means a record of the results of an engineering analysis conducted to determine whether a project will increase flood heights in a floodway and is supported by technical data and signed by a registered Colorado Professional Engineer. The supporting technical data should be based on the standard step-backwater computer model used to develop the 100-year floodway shown on the FIRM or Flood Boundary and Floodway Map (FBFM).

AAA. **Physical Map Revision (PMR)** means FEMA’s action whereby one or more map panels are physically revised and republished and is used to change flood risk zones, floodplain and/or floodway delineations, flood elevations, and/or planimetric features.

BBB. **Recreational Vehicle** means a vehicle which is built on a single chassis; 400 square feet or less when measured at the largest horizontal projections; designed to be self-propelled or permanently towable by a light duty truck; and designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.
Section 5 General Performance and Development Standards

CCC. **Special Flood Hazard Area (SFHA)** means the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year, i.e., the 100-year floodplain.

DDD. **Structure** means, for floodplain management purposes, a walled or roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home. Structure, for insurance purposes, means a building with two or more outside rigid walls and a fully secured roof that is affixed to a permanent site or a manufactured home (also known as a mobile home) affixed to a permanent foundation.

EEE. **Substantial Damage** means damage of any origin sustained by a structure whereby the cost of restoring the structure to its pre-damage condition would equal or exceed fifty percent of the market value of the structure before the damage occurred.

FFF. **Substantial Improvement** means any improvement, repair, or reconstruction of a structure, the cost of which equals or exceeds fifty percent of the market value of the structure either before the improvement or repair is started; or, if the structure has been damaged and is being restored, before the damage occurred. This term does not include any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications identified by a local code enforcement officer and which are the minimum standards necessary, nor does the term include any alteration of a historic structure.

GGG. **Threshold Planning Quantity** means a quantity designated for each chemical on the list of extremely hazardous substances that triggers notification by facilities to the State that such facilities are subject to emergency planning requirements.

HHH. **Variance** means a grant of relief from the requirements of these regulations which permits development in a manner that would otherwise be prohibited by these regulations.

III. **Violation** means the failure of a structure or other development to comply with these regulations.

JJJ. **Watercourse** means a natural or artificial channel, depression, wash, slough, gulch, arroyo, stream, creek, or drainage way capable of containing or conveying water continuously, intermittently, or periodically.

KKK. **Water Surface Elevation** means the height, in relation to the North American Vertical Datum (NAVD) of 1988, of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

5.13.3. General Provisions

A. **Applicability**

These regulations shall apply to all Special Flood Hazard Areas and areas removed from the floodplain by the issuance of a FEMA Letter of Map Revision Based on Fill (LOMR-F) within the jurisdiction of Routt County. The Special Flood Hazard Areas identified by the Federal Emergency Management Agency (FEMA) in a scientific and engineering report entitled, “The Flood Insurance Study of Routt County, Colorado and Incorporated Areas,” dated February 4, 2005, with accompanying Flood Insurance Rate Map (FIRM) and any revisions thereto, are hereby
adopted by reference and declared to be a part of these regulations. The Special Flood Hazard Areas identified by the Flood Insurance Study (FIS) and attendant mapping are the minimum area of applicability of these regulations and may be supplemented by studies designated and approved by Routt County. Copies of the study and FIRM are on file at the Routt County Planning Department, 136 6th Street, Steamboat Springs, Colorado.

B. Abrogation and Greater Restrictions
These regulations are not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where these regulations and another resolution, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall apply. Nothing in these regulations shall be construed as exempting an applicant for a permit from any other requirement of this jurisdiction or other state or federal laws and regulations.

C. Establishment of Floodplain Development Permit
A Floodplain Development Permit shall be required to ensure conformance with the provisions of these regulations. Applicants shall obtain a floodplain development permit before beginning construction or development in any Special Flood Hazard Areas established in Section A above.

D. Compliance
No structure in any Special Flood Hazard Areas shall hereafter be constructed, located, extended, converted or altered and no land shall be excavated or filled without full compliance with the terms of these and other applicable regulations.

E. Interpretation and Severability
In the interpretation and enforcement of these regulations, all provisions shall be held to be minimum requirements, liberally construed in favor of the governing body, and deemed neither to limit nor repeal any other powers granted under state law. If any portion of these regulations are declared by the courts to be unconstitutional, such decision shall not invalidate any other provision of these regulations.

F. Enforcement and Penalties
These regulations meet the minimum requirements as set forth by the Colorado Water Conservation Board and the National Flood Insurance Program. Any infraction of the provisions of these regulations by failure to comply with any requirements (including infractions of conditions and safeguards established in connection with an approved permit) shall constitute a violation. Any person who violates these regulations commits a misdemeanor under C.R.S. § 30-28-124, as amended, and shall, upon conviction thereof, be fined or imprisoned or both as provided therein. Each day of noncompliance shall constitute a separate offense. Nothing herein shall prevent Routt County from taking such other lawful action necessary to prevent or remedy a violation, including but not limited to actions for declaratory or injunctive relief as well as actions for civil penalties under C.R.S. § 30-28-124.5.
G. **Warning and Disclaimer of Liability**

The degree of flood protection required by these regulations is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Flood heights may be increased by man-made or natural causes. These regulations do not imply that land outside the Special Flood Hazard Areas or uses permitted within such areas will be free from flooding or flood damages. These regulations shall not create liability on the part of Routt County, any official or employee thereof, or FEMA for any flood damages that result from reliance on these regulations or any administrative decision lawfully made thereunder.

5.13.4. **Administration**

A. **Floodplain Development Permit**

1) These regulations establish a floodplain development permit process for all construction and other development to be undertaken in Special Flood Hazard Areas in Routt County for the purpose of protecting its citizens from increased flood hazards and ensuring that new development is constructed in a manner that minimizes exposure to flooding. It shall be unlawful to undertake any development in an area of special flood hazard established in Section 5.13.3.A without a valid floodplain development permit.

2) Application for a permit shall be made on a Floodplain Development Permit form provided by the Floodplain Administrator.

3) In no instance shall the alteration result in any increase in flood levels during the occurrence of the base flood discharge by 1' (one foot).

4) **Submittal Requirements**

Application requirements may include (but are not limited to) plans, in duplicate for improvement to wildlife habitat or public health, safety, and welfare. The plan shall include copies, drawn to scale, showing the nature, location, dimensions, and elevations of the area in question, existing or proposed structures, fill, storage of materials, drainage facilities, and the location of the foregoing. The following information is also required:

a. The proposed elevation, in relation to mean sea level, of the lowest floor (including the basement or cellar) of any new or substantially improved structure to be located in Zone A if base flood elevation data are available. Upon completion of the lowest floor, the permit holder shall submit to the Floodplain Administrator the as-built elevation, certified by a registered Colorado Professional Engineer.

b. The proposed elevation, in relation to mean sea level, to which any new or substantially improved non-residential structure will be floodproofed. Upon completion of the floodproofed portion of the structure, the permit holder shall submit to the Floodplain Administrator the as-built
Section 5 General Performance and Development Standards

floodproofed elevation, certified by a registered Colorado Professional Engineer.

c. Certification by a registered Colorado Professional Engineer that the floodproofing methods for any non-residential structure meet the floodproofing criteria in Section 5.13.5.B.2 of these regulations; and

d. A description of the extent to which any watercourse will be altered or relocated as a result of the proposed development. Computations by a registered Colorado Professional Engineer must be submitted that demonstrate that the altered or relocated segment will provide equal or greater conveyance than the original stream segment. When notified by the Floodplain Administrator, the applicant must submit any maps, computations, or other materials required by FEMA to revise the documents in Section 5.13.3.A, and must pay any fees or costs assessed by FEMA for this purpose. The applicant must also provide assurances that the conveyance capacity of the altered or relocated stream segment will be maintained.

e. If required by the Floodplain Administrator, a technical analysis by a registered Colorado Professional Engineer, which shows whether proposed development to be located in an Special Flood Hazard Area may result in physical damage to any other property.

f. If no base flood elevation data is available from other sources for Zone A, the applicant shall provide base flood elevation data for subdivision proposals and other proposed developments (including proposals for manufactured home and recreational vehicle parks and subdivisions).

B. Criteria for Approval or Denial

Approval or denial of an application for a floodplain development permit shall be based on the provisions of these regulations including consideration of the following relevant factors:

1) The danger to life and property due to flooding or erosion damage;

2) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;

3) The danger that materials may be swept onto other lands to the injury of others;

4) The safety of access to the property in times of flood for ordinary and emergency vehicles;

5) The potential impacts to public infrastructure and possible interruption of governmental services during and after flood conditions, including maintenance and repair of streets, bridges, and public utilities and facilities such as sewer, gas, electric, and water systems;
6) The expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site;

7) The necessity to the facility of a waterfront location, where applicable;

8) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use.

9) The compatibility of the proposed use with existing and anticipated development.

10) The relationship of the proposed use to the comprehensive plan for that area.

C. Designation of Floodplain Administrator

The Routt County Planning Director, or his or her designee, is hereby appointed the Floodplain Administrator to administer, implement, and enforce the provisions of these regulations and other appropriate sections of 44 CFR (National Flood Insurance Program Regulations) concerning floodplain management by granting, granting with conditions, or denying applications for floodplain development permits.

D. Duties of Floodplain Administrator

The Floodplain Administrator’s duties include, but are not limited to, the following:

1) Permit Review
   a. Review applications for Floodplain Development Permits for completeness and compliance with the provisions of these regulations and to determine whether proposed building sites will be reasonably safe from flooding.

   b. Review applications to determine whether all necessary permits have been obtained from federal, state, or local governments from which prior approval is required.

   c. Review applications to determine if the proposed development may result in physical damage to any other property (e.g., stream bank erosion and increased flood velocities) in the Special Flood Hazard Area. The Floodplain Administrator may require the applicant to submit additional technical analyses and data (e.g., a registered Colorado Professional Engineer's certification that no impact to upstream or downstream properties will occur) to complete the determination. If the proposed development may result in physical damage to any other property, no permit shall be issued. The applicant may revise the application to include measures that mitigate or eliminate the adverse effects and re-submit the application.

   d. Approve or deny applications for floodplain development permits based on the foregoing reviews and determinations. In conducting these duties, the Floodplain Administrator may seek technical assistance as necessary at the applicant’s cost.
2) Use of Other Flood Data
   a. When FEMA has designated Special Flood Hazard Areas on the community's FIRM but has not produced water surface elevation data (those areas designated Zone A on the FIRM), the Floodplain Administrator shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a federal, state or other source as criteria for requiring that new construction, substantial improvements, or other proposed development meet the requirements of these regulations.
   b. When base flood data are not available, the Floodplain Administrator may use flood information from any other authoritative source, such as historical data, to establish flood elevations within the areas of special flood hazard for the purposes of these regulations.
   c. For waterways with Base Flood Elevations for which a regulatory Floodway has not been designated, no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one-half foot at any point within the community.

3) Information to be Maintained
   a. Obtain and record the actual elevation (in relation to mean sea level) of the lowest floor, including the basement, of all new or substantially improved structures.
   b. For all new or substantially improved floodproofed structures, verify and record the actual elevation (in relation to mean sea level) to which the structure has been floodproofed, including the basement, and maintain the floodproofing certifications required by Section 5.13.5.B of these regulations.
   c. Maintain for public inspection all records pertaining to the provisions of these regulations.

4) Alteration of Watercourses
   a. Notify adjacent communities and the Colorado Water Conservation Board prior to permitting any alteration or relocation of a watercourse and submit evidence of such notification to FEMA.
   b. Ensure that the permit holder has provided for maintenance within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.

5) Interpretation of FIRM Boundaries
Make interpretations, where needed, as to the exact location of the boundaries of the Special Flood Hazard Areas, i.e., where there appears to be a conflict between a mapped boundary and actual field conditions. A person contesting the location of the boundary shall have a reasonable opportunity to appeal the interpretation as provided in Section 5.13.6.B of these regulations.

6) Inspections

The Floodplain Administrator and the permit holder or developer's engineer shall make periodic inspections at appropriate times throughout the period of construction in order to monitor compliance with permit conditions and enable the Floodplain Administrator to certify, if requested, that the development is in compliance with the requirements of the floodplain development permit or any variance provisions.

7) Stop Work Orders

a. The Floodplain Administrator shall issue, or cause to be issued, a stop work order for any floodplain development found ongoing without a floodplain development permit. Disregard of a stop work order shall subject the violator to the penalties set forth in Section 5.13.3.E of these regulations.

b. The Floodplain Administrator shall issue, or cause to be issued, a stop work order for any floodplain development which is not in compliance with the conditions of the floodplain development permit and/or these regulations. Disregard of a stop work order shall subject the violator to the penalties set forth in Section 5.13.3.E of these regulations.

8) Certificate of Compliance

a. In Special Flood Hazard Areas, it shall be unlawful to occupy or to permit the use or occupancy of any building or premises, or both, or part thereof hereafter created, erected, changed, converted, or wholly or partly altered or enlarged in its use or structure until the Floodplain Administrator has issued a certificate of compliance stating that the building or land conforms to the requirements of these regulations.

b. The Floodplain Administrator shall issue a certificate of compliance upon satisfactory completion of all development in Special Flood Hazard Areas. Issuance of the certificate shall be based on inspections, any certified elevations, hydraulic data, floodproofing, or anchoring requirements which may have been required as a condition of the approved floodplain development permit.

5.13.5. Provisions for Flood Hazard Reduction

A. General Standards
When a regulatory floodway has not been designated, the Floodplain Administrator must require that no new construction, substantial improvements, or other development (including fill) shall be permitted unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood within Zones A and AO on the community FIRM more than 1’ (one foot) and within Zones AE on the community FIRM more than 6” (six inches) at any point within the community. In all Special Flood Hazard Areas, the following provisions are required for all new construction, substantial improvements, or other development:

1) All new construction or substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.

2) All new construction or substantial improvements shall be constructed using methods and practices that minimize flood damage.

3) All new construction or substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.

4) All new construction or substantial improvements shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

5) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.

6) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharge from the system into flood waters.

7) On-site disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

B. **Special Flood Hazard Areas Standards**

In all Special Flood Hazard Areas where base flood elevation data is available or has been provided, the following provisions are required:

1) **Residential Construction.** New construction and substantial improvement of a residential structure shall have the lowest floor (including basement), electrical, heating, ventilation, plumbing, and air conditioning equipment, and other service facilities (including ductwork), elevated to two feet above the base flood elevation. A registered Colorado Professional Engineer, architect, or land surveyor shall submit a certification to the Floodplain Administrator that this standard has been satisfied.

2) **Nonresidential Construction.** With exception to critical facilities, new construction and substantial improvements of any
commercial, industrial or other nonresidential structure shall either have the lowest floor (including basement) electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities (including ductwork), elevated to two feet above the base flood elevation, or, together with attendant utility and sanitary facilities, be designed so that one foot above the base flood elevation of the structure is watertight, with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered Colorado Professional Engineer or architect shall develop and/or review structural design, specifications, and plans for the construction and shall certify that the design and methods of construction are in accordance with accepted standards of practice outlined in these regulations. The Floodplain Administrator shall maintain a record of such certification which includes the specific elevation (in relation to mean sea level) to which such structures are floodproofed.

3) **Manufactured Homes.**

a. All manufactured homes to be placed or substantially improved within Zone A1-30, AE, and AH on the community’s FIRM shall be installed using methods and practices which minimize flood damage. In order to satisfy this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include but are not limited to use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind factors.

b. All manufactured homes that are placed or substantially improved within Zones A1-30, AE, and AH on the community’s FIRM on sites (i) outside of a manufactured home park or subdivision, (ii) in a new manufactured home park or subdivision, (iii) in an expansion to an existing manufactured home park or subdivision, or (iv) in an existing manufactured home park or subdivision on which a manufactured home has incurred substantial damage as a result of a flood shall be elevated on a permanent foundation such that the lowest floor of the manufactured home electrical, heating, ventilation, plumbing, and air conditioning equipment, and other service facilities (including ductwork), is elevated to 2 feet above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

c. All manufactured homes placed or substantially improved on sites in an existing manufactured home park or subdivision within Zones A1-30, AE, or AH on the community’s FIRM, that are not subject to provisions of the
above paragraph, shall be elevated so that either (i) the lowest floor of the manufactured home electrical, heating, ventilation, plumbing, and air conditioning equipment, and other service facilities (including ductwork), is 2 feet above the base flood elevation, or (ii) the manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than thirty-six (36) inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

4) **Enclosures.** New construction and substantial improvements, with fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access, or storage in an area other than a basement and which are subject to flooding, shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Design for meeting this requirement must either be certified by a registered Colorado Professional Engineer or Architect or meet or exceed the following minimum criteria:
   a. A minimum of two openings having a total new area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.
   b. The bottom of all openings shall be no higher than one foot above grade.
   c. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

5) **Recreational Vehicles.** All recreational vehicles placed on sites within Zones A1-30, AH, and AE on the community’s FIRM must either:
   a. Be on the site for fewer than 180 consecutive days,
   b. Be fully licensed and ready for highway use. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions, or
   c. Meet the permit requirements of 5.13.4.A.4 and the elevation and anchoring requirements for “manufactured homes” in paragraph 3 of this section.

C. **Areas of Shallow Flooding (AO/AH Zones) Standards**
Located within the Special Flood Hazard Area established in section 5.13.3.A are areas designated as shallow flooding. These areas have special flood hazards associated with base flood depths of 1 to 3 feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow; therefore, the following provisions apply:
1) **Residential Construction.** All new construction and Substantial Improvements of residential structures must have the lowest floor (including basement), electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities (including ductwork), elevated above the highest adjacent grade at least one foot above the depth number specified in feet on the community’s FIRM (at least three feet if no depth number is specified). Upon completion of the structure, the elevation of the lowest floor, including basement shall be certified by a registered Colorado Professional Engineer, architect, or land surveyor. Such certification shall be submitted to the Floodplain Administrator.

2) **Nonresidential Construction.** With the exception of Critical Facilities, outlined in section 15.3.5.H, all new construction and Substantial Improvements of non-residential structures, must have the lowest floor (including basement), electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities (including ductwork), elevated above the highest adjacent grade at least one foot above the depth number specified in feet on the community’s FIRM (at least three feet if no depth number is specified), together with attendant utility and sanitary facilities, be designed so that the structure is watertight to at least one foot above the base flood level with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads of effects of buoyancy. A registered Colorado Professional Engineer or Architect shall submit a certificate to the Floodplain Administrator that the standards of this Section are satisfied. Within Zones AH or AO, adequate drainage paths around structures on slopes are required to guide flood waters around and away from proposed structures.

D. **Subdivision Proposals Standards**

1) All subdivision proposals shall be consistent with the need to minimize flood damage.

2) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage.

3) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage.

4) When no base flood elevation data are available from other sources, the applicant shall provide base flood elevation data for subdivision proposals and other proposed developments (including proposals for manufactured home and recreational vehicle parks and subdivisions) which is greater than 50 lots or 5 acres, whichever is lesser.

5) All proposals for the development of subdivisions including the placement of manufactured home parks and subdivisions shall
meet Floodplain Development Permit requirements of these regulations.

E. Floodway Standards
The following standards for floodways are in addition to the standards for Special Flood Hazard Areas. Because the floodway is an extremely hazardous area due to the velocity of floodwaters that carry debris, potential projectiles, and danger of erosion, the following provisions apply:

1) Encroachments are prohibited, including fill, new construction, substantial improvements and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed by a registered Colorado Professional Engineer in accordance with standard engineering practice that the proposed encroachment would not result in any increase (requires a No Rise Certification) in flood levels within the community during the occurrence of the base flood discharge.

2) If the requirements of Section 5.13.5.C.1, above, are satisfied, then all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Section 5.13.5(A) and (B).

3) Alteration of any channel of any perennial stream shall be prohibited except as may be required for improvement to wildlife habitat or public health, safety, and welfare. In no instance shall the alteration result in the increase in flood levels during the occurrence of the base flood discharge as certified by a registered Colorado Professional Engineer.

4) Under the provisions of 44 CFR Chapter 1, Section 65.12 of the National Flood Insurance Regulations, a community may permit encroachment within the adopted regulatory floodway that would result in a increase in base flood elevations provided that the community first applies for and receives a Conditional FIRM and floodway revision through FEMA.

F. Alteration of a Watercourse Standards

1) Channelization and flow diversion projects shall appropriately consider issues of sediment transport, erosion, deposition, and channel migration and properly mitigate potential problems through the project, as well as upstream and downstream of any improvement activity. A detailed analysis of sediment transport and overall channel stability should be considered, when appropriate, to assist in determining the most appropriate design.

2) Channelization and flow diversion projects shall evaluate the residual 100-year floodplain.

3) Any channelization or other steam alteration activity proposed by a project proponent must be evaluated for its impact on the regulatory floodplain and be in compliance with all applicable
Section 5 General Performance and Development Standards

Federal, State and local floodplain rules, regulations, and ordinances.

4) Any stream alteration activity shall be designed and sealed by a registered Colorado Professional Engineer or Certified Professional Hydrologist.

5) All activities within the regulatory floodplain shall meet all applicable Federal, State and Routt County floodplain requirements and regulations.

6) Within the Regulatory Floodway, watercourse alteration activities shall not be constructed unless the project proponent demonstrates through Floodway analysis and report, sealed by a registered Colorado Professional Engineer, that there is not more than a 0.00-foot rise in the proposed conditions resulting from the project compared to existing conditions, unless the community first applies to FEMA for a CLOMR and Floodway revision in accordance with these regulations. Such studies are known as a No-Rise Certification.

G. Properties Removed from the Floodplain by Fill Standards

A Floodplain Development Permit shall not be issued for the construction of a new structure or addition to an existing structure on a property removed from the floodplain by the issuance of a FEMA Letter of Map Revision of Fill (LOMR-F), unless such new structure or addition complies with the following:

1) Residential Construction
   The lowest floor (including basement), electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities (including ductwork), must be elevated to two feet above the Base Flood Elevation that existed prior to the placement of fill.

2) Nonresidential Construction
   The lowest floor (including basement), electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities (including ductwork), must be elevated to two feet above the Base Flood Elevation that existed prior to the placement of fill, or together with attendant utility and sanitary facilities be designed so that the structure or addition is watertight to at least two feet above the base flood level that existed prior to the placement of fill with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads of effects of buoyancy.

H. Critical Facilities Standards

A Critical Facility is a structure or related infrastructure, but not the land on which it is situated, as specified in Rule 6 of the Rules and Regulations for Regulatory Floodplains in Colorado, that if flooded, may result in significant hazards to public health and safety or interrupt essential services and operations for the community at any time before, during and after a flood.
1) Classification For Critical Facilities

It is the responsibility of Routt County to identify and confirm that specific structures in the community meet the following criteria:

a. Essential Services Facilities

Specific exemptions to this category include wastewater treatment plants (WWTP), non-potable water treatment and distribution systems, and hydroelectric power generating plants and related appurtenances. Public utility plant facilities may be exempted if it can be demonstrated to the satisfaction of the County that the facility is an element of a redundant system for which service will not be interrupted during a flood. At a minimum, it shall be demonstrated that redundant facilities are available (either owned by the same utility or available through an intergovernmental agreement or other contract) and connected, the alternative facilities are either located outside of the 100-year floodplain or are compliant with the provisions of this section, and an operations plan is in effect that states how redundant systems will provide service to the affected area in the event of a flood. Evidence of ongoing redundancy shall be provided to the County on an as-needed basis upon request. Essential service facilities may include:

1) Public safety (police stations, fire and rescue stations, emergency vehicle and equipment storage, and, emergency operation centers);

2) Emergency medical (hospitals, ambulance service center, urgent care centers having emergency treatment functions, and non-ambulatory surgical structures but excluding clinics, doctors offices, and non-urgent care medical structures that do not provide these functions);

3) Designated emergency shelters;

4) Communications (main hubs for telephone, broadcasting equipment for cable systems, satellite dish systems, cellular systems, television, radio, and other emergency warning systems, but excluding towers, poles, lines, cables, and conduits);

5) Public utility plant facilities for generation and distribution (hubs, treatment plants, substations and pumping stations for water, power and gas, but not including towers, poles, power lines, buried pipelines, transmission lines, distribution lines, and service lines); and

6) Air Transportation lifelines (airports [municipal and larger], helicopter pads and structures serving emergency functions, and associated infrastructure [aviation control towers, air traffic control centers, and emergency equipment aircraft hangars]).

b. Hazardous Materials Facilities

1) These facilities include those that produce or store highly volatile, flammable, explosive, toxic and/or water-reactive materials. These facilities may include:
2) Facilities shall be determined to be Critical Facilities if they produce or store materials in excess of threshold limits. If the owner of a facility is required by the Occupational Safety and Health Administration (OSHA) to keep a Material Safety Data Sheet (MSDS) on file for any chemicals stored or used in the work place, AND the chemical(s) is stored in quantities equal to or greater than the Threshold Planning Quantity (TPQ) for that chemical, then that facility shall be considered to be a Critical Facility. The TPQ for these chemicals is: either 500 pounds or the TPQ listed (whichever is lower) for the 356 chemicals listed under 40 C.F.R. § 302 (2010), also known as Extremely Hazardous Substances (EHS); or 10,000 pounds for any other chemical. This threshold is consistent with the requirements for reportable chemicals established by the Colorado Department of Health and Environment. OSHA requirements for MSDS can be found in 29 C.F.R. § 1910 (2010). The Environmental Protection Agency (EPA) regulation “Designation, Reportable Quantities, and Notification,” 40 C.F.R. § 302 (2010) and OSHA regulation “Occupational Safety and Health Standards,” 29 C.F.R. § 1910 (2010) are incorporated herein by reference and include the regulations in existence at the time of the promulgation of these regulations, but exclude later amendments to or editions of the regulations. The following exemptions shall not apply to buildings or other structures that also function as Critical Facilities under another category outlined in this section. Specific exemptions to this category include:

a. Finished consumer products within retail centers and households containing hazardous materials intended for household use, and agricultural products intended for agricultural use.
Section 5 General Performance and Development Standards

b. Buildings and other structures containing hazardous materials for which it can be demonstrated to the satisfaction of the local authority having jurisdiction by hazard assessment and certification by a qualified professional (as determined by the local jurisdiction having land use authority) that a release of the subject hazardous material does not pose a major threat to the public.

c. Pharmaceutical sales, use, storage, and distribution centers that do not manufacture pharmaceutical products.

c. At-risk Population Facilities
1) Elder care;
2) Congregate care serving 12 or more individuals (day care and assisted living);
3) Public and private schools (pre-schools, K-12 schools), before school and after-school care serving 12 or more children

d. Facilities Vital to Restoring Normal Services including Government Operations
These facilities may be exempted if it is demonstrated to the County that the facility is an element of a redundant system for which service will not be interrupted during a flood. At a minimum, it shall be demonstrated that redundant facilities are available (either owned by the same entity or available through an intergovernmental agreement or other contract), the alternative facilities are either located outside of the 100-year floodplain or are compliant with this ordinance, and an operations plan is in effect that states how redundant facilities will provide service to the affected area in the event of a flood. Evidence of ongoing redundancy shall be provided to the County of Routt on an as-needed basis upon request. These facilities consist of:
1) Essential government operations (public records, courts, jails, building permitting and inspection services, community administration and management, maintenance and equipment centers);
2) Essential structures for public colleges and universities (dormitories, offices, and classrooms only).

2) Protection For Critical Facilities
All new and substantially improved Critical Facilities and new additions to Critical Facilities located within a Special Flood Hazard Area shall be regulated to a higher standard than structures not determined to be Critical Facilities. For the
purposes of these regulations, protection shall include one of the following:

a. Location outside the Special Flood Hazard Area; or
b. Elevation of the lowest floor or floodproofing of the structure, together with attendant utility and sanitary facilities, to at least two feet above the Base Flood Elevation.

3) Ingress and Egress for New Critical Facilities

New Critical Facilities shall, when practicable as determined by Routt County, have continuous non-inundated access (ingress and egress for evacuation and emergency services) during a 100-year flood event.

5.13.6. Appeal / Variance Procedures

A. Appeal Board

1) The Routt County Board of County Commissioners (“BCC”) is hereby appointed to review, grant, grant with conditions, or deny appeals and requests for variances in accordance with the terms of these regulations.

2) The BCC shall hear and render judgment on an appeal only when it is alleged that there has been an error in any decision, determination, or requirement made by the Floodplain Administrator in the administration or enforcement of these regulations.

3) Any person aggrieved by the decision of the BCC may appeal such decision to the District Court for Routt County as provided in Rule 106(a)(4) of the Colorado Rules of Civil Procedure.

B. Appeal Considerations

1) The issuance of a variance is for floodplain management purposes only.

2) In reviewing appeals or requests for variances, the BCC shall consider all technical evaluations, all relevant factors, the provisions of these regulations, and the following:

a. The danger that materials may be swept onto other lands to the injury of others;

b. The danger to life and property due to flooding or erosion damage;

c. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owners;

d. The importance of services provided by the proposed facility to the community;

e. The necessity to the facility of a waterfront location, where applicable;

f. The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
g. The relationship of the proposed use to the floodplain management program for that area;

h. The safety of access to the property in times of flood for ordinary and emergency vehicles;

i. The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and

j. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, streets, and bridges.

k. The compatibility of the proposed use with existing and anticipated development

3) The Floodplain Administrator shall maintain a record of all actions involving appeals or requests for variance and shall report to FEMA upon request, any variances granted.

C. Variance Conditions

1) Upon consideration of the foregoing factors and taking into account the purposes of these regulations, the BCC may attach such conditions to the granting of a variance as it deems necessary to further the purposes of these regulations.

2) Variances may generally be issued for new construction and substantial improvements to be erected on lots of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base level provided that appeal considerations set forth at Section 5.13.6.B.2(a)-(k) have been fully considered. As the lot size increases beyond one-half acre, the technical justifications required for the issuance of a variance will increase.

3) Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure’s continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.

4) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

5) Variances shall only be issued upon a determination that the variance is the minimum necessary to afford relief considering the flood hazard.

6) Variances shall only be issued upon a showing of good and sufficient cause as follows:

   a. A determination that failure to grant the variance would result in exceptional hardship to the applicant; and
b. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, nuisance, fraud on or victimization of the public, or conflict with existing laws or local regulations.

7) Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk from the reduced lowest floor elevation.

8) Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of Functionally Dependent Use provided that:
   a. The criteria outlined in 5.13.6 are met, and
   b. The structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.
SECTION 6. GENERAL STANDARDS AND MITIGATION TECHNIQUES FOR LAND USE APPROVALS

6.1 General Approval Standards

The following standards shall apply to all Minor, Administrative, Conditional or Special uses allowed by permit only, PUD plans, Site plans, and Subdivisions that come before Planning Staff, Planning Director, Planning Commission or County Commissioners for action. These standards do not apply to Uses by Right.

Anyone considering an application for any land use change is encouraged to meet with County planning staff as early in the process as possible. The County Planning Department has resources available that can help identify issues related to the proposed land use change. These resources include copies of various federal, state, and local studies and planning documents; natural hazard, floodplain, wildlife, and other maps; and archives of previous land use applications and approvals.
6.1.1 Health, Safety, and Welfare
The proposal shall be consistent with public health, safety and welfare.

6.1.2 Master Plans
The proposal shall be consistent with applicable Master Plans and sub-area plans.

6.1.3 Local, State, and Federal Regulations and Standards
It is the intent of Routt County to avoid unnecessary and duplicative regulations. Where other local, state, or federal regulations adequately address local land use issues Routt County has chosen not to enact additional regulations.

Every use shall be operated in conformance with all applicable federal, state and local regulations and standards. Failure to comply with any and all applicable federal, state and local regulations and standards may be cause for review and/or revocation of any Land Use Approval granted pursuant to these Regulations.

6.1.4 Public Road Use Performance Standards
The proposal shall comply with the Public Road Use Performance Standards in Section 6.2 of these Regulations.

6.1.5 Industry Standards
The proposal shall meet or exceed accepted industry standards and Best Management Practices (BMP’s).

6.1.6 Outdoor Lighting
The proposal shall comply with the Outdoor Lighting Standards in Section 6.3 of these Regulations.

6.1.7 Significant Negative Impacts
The proposal shall not create any significant negative impact in surrounding areas. Significant negative impacts are generally considered to be impacts that do not meet regulatory and/or generally accepted performance and environmental standards. If the Planning Director, Planning Commission or County Commissioners determine a proposed Land Use Change has the potential to create a significant negative impact in the surrounding area mitigation may be required, any such mitigation shall meet the Standards of Sections 6.4 through 6.13. If adequate mitigation cannot be accomplished, the use shall not be permitted.

Issues that may be reviewed for potentially significant negative impacts include, but are not limited to:

A. Public Roads, Services and Infrastructure
B. Road Capacity, traffic, and traffic safety
C. Natural Hazards
D. Wildlife and Wildlife Habitat
E. Water Quality and Quantity
F. Air Quality
G. Visual Amenities and Scenic Qualities
H. Wildland Fire
6.1.8 Approval Criteria for Specific Land Uses

In addition to the general approval criteria, uses must meet all applicable specific Land Use Approval criteria contained in Sections 8 and 9 of these Regulations.

6.1.9 Construction of Improvements Required as Condition of Permit and Fair Share Reimbursement

A. For the purposes of this section, the term “Permit” shall mean a Special Use Permit, a Conditional Use Permit, a Minor Use Permit, or an Administrative Permit. The term “Authority” shall mean the Planning Director in the case of an Administrative Permit or a Minor Use Permit, the Planning Commission in the case of a Conditional Use Permit, or the Board of County Commissioners in the case of a Special Use Permit. However, in the event that a decision is appealed, the term “Authority” shall mean the person or body issuing the final decision in connection with the permit application. The term “Permittee” shall mean an applicant for a Permit or a Permit Holder.

If, as a condition for the issuance of Permit, the Permittee is required to make improvements to publicly owned infrastructure (the “Required Improvements”), the Permittee shall also be required to enter into a Public Improvements Agreement in the form provided by the Routt County Planning Department. As a part of the Permit review process, the Authority shall determine the percentage of the capacity of the public improvements added by the Required Improvements that are or will be required by the activity allowed under the Permit and the useful life of those improvements.

B. The Public Improvements Agreement shall contain the following:

1) The Permit number;
2) The name of the applicant or permit holder;
3) A description of the Required Improvements to be completed by the permit holder;
4) The total cost of the Required Improvements;
5) The deadlines for completion of the Required Improvements;
6) Provision for the security required for completion of the Required Improvements if the Permit is to be issued before completion of the Required Improvements;
7) The terms of reimbursement; and
Section 6 General Standards and Mitigation Techniques for Land Use Approvals

8) Current contact information for the permit holder to be reimbursed during the term of the agreement, including mailing addresses, telephone numbers, and e-mail addresses.

C. Upon completion of and acceptance by County of the Required Improvements, the permit holder shall provide proof, satisfactory to the County, of the actual cost of the construction of the Required Improvements which shall be the “Final Cost.” The Final Cost shall not include any cost not reasonably necessary for the completion of the Required Improvements.

D. If, within the useful life of any of the Required Improvements, another Permit or a subdivision approval or subdivision exemption is approved which will be directly benefited by or which requires the use of the Required Improvements whose useful life has not expired, then the Authority shall determine the percentage of the total capacity added by the Required Improvements still having a remaining useful life, that will be used by the newly approved Permit, subdivision or subdivision exemption. The new permit holder or developer shall be required, as a condition of the new approval to reimburse the party that paid for the Required Improvements pursuant to the Public Improvements Agreement an amount equal to the Final Cost of the Required Improvements multiplied by the percentage of capacity of the Required Improvements to be used by the new permit holder or developer’s project. In no event shall the party that paid for the Required Improvements recover more than the Final Cost of the Required Improvements reduced by an amount equal to the percentage of capacity required for the first Permit times the Final Cost of the Required Improvements.

6.1.10 Proposals on Federal Lands

Although Routt County does not review impacts to federal lands of private, non-federal, development on such lands that are subject to review and permitting by the federal agency responsible for those lands, Routt County does review the off-site impacts of such development within Routt County. As used in this section, the term “off-site impacts” includes, but is not limited to, impacts to public roads controlled by Routt County crossing federal lands.

A. Determination of Level of Review

There are two (2) possible levels of review for proposals on federal lands: 1) a Finding of No Significant Impact, and 2) full permit review. The Planning Director shall make the initial Determination of Level of Review based upon review of the information provided by the applicant.

1) The Planning Director shall make a Determination within a reasonable time (not to exceed 14 days) following submittal of the required information. The Determination shall be in writing and include findings for the Director’s decision.

2) Within five (5) days of the Determination of Level of Review, the Planning Director shall notify the applicant, County Manager, and Board of County Commissioners.

3) The Board of County Commissioners may, at its discretion, review and amend any Determination of the Planning Director at the next regularly scheduled meeting of the Board for which proper notice
can be accomplished following receipt of the notice of Determination.

B. Submittal Requirements
To request a Determination by the Planning Director, the applicant shall submit the following:

1) Signed, written request for a Determination of Level of Review
2) Vicinity map illustrating the location of the proposed project and its proximity to surrounding non-federal lands.
3) Scaled drawing illustrating the boundary of the proposed activity, its relationship to surrounding topographical and cultural features such as roads, streams, and existing structures, and location of proposed buildings, infrastructure, and other improvements.
4) A written summary of the proposed project that describes compliance with the standards of Sections 5, 6, 8, and 9 of these Regulations as they relate to the impacts of the proposed activity on non-federal lands.

C. Finding of No Significant Impact
Based upon review of information provided by the applicant and in consideration of the standards of Sections 5, 6, 8, and 9 of these Regulations, the Planning Director may determine that construction or operation of the proposed project, without additional mitigation, is unlikely to have any significant adverse impacts to non-federal lands within Routt County, and therefore, a permit under these Regulations will not be necessary.

D. Full Permit Review
If the Planning Director determines that a Finding of No Significant Impact is not appropriate, then the Director shall determine that a full permit review of off-site impacts is required and the party proposing such development must apply for the type of permit which would be required for the same type of development on non-federal land. The application shall be reviewed using the same standards as used for the same type of development on non-federal land except that the review will be limited to off-site impacts of such development within Routt County and the impacts on federal lands will not be reviewed.

6.2 Public Road Use Performance Standards

6.2.1 Purpose
The purpose of this section is to protect the Routt County road system, and to allow use of Routt County roads at a minimum cost to county taxpayers for upkeep, by requiring that all users pay a fair share for maintenance and upgrading of said roads.

6.2.2 Applicability
Any projects that have one or more of the following characteristics are subject to this section:

A. Any type of development or project that will increase traffic or change the type of traffic on existing public roads.
B. Project includes mining operations and related uses.
C. Project includes haul truck traffic.

6.2.3 Review
The Board of County Commissioners, Planning Commission, Board of Adjustment, or Planning Director may require, at the applicant’s expense, the submission or completion of a study (e.g., a Traffic Impact Study or Road Engineering Study) to evaluate compliance with these Public Road Use Performance Standards.

6.2.4 Standards
A. New roads shall meet currently adopted Routt County Road Standards.
B. Projects shall mitigate their impacts to public roads such that all public roads used for access to a project or development will remain in as good as or better than existing condition.
C. All public roads under the County’s jurisdiction used to access the proposed project must be able to accommodate the anticipated traffic with regard to all of the following:
   1) Road structure (including drainage)
   2) Road width
   3) Geometry of road
   4) Sight distance
   5) Condition of surface
   6) Intersections
   7) Road capacity and/or level of service
   8) Acceleration/deceleration lanes
   9) Non-vehicular uses
D. Payment of impact fees, ton-mile fees, up-front road improvement fees, or other fees may be required by the Board of County Commissioners for projects to offset costs for public road improvements and maintenance due to the proposed uses.
E. Requirements for repairs, upgrades, development, and maintenance of public roads may be included as a condition of any Land Use Approval. Such roadwork will be at the proponent’s expense, unless otherwise determined by the Board of County Commissioners.
F. Contractor and/or permittee may be required to maintain County roads used for the project to accommodate the additional truck traffic, as required through the approval process.
G. Overweight and overlength permits shall be obtained from the Routt County Road and Bridge Department prior to any operation.
H. Routt County has the authority to close any county road for up to 60 days and/or establish weight limits at its discretion if such road surface is in poor condition and would be further damaged by additional use.
I. Acceleration/deceleration lanes shall be developed as required by the Colorado Department of Transportation (CDOT) and/or the Routt County
Road and Bridge Department. A review of the CDOT or County Access Permit will be requested by the County based upon complaints, hazardous conditions, accident records, pertinent new information, or any other concerns or changes in the area or use that may affect traffic to and from the project.

J. All road cuts shall be revegetated upon completion. Seeding with native species shall be performed in accordance with state and federal requirements where applicable, or based upon guidelines of the local office of the Natural Resources Conservation Service.

K. If deemed necessary by the Routt County Road and Bridge Department the following conditions will be activated:
   1) The permittee or contractor shall place traffic control signs along haul routes and at intersections, as specified by the Routt County Road and Bridge Department.
   2) Flaggers will be placed at the intersections of affected county roads, as specified by the Routt County Road and Bridge Department.

L. Permittee shall undertake dust control resulting from project related traffic as may be required by the Routt County Road and Bridge Department and/or the Routt County Environmental Health Department.

M. Haul trucks associated with the project or development shall not exceed county legal load limits as set forth in the Routt County Road Standards. The Routt County Engineer may require that a scale be set to determine that weight limits are being met.

N. Project shall be designed to mitigate cumulative impacts of haul trucks along county roads.

O. Project may be required to limit hours of operation to minimize conflicts with peak traffic hours and school bus hours.

P. Project may be required to limit hours of operation to minimize the effects of poor visibility, fog, or other environmental or road conditions.

Q. Project may be required to route haul trucks to mitigate significant impacts to commercial, residential, or recreation areas and/or to prevent significant impacts to sensitive wildlife areas.

R. Permittee may be required to enter into cooperative agreements with other operators and/or the County to develop haul truck routing away from urban, recreation or residential areas.

S. Permittee may be required to develop temporary or borrow pits to be located near the project site, if no gravel mines are located in the vicinity and the haul distance from an established pit would create significant impacts to the road system.

T. Routt County roads shall not be completely blocked at any time. Traffic shall be directed by use of adequate signage and flaggers if necessary, according to standards of the Manual on Uniform Traffic Control Devices.

U. Project may be required to limit traffic generation and/or provide customer shuttles to limit impacts to County Roads.
6.3 Outdoor Lighting Standards

A. All fixtures, exclusive of those exempt under paragraphs D and E below shall be fully downcast and opaquely shielded. For purposes of this section, fully downcast and opaquely shielded shall mean fixtures constructed so that light rays emitted are projected below, and not above, the fixture.

B. Lighting shall be so placed as to prevent their light rays or illumination from being cast beyond property lines, and the light source (bulb) shall not be visible beyond property lines.

C. No light source shall be directly visible to any motor vehicle operated from a road or street or from any residential area within a distance of 300 feet measured from the light source.

D. Upward lighting to illuminate flags, is exempt provided the light fixture uses a narrow cone beam of light that will not extend substantially beyond the flag.

E. Lights used for holiday decorations are exempt from the requirements of this section.

6.4 Mitigation Standards in General

A. Methods of mitigation of natural hazards and potentially significant negative impacts shall not shift the hazard or impact to another property or to another area on the same property that has been previously developed.

B. Methods of mitigation shall be directed toward a permanent minimization of the hazard or impact.

C. Methods of mitigation shall not be terminated after transfer of ownership or final approval of the development.

D. The mitigation techniques listed in Sections 6.5 through 6.13 of these Regulations are the minimum standards. Additional mitigation techniques may be required if warranted by local conditions.

E. Routt County recognizes that state and federal agencies have programs in place to permit, inspect, and enforce operational and administrative programs to assure protection of certain environmental resources. It is the intent of Routt County to assure that the local land use planning and zoning requirements are addressed without duplication of, or contradiction with, the pertinent state and federal requirements. Routt County reserves the right to enforce more stringent standards and/or mitigation requirements than may be required by state or federal agencies if necessary to address local land use concerns.

F. Monitoring of certain uses may be required to establish whether required mitigation is being implemented and/or compliance with local, state or federal regulations and standards are being achieved.

G. Warning and disclaimer of liability: The provisions of these Regulations shall not create a liability on the part of or be a cause of action against the County or any officer or employee thereof, of any technical advisor for the County for any personal or property damage that may result from reliance on these Regulations or from damages occurring in areas which for any reason have not been determined to be natural hazard areas. The provisions of these Regulations do not in any way imply that areas that have not been determined to contain natural hazards, or land uses permitted within natural hazard areas, will be free from possible adverse effects of natural hazards.
6.5 Mitigation Techniques for Development within a Natural Hazard Area

6.5.1 Avalanche Areas
A. Artificial release of avalanche by explosive control
B. Design structures to support snow in the starting zone
C. Structural control such as avalanche deflection structures

6.5.2 Landslide Areas
A. Engineered design and construction based upon on-site investigation
B. Avoid removal of support material beneath the slide area
C. Add artificial support such as rock or earth fill, retaining walls or cribbing, rock bolting and reinforced pilings.
D. Control surface and subsurface drainage
E. Stabilize the slide area by chemical treatment, bridging wet zones, removal of unstable material, and avoidance of loading on unstable slopes.

6.5.3 Rockfall Areas
A. Stabilization of rocks by bolting, cementing, cribbing or retaining walls.
B. Removal of unstable rocks
C. Use of rock fences, screening, channeling and dams, concrete barriers, or covered galleries.
D. Install physical barriers against rock impact areas.

6.5.4 Mudflow Areas
A. Use of channelization, diversion dikes, or debris catchment basins to redirect mudflows.
B. Special foundations may be used on buildings.

6.5.5 Geologic Hazard, Unstable or Potentially Unstable Slopes
A. Ensure development does not create or increase geologic hazard or subject adjacent properties to geologic hazard.
B. Use of engineered design for buildings in areas where instability is moderate.
C. Do not locate new subdivisions in areas of slope failure complex, landslide and other highly unstable areas and prevent removal of soils below these types of unstable slopes.

6.5.6 Seismic Areas
A. Use of engineered designs for buildings.
B. Avoid areas of faulting to the greatest extent practicable.
C. Avoid blasting in fault areas.

6.5.7 Radioactive Areas
A. Relocate mine wastes, tailings piles or other radioactive sources to approved hazardous waste disposal sites.
B. Avoid radioactive areas.
Section 6 General Standards and Mitigation Techniques for Land Use Approvals

6.5.8 Wildfire Hazard Areas
A. Avoid development in areas with great distance to fire fighting apparatus.
B. Avoid development and use extreme caution when working in areas listed as high or extreme wildfire hazard areas.
C. Have fire extinguishing equipment on the site.
D. Use grazing, thinning, pruning and slash removal to minimize wildfire hazards.
E. Use roads as fuel breaks and to provide access for firefighting equipment.
F. Use fireproofing measures on buildings, and provide sufficient separation of buildings to prevent fire spread.
G. Comply with the requirements and guidelines of the Colorado State Forest Service and the U.S. Forest Service.

6.5.9 Flood Hazard Areas
A. Ensure development does not aggravate an existing flood hazard or increase flood hazard to upstream or downstream properties.
B. Avoid development in flood way areas or flood channel zones.
C. Reduce or eliminate potential flood damage.
D. Alteration of flood channels, or changing direction or velocity of flow shall not be considered adequate mitigation.
E. Protect shallow wells, solid waste disposal sites, septic tanks and sewage disposal systems from floodwaters.
F. Limit development to non-dwelling uses that will not be damaged when flooded.

6.6 Mitigation Techniques for Development within Critical Wildlife Areas
A. Avoid areas during seasons of use by the wildlife species.
B. Create buffer zones between wildlife habitat and areas of development.
C. Require domestic predator control in sensitive wildlife areas in accordance with Colorado Parks and Wildlife guidelines.
D. Limit recreational or other use of wildlife concentration areas during the seasons of wildlife concentration, staging, and/or nesting.
E. Limit density of adjacent development.
F. Avoid new road construction or other development through critical habitat areas and migration routes.
G. Retain existing land use and vegetation.
H. Close roads not used for residential access in critical areas.
I. Avoid disturbance of streambeds, stream banks and streamside vegetation.
J. Place catchment basins to avoid siltation of streams.
K. Use stream alteration techniques in accordance with the Colorado Parks and Wildlife guidelines to enhance fish habitat.
L. Construct game-proof or lay-down fencing, one-way gates and game underpasses or other structures to minimize hazards.
M. Develop additional or improved habitat to compensate for habitat losses.
N. Reclaim disturbed areas for use by wildlife and waterfowl upon completion of mining or development.
O. Use slopes flatter than 3:1, and create islands and irregular shorelines for reclamation of wet site excavations.
P. Develop a wildlife mitigation plan for the project in coordination with the Colorado Parks and Wildlife.
Q. Provide bear and/or rodent proof trash containers as warranted.

6.7 Mitigation Techniques to Reduce Water Quality and Quantity impacts
A. Create on-site sediment ponds to prevent erosion into waterways.
B. Lining of sediment, water or waste disposal ponds with impervious material may be required based upon:
   1) Site conditions;
   2) Distance to groundwater;
   3) Quality of the water or materials being disposed of; and
   4) Input from the Colorado Department of Health, and other pertinent factors which may affect the use.
C. Limit the size of the excavated or disturbed area.
D. Place monitoring wells upstream and downstream of the use, on the permittee’s property and/or adjacent properties with landowner consent, to test impacts to ground water and/or stream water quality and quantity:
   1) Where the use is located in a high ground water table area; and
   2) Where it has the potential to pollute nearby waterways
E. Test nearby water wells, with the landowner’s permission, to ensure the operation is not negatively affecting water quality or flow.
F. Submit proof of sufficient water rights or a water augmentation plan.
G. Avoid sites that would present a high probability of surface or ground water pollution.
H. Provide buffers from waterbodies, rivers, streams, wetlands etc; buffers/setbacks in excess of 50 feet may be required depending on site conditions and proposed use.

6.8 Mitigation Techniques to Reduce Air Quality Impacts
A. Limit area of disturbance to reduce dust generation. Minimize overlot grading for projects and phase grading with construction.
B. Gravel, water or chemically stabilize public and private access roads, stripped areas, transfer points and excavations to minimize dust.
C. Limit hours of operation of batch plants to prevent cold weather firing during early morning inversions.
D. Increase watering operations immediately in response to periods of high wind conditions or dust complaints.
E. Revegetate disturbed areas as soon as possible. Plant stripped areas and soil stockpiles that are planned to remain uncovered for more than one season with rapid growing vegetative cover to minimize dust, erosion and weeds.

F. Overburden and topsoil stockpiles shall be contoured and conditioned to a slope conducive to establishing vegetative cover.

G. Place air emissions monitors upwind and downwind of the use and on the permittee’s property, to assure that the employed mitigation methods are effective.

H. Cease aeration operations at commercial wastewater ponds during periods of high wind.

I. If the proposed use has the potential to negatively impact a sensitive airshed, a background study with baseline data may be required.

### 6.9 Mitigation Techniques to Reduce Impacts to Scenic Quality

A. Limit the number of acres disturbed at one time. Minimize overlot grading for projects and phase grading with construction.

B. Conduct reclamation operations concurrently with the mining operation.

C. Phase mining or other operations to minimize the amount of disturbed ground at any given time.

D. Plan reclamation to create an aesthetically pleasing site or reclaimed area that will blend with or improve upon the surrounding areas through careful grading and the use of appropriate native species for revegetation.

E. Provide effective screening of equipment and stockpile areas:
   1) Limit the height of stockpiles; and
   2) Use low profile permanent equipment, and/or permanent equipment painted to "blend with the surroundings." Permanent equipment shall be construed as that equipment left in place for one (1) year or more. Color selection shall be reviewed and approved by the Planning Director.
   3) Maintain landscaping, weed control and vegetation viability for the life of the project.
   4) Proposed landscaping, screening, fencing and other visual impact mitigation shall be approved by the Planning Director, Planning Commission or Board of County Commissioners prior to operation.
   5) Berms or other screening techniques may be used to effectively screen the area.
   6) Berms must be contoured to a slope conducive to establishing vegetative cover.
   7) Significant vegetation shall be preserved wherever possible.

F. Setbacks of the project area from property boundaries, and height limitations of facilities and equipment, and colors and screening of equipment and facilities shall be determined by the Board of County Commissioners on a project-specific basis, dependent upon:
   1) The constraints of topography and other natural features;
   2) Geologic information, site location and surrounding uses; and
3) The nature of the operation, and other pertinent factors that may affect the proposal.

### 6.10 Mitigation Techniques to Reduce Noise impacts

A. Limit hours of operation.
B. Limit hours and days of equipment operation to reduce noise effects to adjacent or nearby residents.
C. Limit hours of hauling.
D. Route haul truck traffic away from residential, commercial and recreation areas.
E. Place processing areas behind berms or soil stockpiles, or at the bottom of the excavation.
F. Use landscaping to muffle or redirect sound including berms, fencing, soil stockpiles, or vegetation.
G. Locate equipment in an enclosed and acoustically insulated structure.
H. Use electric pumps for water where feasible, and use "quiet design mufflers" where electricity is not available.
I. Use latest equipment approved by OSHA and MSHA to reduce or eliminate equipment back-up alarms.
J. Place the operation a sufficient distance from residences, commercial areas, and recreation areas to minimize noise impacts to those areas.
K. Install acoustically insulated housing or covers enclosing any motor or engine;
L. Install a solid wall or fence of acoustically insulating material surrounding all or part of the facility.
M. Require a noise management plan specifying the hours of maximum noise and the type, frequency, and level of noise to be emitted; and
N. Any noise mitigation measures as required by the Colorado Oil and Gas Conservation Commission.
O. Construction of insulated buildings or other enclosures may be required where facilities create otherwise unmitigable noise impacts.
P. Eliminate or reduce the use of compression “jake” brakes on haul trucks, when possible, at the entries of or within sites located near residential areas.
Q. The location and grade of any proposed access will be considered in relation to the noise that may be created by vehicles using such access.
R. Limit traffic generation and/or provide customer shuttles.

### 6.11 Mitigation Techniques to Reduce Wetlands impacts

All uses must comply with applicable Environmental Protection Agency (EPA) and Army Corps of Engineers (ACOE) standards and regulations for wetlands.

A. Avoid wetland areas.
B. Develop sediment ponds and drainage swales to prevent pollution of nearby wetlands.
C. Replace disturbed wetland areas in-kind, and on-site.
D. Preserve existing significant vegetation within and surrounding wetland areas.
6.12 Mitigation techniques to reduce impacts to Agricultural Uses
A. Prevent spread of weeds to surrounding agricultural and residential lands. An enforceable noxious weed management plan may be required.
B. Fence the site to prevent access by humans and animals.
C. Submit proof of water rights and plans for use and disposal of water prior to any operations. Comply with requirements of the Division of Water Resources applicable to the proposed operation.
D. Protect and maintain flows of all affected irrigation ditches.
E. Buffers may be required between agricultural and non-agricultural uses to ensure compatibility.

6.13 Mitigation Techniques to Reduce Impacts to Residential and Recreation Uses
A. Avoid recreation areas and residential areas.
B. Locate uses incompatible with residential or recreation and tourism uses a sufficient distance from such areas. Planning Commission and the Board of County Commissioners will determine sufficiency of distance.
C. Practice continued mitigation of noise, dust, and other environmental impacts.
D. Route haul truck traffic away from residential and recreation areas.
E. Limit traffic generation and/or provide customer shuttles.
SECTION 7. PLANNED UNIT DEVELOPMENT

7.1. INTENT

These Planned Unit Development (PUD) regulations are intended to allow flexibility in development in a manner varying from the constraints upon innovative design and creative land use that might otherwise be imposed by strict compliance with traditional zoning and subdivision rules.

The PUD process, by allowing greater flexibility, will be able to accommodate imaginative ideas and development in site design without being restricted to customary "standard" regulations while maintaining the goals and policies of the Master Plan. It is intended to promote community amenities such as active and/or passive open space, more functional and economical use of land, placement of structures in appropriate relationship to each other, to open space and to common facilities, and design features focusing on energy efficiency.

7.2. Permitted Uses

Planned Unit Developments are permitted only on land zoned “PUD” or “OR”. PUDs may include any uses or a mix of uses supported by the Master Plan and approved by the Planning Commission and the Board. PUDs may include uses typically approved as Minor, Administrative, Conditional or Special Use Permits without those separate approvals, but subject to similar conditions of approval.

A. No building permit shall be issued for any structure in a PUD until a Final PUD Plan has been approved and recorded in accordance with this section.

B. The Final PUD Plan shall specify what uses and structures are permitted, including their locations, size and restriction or conditions of use.

7.3. PUD Standards

Any new or amended PUD shall comply with all of the following:

A. The PUD shall be consistent with the intent and policies of the Master Plan and any applicable sub-area plans.

B. The PUD shall comply with all applicable standards and mitigation techniques listed in Sections 5, 6, 8 and 9 of these Regulations.

C. The design and construction of the PUD shall include adequate, safe and convenient arrangements for pedestrian and vehicular circulation, off-street parking and loading space.
D. While there are no fixed setbacks and lot widths required for a PUD, the Planning Commission may require such setbacks, lot widths, and space between buildings as necessary to provide adequate access and fire protection, to ensure proper ventilation, light, air and snow melt between buildings, proper locations from utility lines, and to ensure that the PUD is compatible with other development in the area.

E. Open space for the PUD shall be planned to produce maximum usefulness to the residents of the development for the purposes of recreation, scenery, and to produce a feeling of openness. All areas designated as open space pursuant to the requirements of this section shall be provided with access from a public road, street, or right-of-way.

F. Open space: A minimum of 25% of the total PUD area shall be devoted to open air recreation or other usable open space, public or quasi-public. Public sites as required as part of a Subdivision may be included in the required 25%. If an application for a PUD is not accompanied with a subdivision of land, the Final PUD shall include a fee in lieu dedication subject to Chapter 3 of the Routt County Subdivision Regulations. Unusable open space shall not be included in the required 25%. It shall be the option of the Board of County Commissioners to require any of the “useable open space” of a Planned Unit Development to be dedicated to a public agency or homeowners association.

G. The developer shall provide within the PUD central water and sewer facilities as may be required by the Planning Commission, the Colorado Department of Public Health and Environment, and the local health authorities.

H. Clustered housing shall be encouraged to promote maximum open space and economy of development and variety in type, design, and layout of buildings.

I. Residential density shall be limited as required by the Planning Commission and the County Commissioners upon consideration of the Master Plan and individual characteristics of the subject land.

J. The density of uses other than residential shall be limited as required by the Planning Commission and the County Commissioners upon consideration of the Master Plan and individual characteristics of the subject land and the adjoining properties.

K. Mixed Uses: The PUD shall be designed, in so far as practicable when considering the overall size of the PUD, to provide commercial, recreational and educational amenities conveniently located to its residents in order to alleviate the impacts of increased traffic congestion.

L. Architecture: Each structure in the PUD shall be designed in such a manner as to be compatible with other units in the area, yet to avoid uniformity and lack of variety of structural designs among the PUD.

M. Maintenance of Open Space: No PUD shall be approved unless the County is satisfied that the landowner has provided for or established an adequate organization for the ownership and maintenance of open space and private roads, drives and parking.

the applicable Standards, including, but not limited to Section 8.2 of these Regulations shall apply.
7.4. Technical Corrections and Amendments

The Final PUD Plan approved by the Planning Commission shall be binding and shall not be changed during the construction of the PUD except upon application to the appropriate agencies under the following procedures:

7.4.1. Technical Corrections

Changes to locations, siting, bulk of structures, height or character of building or minor changes in use may be authorized by the Planning Director. No technical change may increase the size of any building or structure by more than ten (10) percent. Planning Director may also approve accessory structures, up to 800 square feet in total floor area, not shown on the Final PUD Plan.

7.4.2. Minor Amendments

Minor Amendments to a Final PUD Plan, not qualifying as Technical Corrections and substantially similar to the approved Conceptual PUD Plan may be approved in the same manner permitted for review of Administrative Permits as outlined in Section 3 of these Regulations, provided all the following standards are satisfied:

A. The amendment affects no more than three (3) lots or interests in land within the PUD.
B. All owners of the affected lots or interests in land consent in writing to the amendment.
C. The amendment does not require or involve modification of existing public utilities or streets within or adjacent to the PUD.
D. The amendment would not result in the creation of additional lots or interests in land.
E. The amendment meets all the applicable standards of this section and Sections 4, 5, 6, 7 and 8 of these Regulations.
F. The Planning Director or other approval authority may make a Minor Amendment approval contingent on the recording of an amended Final PUD plan.

7.4.3. Major Amendments

All changes not substantially similar to the approved Conceptual PUD Plan may be approved only by the Board, following a recommendation by the Planning Commission, under the procedures authorized by these Regulations for the Conceptual PUD Plan. Such changes shall require that a new plan, amended plan or resolution be filed with the County.

7.5. Zoning Review

In the event the Planning Department finds that construction or other activity has taken place in violation of any of the provisions of these Regulations or the terms or conditions of the PUD approval, there shall be forwarded a report of this information to the Board. The Board shall hold a public hearing on the report of violations submitted by the Planning Department having first given reasonable notice to the applicant and all owners of abutting property. Upon review of the alleged violations, the Board may require that appropriate actions be taken to remedy the violations, amend or modify the Plan, or revoke the approval of the PUD.
7.6. Conformance with Subdivision Regulations

Any area proposed as PUD will be reviewed under the Routt County Subdivision Regulations, if a separation of ownership interests in the PUD is intended. The subdivision review procedures may be carried out concurrently with a review of the PUD as outlined in this section. As a general guideline, the Conceptual PUD Plan required by this section is generally equivalent to the Sketch Plan required by the Subdivision Regulations.

7.7. Repeal

Adoption of this Section 7 shall not modify or otherwise compromise PUDs approved by the Board prior to the adoption of these Regulations. Such prior PUDs shall be considered to be in conformity and compliance with the provisions of these Regulations. PUDs created by an approved Final PUD Plan before the adoption of these Regulations shall be considered to have met the provisions and requirements of this section.
SECTION 8. REGULATIONS AND STANDARDS FOR SPECIFIC LAND USE CHANGES

8.1 Purpose
The following performance standards and mitigation measures apply to certain land use changes allowed by these Regulations to assist in determining the compatibility with the surrounding uses and appropriate mitigation of potentially significant negative impacts. These standards are in addition to the applicable standards in Sections 4, 5, 6, 7 and 9 of these Regulations.

8.2 Standards for Zoning Amendments

8.2.1 Standards for Zoning Amendments – Part 1
In any petition for zoning amendment, the petitioner shall have the burden of showing that all of the following exist:

A. That the proposed zone change is consistent with the goals and policies of the Master Plan and any applicable sub-area plans.

B. That the area in question possesses geological, physiological and other environmental conditions compatible with the characteristic of the Zone District requested.
C. That the advantages of the Zone District requested substantially outweigh the disadvantages to the County and neighboring land occasioned by the amendment.
D. That the applicable provisions of these Regulations have been met.
E. That in the case of a zone amendment request that would increase allowable residential, commercial, or industrial density, that adequate facilities such as roads, water and sanitation, fire protection, emergency services and public utilities shall be available to serve the area.

8.2.2 Standards for Zoning Amendments – Part 2
In addition, zoning amendments shall be allowed only after the petitioner demonstrates that rezoning is necessary for one or more of the following reasons:
A. The existing Zone District is inconsistent with the policies and goals of the applicable Master Plan and any applicable adopted area or community plan; or
B. The area for which rezoning is requested has changed or is changing to such a degree that it is in the public interest to encourage a new use or density in the area; or
C. The proposed rezoning is necessary in order to provide land for a demonstrated community need; or
D. The existing zone classification currently shown on the Official Zoning Map is an error

8.3 Standards for all Administrative, Conditional, Minor and Special Use Permits

8.3.1 Insurance Requirements
The permittee shall provide evidence of liability insurance, in the amount of no less than $1,000,000 per occurrence. The permittee shall notify the Routt County Planning Department of any claims made against the policy. Routt County shall be named as an additional insured on the policy.

8.3.2 Dwelling Units
Employee housing or other dwelling units may be approved as part of an Administrative, Conditional, or Special Use Permit provided the total number of Dwelling Units on the parcel does not exceed the total allowed in Sections 4 and 5 of these Regulations for the applicable Zone District. Additional Dwelling Units approved in-lieu of Secondary Dwelling Units may be detached Dwelling Units but they shall not result in an increase in the total square footage of all the Secondary, employee or other Dwelling Units on the parcel. A development agreement that limits the total number of Dwelling Units in accordance with these Regulations is required for any Administrative, Conditional, or Special Use Permit that includes employee housing or other Dwelling Units.

8.4 Site Design Standards for all uses in Commercial and Industrial Zone Districts

8.4.1 Setbacks
Setbacks for buildings and other structures will be designed to ensure the following:
A. Compatibility with adjacent land uses.
B. Safe and convenient vehicular and pedestrian access, circulation, and parking.
C. General conformance with setbacks on nearby commercial properties; unless such conformance is determined to be inappropriate due to particular characteristics of the site or the proposed use.
D. Ability to provide for adequate property maintenance including but not limited to: access to public utilities, snow removal and storage, and site/landscaping maintenance.

8.4.2 Architecture
Commercial buildings will be designed to ensure the following:
A. General conformance with bulk and placement of surrounding buildings; unless such conformance is determined to be inappropriate due to particular characteristics of the site or the proposed use.
B. Protection of visual amenities.
C. Style and character of all structures will be compatible with or complimentary to existing structures and the surrounding area.

8.4.3 Landscaping
Landscaping including native plantings, berms, fencing, and street hardware (benches, lighting, bike racks, etc.) may be required for the protection of visual amenities, to provide screening for outdoor storage, parking or dumpster areas, and/or to ensure compatibility with adjacent properties.

8.4.4 Central Sewage Collection System
Central sewage collection system that includes secondary treatment and disinfection facilities as approved by the Colorado Department of Public Health and the Environment and the local health authority are required for all new buildings and uses unless otherwise approved by Routt County Environmental Health.

8.5 Standards for all Light Industrial Uses in a Commercial Zone District
All permitted uses shall be compatible with retail commercial, business and office uses and with the intent and purpose of the Commercial Zone District. Uses that may be permitted under this Section 8.4 include any Uses by Right listed in the Industrial Zone District that meets the following standards.
A. Outdoor storage may be permitted if adequately screened or fenced from adjoining roads or properties.
B. All permitted uses, except outdoor storage, shall occur entirely within a completely enclosed permanent building.
C. Dust, fumes, odors, refuse matter, smoke, vapor, noise and vibration shall be confined to the building in which such use is confined.
D. Access and parking areas shall be surfaced with asphalt, concrete or equivalent paving; however, where appropriate, the installation of porous pavement or other techniques to reduce runoff is encouraged.
E. A report identifying the type, composition and quantity of all waste materials shall be reviewed and approved by the management of the appropriate sewage treatment facility and the Routt County Department of Environmental Health.

F. No toxic or flammable materials shall be stored within the permitted area unless approved by the Regional Building Department, local fire district, and Routt County Department of Environmental Health.

G. Service areas, as well as circulation of delivery and shipping vehicles, shall be designed so as not to conflict with adjacent commercial uses.

H. No vehicles that are more than "single axle" shall be parked on the site for purposes other than daily delivery or shipping to the use, unless parked within the permitted building. The compatibility of overnight parking of any other vehicles on site shall be evaluated on a case-by-case basis.

I. No use shall be permitted that requires specialized construction to such a degree that it would preclude the reasonable conversion of the space to commercial use.

8.6 Standards for all Commercial Uses in the Industrial Zone District

All permitted uses shall be compatible with industrial uses and the intent and purpose of the Industrial Zone District. Uses that may be permitted under this Section 8.5 include any Uses by Right listed in the Commercial Zone District that meets the following criteria:

A. Uses which combine retail commercial, business or office uses with an industrial use; or

B. Retail commercial uses that require outdoor storage as a normal practice of the particular retail commercial use; or

C. Commercial facilities that primarily provide services for the industrial area such as restaurants, etc.; or

D. Office buildings, designed to function in harmony with existing and future industrial uses.

8.7 Standards for Development in the HPH Zone District

Administrative Uses, Conditional Uses, Special Uses, and Zone Changes shall conform to the following standards:

A. Development shall maintain and compliment the unique historical and natural features of the area.

B. Development shall incorporate design features to compliment the historic character of the area, but not necessarily reproduce historic structures.

C. All development shall be designed and developed in a manner that it will not cause, or result in, destruction or deterioration of the historic area.

D. Development design shall include exterior details, including signs and lighting, which do not detract from the historical character of the town site or the natural setting.

E. Any petitions for rezoning in the Hahn’s Peak Historical Zone District shall be referred to the Hahn’s Peak Homeowners Association.
8.8 Standards for Major Facilities of a Public Utility

8.8.1 Standards

A. Such uses shall serve a documented public need.
B. A minimum of 200 feet shall separate such uses from abutting properties that might otherwise be damaged due to the operation of the proposed use.
C. Such use shall minimize the use of intensive cropland, including irrigated meadows and pasture land, cropland used for dry land agriculture, lands along valley floors that intermingle with but not dedicated to cropland, and farm and ranch headquarters.
D. Such uses shall minimize conflicts with existing and planned uses.
E. Such use shall reflect site selection to minimize adverse impacts on subsequent development of mineral resource areas, approved or planned reservoir sites, and deposits of construction aggregates.
F. All proposed above-ground appurtenances of such use shall:
   1) Avoid "tunnel effect" of clearing that is or that may be visible from a population concentration or major transportation route;
   2) Use existing utility and transportation corridors wherever possible;
   3) Follow property, section and fence lines to minimize surface disturbance.
   4) Protect and maintain flows in affected irrigation ditches;
   5) Avoid clear-stripping of right-of-way or easement. Any required clearing shall be designed to create a natural appearance that blends with surrounding vegetation by using variations in clearing width;
   6) Avoid creation of access scars;
   7) Avoid visually important scenic vistas;
   8) Preserve as much as possible the natural landscape; and
   9) Minimize alteration of the slope or aspect of any hillside.
G. Before any Special Use Permit may be issued for a major facility of a public utility, the applicant shall furnish evidence of a bank letter of credit in favor of Routt County, a bond or certified check in an amount calculated by the Board of County Commissioners, to secure the site restoration in a workmanlike manner and in accordance with specifications and construction schedule established or approved by the appropriate engineer and the Board of County Commissioners. Such letter of credit, bond or check shall be payable to or drawable by, and held by the Board of County Commissioners of Routt County.

8.9 Standards for Central Water and Sewage Treatment Systems

8.9.1 Applicability

A. No person may locate or construct a new central water and/or sewage treatment system or an extension of an existing water and/or sewage treatment system in this jurisdiction without first obtaining a Special Use
Section 8 Regulations and Standards for Specific Land Use Changes

Permit, unless specifically exempted from these Regulations in this Section 8.8.1

B. Location of facilities outside the defined boundaries of an existing water and/or sanitation district as they exist at the date of these Regulations shall be subject to a Special Use Permit.

C. Routine maintenance and any repair or replacement in like size or capacity of existing water and/or sewer lines and existing water and/or sewage treatment facilities shall not be subject to a Special Use Permit, whether or not such facilities are in conformance with these Regulations.

D. New central water and/or sewage treatment systems and any extension of an existing central water and/or sewage treatment system within the defined boundaries of water and/or sanitation district, municipal or metropolitan district which has been lawfully created and exists as of the date of these Regulations shall not be subject to a Special Use Permit.

E. Where a new central water and/or sewage treatment system or an extension of an existing central water and/or sewage treatment system is associated with, or an integral part of, an application for zoning amendment, subdivision, planned unit development (PUD), or Special Use Permit for a new central water and/or sewage treatment system or an extension of an existing water and/or sewage treatment system shall be applied for and reviewed concurrently with and as a part of the request for zoning amendment, PUD, subdivision or special or conditional use.

F. New or expanded central water systems shall provide fire hydrants and water supply/storage as necessary to provide adequate fire protection for the development. The local fire protection district shall be granted free use of fire hydrants for firefighting purposes.

8.9.2 Standards

An application for a Special Use Permit for central water or sewage system or an extension of an existing central water and sewage system may be approved if the proposed development complies with the following standards:

A. New central water and sewage treatment systems will be constructed in areas that will result in the proper utilization of existing treatment facilities and the orderly development of central water and sewage treatment systems of adjacent communities.

B. The installation of the new central water and/or sewage treatment system or the extension of an existing central water and/or sewage treatment system does not conflict with the Routt County Master Plan or such other adopted plans and policies as may be in effect for the property.

C. The installation of the new central water and/or sewage treatment system or an extension of an existing central water and/or sewage treatment system will not materially decrease the quality of surface or subsurface water resources.

D. Age of existing water and sewage treatment systems, operational efficiency, state of repair, and level of treatment is such that replacement is warranted, or existing facilities cannot be upgraded or expanded to meet increased demand or the discharge permit conditions of the Colorado Water Quality Control Division.
E. Area and community development and population trends demonstrate clearly a need for such development.

F. New or expanded central water or sewer treatment systems shall be under the control of a public entity (incorporated town, special district, etc.) or shall be privately owned in common by all lots served by the system. In the case of private ownership, a homeowners association or other entity that provides for adequate representation of all serviced lots shall be required.

G. Applicant has demonstrated that the system has been provided with adequate financial resources to ensure that both ongoing maintenance and long-term capital replacement needs will be met.

H. No Special Use Permit for construction of waste treatment facilities shall be issued for a site in the 100-year flood plain unless emergency plans and procedures for action to be taken in the event of flooding are prepared, filed with, and approved by the Water Quality Control Division of the State of Colorado Department of Health. Such emergency plans and procedures shall provide for measures to prevent introduction of any pollutant or toxic material into floodwaters.

8.9.3 Administrative Declaration

A Special Use Permit for a water or sewage treatment system or an extension thereof which has not been reviewed concurrently with or as a part of a proposed land use shall not be deemed to influence subsequent land use decisions on any property which may be served by such system or extension.

8.10 Standards for Telecommunication Facilities

8.10.1 General Standards

A. No telecommunication tower shall exceed 100 feet in height.

B. The construction and use of a telecommunication facility shall not cause interference to other adjacent telecommunication facilities. The County shall be held harmless if interference occurs.

C. Telecommunication facilities that are abandoned by disconnection of power service, equipment removal or loss of lease for greater than six (6) months shall be removed by the telecommunication facility owner and the site reclaimed. Should the owner fail to remove the facilities, the County may do so at its option, and the costs thereof shall be a charge against the owner.

D. The operator shall agree to allow co-location of other users on the tower, providing their requested use is compatible to the existing use, to limit the construction or proliferation of cellular tower sites in the area.

8.10.2 Standards for Building or Structure-Mounted and Roof-Mounted Telecommunication Facilities

A. The maximum protrusion of such facilities from the building or structure face to which they are attached shall be two (2) feet.

B. Building or structure mounted whip antennas shall extend no more than ten (10) feet above the highest point of the building or structure to which
they are attached, subject to the maximum building height limit of the Zone District in which it is located.

C. Such facilities shall be screened or camouflaged as appropriate.

D. Roof-mounted telecommunication accessory structures shall extend no more than seven (7) feet above any roof to which it is attached, subject to the maximum building height limit of the Zone District in which it is located.

8.10.3 Standards for Freestanding Telecommunication Facilities

A. Shall be visually mitigated from adjacent residential development and public rights-of-way.

B. Screening, landscaping and/or exterior building finishes and colors shall be compatible with the existing character of the site and adjacent properties and shall be determined as part of the review process.

8.11 Standards for Solid Waste Disposal Sites

A. Such uses shall serve an obvious public need;

B. Sufficient distance, not less than 1000 feet, shall separate such uses from abutting properties.

8.12 Standards for Campgrounds

A. Shall be designed and located to protect rural character

B. Adequate dumping facilities for self-contained waste collection units shall be provided.

C. Adequate sanitation facilities including toilets, baths or showers shall be provided.

D. An adequate supply of potable water shall be supplied to all buildings. An adequate supply of hot water shall be provided at all times in the service buildings for all bathing, washing and cleaning.

E. Campgrounds shall be screened from adjacent highways, roads or residential areas by a fence at least six (6) feet high, unless the park owner has undertaken a planting program that will effectively screen the park within an eight (8) year period.

F. All trash containers shall be bear proof.

8.13 Standards for Bed and Breakfasts

A. The owner-operator must provide satisfactory evidence that the water system serving the subject property is constructed in accordance with normal standards for water quality, quantity, and pressure.

B. The wastewater disposal system shall be designed to accommodate the proposed use and shall be installed under permit from the Routt County Department of Environmental Health.

C. The owner or manager shall be a full-time resident of the bed and breakfast establishment.

D. All guest rooms shall be an integrated part of the principal Dwelling Unit, which shall have the appearance of a single-family home.
Section 8 Regulations and Standards for Specific Land Use Changes

E. No cooking facilities shall be allowed in the guest rooms.
F. Meals may only be served to occupants of the bed and breakfast.
G. There shall be no more than four (4) guest bedrooms

8.14 Standards for Landing Strips and Heliports/Helipads
A. The applicant shall own a minimum of seventy (70) contiguous acres of land on which the landing strip, helipad, or heliport would be located.
B. No residential Dwelling Units, other than one (1) Dwelling Unit and/or approved Secondary Dwelling Unit owned by the applicant or an immediate member of the applicant’s family, shall be located, within one half mile of either end of any runway.
C. Runways will be so oriented that aircraft takeoffs and landings will not pass within one thousand (1,000) feet of any school, Dwelling Unit or place of public assembly.
D. Limits may be placed on the number and allowable times for takeoffs and landings.
E. The applicant shall provide evidence that the Federal Aviation Administration has been sent an application for approval of airspace.
F. The applicant shall, at the discretion of the Board of County Commissioners, grant an aviation easement to Routt County or other appropriate public body for use of the facility for emergency and/or other public purposes.

8.15 Standards for Greenhouse, Nursery, or Produce Stand with Retail Sales
A. All structures used by the operation shall comply with all Building and Environmental Health requirements.
B. Facilities used primarily for the retail sales area shall not exceed 300 square feet.
C. The access to serve the use shall have an approved County or CDOT access permit. Additionally, adequate parking shall be provided. There shall be no parking in the road Right of Way.
D. Sales of products on site shall be limited to those grown on site and those clearly incidental and accessory to the greenhouse or nursery operation or as declared and approved through the permitting process.

8.16 Standards for Religious Land Uses (Churches or Similar Uses)
8.16.1 Applicability
This Section shall apply to any application for a Land use permit or approval under these Regulations involving a facility to be used for religious purposes or a use in connection with a religious activity (collectively “Religious Facilities and Uses”). It is intended to comply with the Religious Land Use and Institutionalized Persons Act of 2000.
8.16.2 Standards
No process or provision contained in these Regulations shall be applied so as to impose, in connection with a Religious Facility or Use, a substantial burden on the religious exercise of a person, a religious assembly or institution unless it is established by Routt County that imposition of the burden is: (a) in furtherance of
a compelling governmental interest; and (b) is the least restrictive means of furthering that compelling governmental interest. A determination concerning these two criteria shall be made in accordance with the procedure outline in Section 3.6 of these Regulations.

8.17 Standards for a Home Industry

A. The owner or manager shall be a full-time resident of, and operate the home industry.

B. All activity related to the home industry must be conducted within or adjacent to the Dwelling Unit or within an accessory structure. Limited outdoor storage is permitted in accordance with the regulations of Section 6.

C. In the A/F Zone District a maximum of 8 on-site employees, including those residing in the Dwelling Unit, are permitted to work in connection with the home industry. In all other Zone Districts a maximum of 3 on-site employees, including those residing in the Dwelling Unit, are permitted to work in connection with the home industry.

8.18 Standards for a Home Occupation

A. The home occupation use must be clearly incidental and secondary to the residential use of the dwelling unit;

B. The use must be contained entirely within the dwelling unit or its accessory structures;

C. The use must not occupy more than 20% of the total floor space of the dwelling unit;

D. No outside storage of goods, materials, equipment or anything else associated with the home occupation use is permitted;

E. No excessive or offensive noise, vibration, smoke, dust, odors, heat, glare, light or dumping of materials associated with the use which is noticeable at or beyond the property line is permitted;

F. The use shall not change the appearance or character of the dwelling unit or the neighborhood; and

G. The use shall not generate an amount of traffic which is a nuisance or which affects the residential character of the neighborhood. In addition, for home occupations conducted in subdivisions, no more than one (1) vehicle (passenger vehicle, light utility truck, recreational vehicle, or farm truck) associated with the home occupation use may be parked outside on the property. Outside the subdivisions, this vehicle limitation shall not apply.

Any business which fails to satisfy all of the criteria for a home occupation must apply to the Planning Department for a permit to operate a Home Industry or other applicable permit.

8.19 Standards for Mobile Home Parks or Developments

8.19.1 Mobile Home Parks Located Within Existing Mobile Home Residential (MHR) Zone Districts

A. Applicability
The following regulations shall apply to new and existing mobile home parks located in existing Mobile Home Residential (MHR) Zone Districts. No mobile homes or spaces shall be added in any park until a mobile home park permit has been obtained in compliance with this Section.

B. Process

A mobile home park permit may be granted by the Board of County Commissioners following the same review process as required for the granting of a Special Use Permit as outlined in Section 3 of these Regulations. Administration of any mobile home park permit will be in accordance with the regulations for a Special Use Permit contained in Section 3 of these Regulations.

C. Application

In addition to the General Requirements for All Applications contained in Appendix A of these Regulations the following data shall accompany all applications for mobile home park permits:

1) A complete plan of the park, on a scale of one (1) inch equals 100 feet, setting forth sufficient information to determine compliance with the requirements of this Section.
2) Plans and specifications of all buildings, improvements and facilities constructed or to be constructed within the mobile home park or resort mobile home park.
3) A topographic map showing two foot contour intervals.
4) A copy of the lease form used to rent spaces to tenants of the park.
5) Such further information as may be requested by the Planning Director when necessary to determine whether the proposed park will comply with the requirements of this Section.

D. Standards for Mobile Home Park Permits

1) Overall

a) Shall comply with all applicable requirements of the Routt County Zoning Regulations including but not limited to Section 5 – General Performance and Development Standards, and Section 6 – General Standards and Mitigation Techniques for Land Use Approvals

b) Shall comply with the applicable requirements of Section 3 and Section 4 of the Routt County Subdivision Regulations with the exception of Public Sites requirements of Section 3.5.2

2) Site

a) No mobile home spaces shall be located on slopes in excess of fifteen (15) percent.

b) No mobile home park shall be located in areas of landslide, rock fall, avalanche or mud flow hazard.

c) Each park shall be graded for rapid drainage and free from stagnant pools of water.
d) No mobile homes shall be located on land subject to flooding within a 100 year cycle.

e) Each park shall reserve a minimum of ten (10) percent of the total site as a recreational area for adults and children. The recreational area shall not include any roads, streets, driveways or parking spaces.

f) Exposed ground surfaces shall be covered with stone screenings or other solid material, or protected with a vegetative growth that is capable of preventing soil erosion and of eliminating dust.

g) Each park shall be screened from adjacent highways, roads or other residential areas by a fence at least six (6) feet high, unless the park owner has undertaken a planting program which will effectively screen the park within an eight (8) year period. In determining the effectiveness of a planting screen, the Planning Director shall be guided by the recommendations of the State Forest Service.

h) Metal or plastic garbage cans in good condition with tight fitting covers shall be provided in quantities adequate to permit disposal of all garbage and rubbish.

3) Setbacks

a) Mobile home spaces shall not be located less than 20 feet from the perimeter of the park and not less than 50 feet from single family residences and federal and state highways.

b) Mobile homes shall have such setbacks within mobile home spaces as are required by Section 5.2.1 of these Regulations.

4) Roads and Streets

a) Each park shall have vehicular access to a public street or highway, which access shall be illuminated by a street light, constructed to County specification, located within 30 feet of the intersection with such street or highway.

b) Each mobile home space shall have access to a road or street.

c) Roads and streets, whether public or private, shall be paved to a width of 24 feet and constructed to County specifications.

d) Roads and streets, whether public or private, shall be provided with drainage ditches and culverts as necessary to control surface water runoff.

5) Parking

a) Each mobile home space shall be provided with two (2) off-street parking spaces.
Section 8 Regulations and Standards for Specific Land Use Changes

6) Utilities
   a) Each mobile home space shall be provided with underground electrical service and shall comply with state and local electrical codes.
   b) An adequate supply of potable water shall be supplied by pipes to all buildings and to each mobile home space.
   c) No permit shall be issued until the subject park, or plans for the subject park, shall have been approved by the Colorado Department of Public Health and the local health authority.
   d) Each mobile home space shall be provided with a sewer at least four (4) inches in diameter which shall be connected to receive the waste from the shower, bath tubs, flush toilet, lavatory, kitchen sink and laundry of the mobile home harbored in such space and having any or all such facilities.
   e) All utility lines shall be located underground.

7) Fire
   a) Each park shall be equipped at all times with fire extinguishing equipment in good working order, or such type, size and number, and so located within the park as to satisfy applicable reasonable regulations of the County Sheriff. No open fires shall be permitted at any place which may endanger life or property. No fire shall be left unattended at any time.
   b) Each park shall provide fire hydrants, with such design, water pressure, and water quantity, as may be required by the Fire Chief, located not more than 150 feet from each mobile home space.

8) Mobile Home Spaces
   a) The undercarriage of all mobile homes shall be screened from view on all sides, except that an access panel shall be provided for service and maintenance access.
   b) Tanks and storage areas shall be screened or otherwise concealed.

8.19.2 Mobile Home Parks Located Outside of Existing Mobile Home Residential (MHR) Zone Districts

Approval of new mobile home parks or developments outside of an existing MHR zone district is contingent upon PUD zoning and the approval of a Final PUD plan.
8.20 Standards for Wind Generators <80 feet in Height
A. The height of all Wind Generators shall be from finished grade to the propeller hub. In the case of non-traditional designs, the Planning Director shall determine height.
B. The wind generator turbines and towers must be painted or coated a non-reflective white, grey or other neutral color.
C. With the exception of roof-mounted Wind Generators and Wind Generators less than 40 feet in height, all proposed Wind Generators shall have a setback, or “fall zone” equal to the total height of the Wind Generator structure. Such fall zone shall be from property lines and habitable structures.
D. Wind Generators that are abandoned by disconnection of power service, equipment removal, or equipment failure for greater than 24 months shall be removed by the owner and the site reclaimed. Should the owner fail to remove the structure, the County may do so at its option, and the costs thereof shall be a charge against the owner.

8.21 Standards for Wind Generators >80 feet in Height
A. Proposed Wind Generators shall be subject to, but not limited to, the criteria in Sections 3, 4, 5, 6, and 8 of the Zoning Regulations.
B. The wind generator turbines and towers must be painted or coated a non-reflective white, grey or other neutral color.
C. The height of all Wind Generators shall be from finished grade to the propeller hub. In the case of non-traditional designs, the Planning Director shall determine height.
D. All proposed Wind Generators shall have a setback, or “fall zone” equal to the total height of the Wind Generator structure. Such fall zone shall be from property lines, public rights-of-way, and habitable structures.
E. Wind Generators that are abandoned by disconnection of power service, equipment removal, or equipment failure for greater than 24 months shall be removed by the owner and the site reclaimed. Should the owner fail to remove the structure, the County may do so at its option, and the costs thereof shall be a charge against the owner.
F. The operator of the Wind Generator(s) must minimize or mitigate any interference with electromagnetic communications, such as radio, telephone or television signals caused by the facility.

8.22 Standards for Temporary Workforce Housing (TWH)
A. Proposed TWH facilities shall be subject to, but not limited to, the criteria in Sections 3, 4, 5, 6, and 8 of the Zoning Regulations.
B. Total number of residents shall not exceed fifty.
C. The TWH facility shall be for a period no longer than three (3) years, including the reclamation phase. Extensions shall only be approved by the Board of County Commissioners.
D. These quarters are temporary structures such as manufactured housing or recreational vehicles.
E. TWH units or rooms shall be for workers and families directly involved with specific development projects and shall not be available for general rental.

F. On the date the Special Use Permit expires, all housing structures and associated infrastructures shall be removed and the land shall be reclaimed to the satisfaction of the Planning Director.

G. Water Systems proposed to service TWH must comply with all applicable state and local laws and regulations.

H. Wastewater systems proposed to service TWH must comply with all applicable state and local laws and regulations.

I. A Site Fire Safety Plan approved by the local fire safety authority must be provided with the application.

J. Trash must be disposed of not less than once weekly.

K. The Applicant shall submit as part of the TWH Special Use Permit application, a reclamation and revegetation plan for each specific site. The plan shall include the timeframe for all reclamation work.

L. All disturbed areas must be reclaimed as nearly as practicable to their original condition and shall be maintained to control dust, weeds and minimize erosion.

8.23 Standards for Production Facility, Renewable Energy

A. Proposed Renewable Energy Production Facilities shall be subject to, but not limited to, the criteria in Sections 3, 4, 5, 6, and 8 of the Zoning Regulations. For Solar Energy Systems, see Section 8.24.

B. Structure height within a production facility will be determined through the County use permit process as determined by compliance with the criteria listed in Section 8.23.A.

C. Access to Production Facilities shall only be directly from U.S. 40, State Highway 131, “Primary” County Roads, or where approved by the Board of County Commissioners based on impacts to the County Road system.

D. A Site Fire Safety Plan approved by the local fire safety authority must be provided with the application.

E. A plan for the disposal of waste products shall be included with the application.

8.24 Standards for Solar Energy Systems

A. This use is required to be located on a buildable lot or platted outlot.

B. If necessary for the system's effectiveness or in order to accommodate other exceptional characteristics of the site, ground-mounted solar energy collectors may be located within the minimum structure setbacks for the subject property zoning district subject to issuance of an Administrative Permit provided that:

1) The solar energy collector is located no less than five (5) feet from lot lines and no less that forty-five (45) feet from the centerline of the roadway, or fifteen (15) feet from the edge of the roadway, whichever is greater; and

2) The solar energy collector is located to minimize glare and visual impact on adjacent properties and roadways.
3) Roof-mounted collectors may be mounted on any legal structure, subject to review through the building permit process. Roof-mounted systems shall be mounted as flush as possible to the roof. In order to achieve proper solar orientation, panels may exceed the roofline by up to five (5) feet or the maximum permitted height of the structure by up to five (5) feet (whichever is more restrictive).

8.25 Standards for Value Added Agriculture Processing

A. The agricultural processing operation must be clearly incidental to and supportive of the dominant agricultural use of the site.

B. The agricultural processing and sales operation must be operated by the owner or lessee of the agricultural use.

C. The hours of the processing and retail operation are limited to the hours between 7:00 am and 9:00 pm, unless otherwise approved through the permitting process.

D. The processing facility shall not be classified as a hazardous waste generator under state or federal regulations.

E. Sales of products on site, in addition to those grown or processed on the site, shall be limited to those clearly incidental and accessory to the farm products or as declared and approved through the permitting process.

F. All federal, state, and local permits shall be obtained and complied with. The operation shall comply with all federal, state, and local laws.

G. In addition to the processing area, the accessory retail sales area shall not exceed 300 square feet.

H. The access to serve the use shall have an approved County or CDOT access permit. Additionally, adequate parking shall be provided. There shall be no parking in the road Right of Way.

I. All poultry processed must be raised by the producer.

8.26 Standards for an Agritourism Enterprise

A. The agritourism enterprise must be clearly incidental to and supportive of the agricultural use of the site.

B. The agritourism enterprise must be operated by the owner or lessee of the agricultural use.

C. Sales of products on site shall be limited to those clearly incidental and accessory to the agritourism enterprise or as declared and approved through the permitting process.

D. The hours of operation are limited to the hours between 7:00 am and 9:00 pm, unless otherwise approved through the permitting process.

E. All federal, state, and local permits shall be obtained and complied with. The operation shall comply with all federal, state, and local laws.

F. The access to serve the use shall have an approved County or CDOT access permit. Additionally, adequate parking shall be provided. There shall be no parking in the road Right of Way.

G. Adequate sanitation facilities shall be approved by the County Environmental Health Department.
8.27 Standards for a Farm Stand
A. Facilities for the sale of agricultural products shall not exceed 300 square feet and shall comply with all Planning, Building, and Environmental Health requirements.
B. Sales of products on site shall be limited to those grown on site, those clearly incidental and accessory to the primary agricultural use, or those declared and approved through the permitting process for Imported Products.
C. The access to serve the use shall have an approved County or CDOT access permit. Additionally, adequate parking shall be provided. There shall be no parking in the road Right of Way.

8.28 Standards for Reservoirs, non-agricultural greater than 1 acre
A. Proposed reservoirs; non-agricultural shall be subject to, but not limited to, the criteria in Sections 5, 6, and 8 of the Zoning Regulations.
B. A minimum of 50 feet shall separate such uses from the abutting properties.

8.29 Standards for Camping – Private Non-Commercial
A. A maximum stay of 60 days cumulative in a calendar year shall be allowed as a use by right.
B. Camping shelters and accessories must be removed when not in use.
C. No permanent structures or alterations shall be permitted.
D. Camping is intended as a temporary recreational or leisure activity and shall not be utilized as a dwelling, residence, or home.

8.30 Standards for Camping, Extended, Private Non-Commercial
A. A maximum stay of 180 days continuous in a calendar year shall be allowed for the purposes of extended camping with a Minor Use Permit.
B. Camping shelters may remain erected during the 180-day continuous camping stay even while not in use.
C. Camping shelters and accessories must be removed when not in use at the end of the permit period.
D. Extended Camping is intended as a temporary recreational or leisure activity and shall not be utilized as a dwelling, residence, or home.
E. All necessary permits or approvals must be obtained, including but not limited to those from the Building Department and Environmental Health Department.
F. No permanent structures or alteration shall be permitted.
SECTION 9. REGULATIONS AND STANDARDS FOR MINING AND RELATED USES

9.1. Purpose
Routt County recognizes that state and federal agencies have programs in place to permit, inspect, and enforce operational and administrative programs to assure protection of environmental resources associated with exploration, oil/gas production and mining operations. It is the intent of Routt County to assure that the local land use planning and zoning requirements are addressed without creating operational conflict with the pertinent state and federal requirements. Routt County reserves the right to assume the functions of external agencies involved with mining and resource extraction if such agencies are eliminated or their operations are curtailed. Routt County reserves the right to impose more stringent standards than other agencies as necessary to mitigate land use impacts. Routt County may require bonding for reclamation and other activities if the appropriate agencies do not require or administer such bonding.

9.2. General Standards for all Mining, Resource Extraction and Accessory Uses
All Mining and accessory uses shall comply with the applicable Standards and Mitigation Techniques of Section 5 and Section 6 of these Zoning Regulations. In addition, all mining and accessory uses shall comply with the following standards:

A. Shall be compatible with surrounding agricultural, residential, and recreational land uses by selection of location and/or mitigation.

B. The proposed operation will be located a sufficient distance from other mining operations so as not to create cumulative impacts to roads, air and water quality, or other resources and amenities. The Planning Commission and the Board of Commissioners will determine sufficiency of distance.

C. Equipment used for the operation will not be visible from adjacent or surrounding residences, or will be mitigated to the extent possible to reduce visual impacts. Planning Commission and/or the Board of County Commissioners will determine sufficiency of mitigation.

D. Shall be operated such that noise generated by the use does not exceed State of Colorado residential noise standards within 150 feet of any residence.

E. New long-term (more than one year) mining operations will minimize visual impacts along entryways to growth centers or potential growth centers as defined in the Routt County Master Plan. Planning Commission and/or the Board of County Commissioners will determine sufficiency of minimization.

F. Truck traffic will not access the mining operation through residential or commercial areas, or such traffic will be mitigated. Planning Commission and/or the Board of County Commissioners will determine sufficiency of mitigation.
G. Shall submit evidence of insurance for a minimum of $1,000,000 to cover any damages to public and private property, and Routt County shall be named as an additional insured.

H. Unless all disturbance created by the mining operation is covered by a reclamation bond under jurisdiction of the Colorado Division of Minerals and Geology, or by the federal government on federally owned lands, a bond or other acceptable financial performance guarantee shall be submitted in favor of Routt County in an amount of at least 150 percent of the cost of restoration of the site and access roads. The required amount of such financial performance guarantees may be increased at the discretion of the Planning Director to account for inflation. A bid for site restoration acceptable to the permittee and Routt County shall be submitted to the Planning Department as evidence of the cost of reclamation for bond setting purposes.

I. The Board of County Commissioners may require a financial performance guarantee in addition to that required by the State of Colorado to insure that certain conditions of a permit will be complied with. The required amount of such financial performance guarantees may be increased at the discretion of the Planning Director to account for inflation. The County will not require financial guarantees that are duplicative of that required by the State. Copies of all financial guarantees related to the project shall be submitted to the Planning Department prior to permit issuance; including but not limited to those required by the State, BLM, and Routt County.

J. Any land survey monuments shall be recorded in the Colorado Land Survey Monument Records prior to commencement of mining, and if removed, shall be replaced following reclamation.

K. Routt County requires the use of the most technologically advanced and proven procedures and equipment to mitigate the significant negative impacts of mining operations and associated uses.

L. In-stream mining is not permitted.

9.2.1. Permit Term
The Board of County Commissioners may approve a permit for a mining operation or related use for a specific period of time, not to exceed ten (10) years without a renewal. The compatibility and size of the project will be considered in determining the appropriate permit length for the mining operation or related use. Renewals of the permit may be granted upon a new permit review, and subject to new or additional conditions.

9.3. Isolated Mining and Accessory Uses

9.3.1. Permit Term
Permits will be granted for a period not to exceed 3 years.

9.3.2. Standards
All Isolated Mining and accessory uses shall comply with the applicable Standards and Mitigation Techniques of Section 5, Section 6, and Section 9.2 of these Zoning Regulations. In addition all Isolated Sand, Soil and Gravel Mining Activities and accessory uses shall comply with the following:
A. The project site will not be visible from adjacent residences, or will be mitigated to reduce visual impacts to adjacent residences. The Planning Director will determine sufficiency of mitigation.

B. The mine will be located in proximity to the construction project which it is intended to serve, and will cause minimum impacts to the roads used from the mine to the project site.

C. Roads used to access the construction site from the mine will be upgraded to withstand the additional traffic, and the permittee will prevent road damage and mitigate dust, under the supervision of the Road and Bridge Director.

D. Flaggers and traffic control signs will be used during the construction project if necessary to assure safe traffic detours and to minimize conflicts with truck traffic serving the project.

E. Processing, screening, crushers, asphalt plants, and/or concrete plants will only be allowed at such sites under a separate Special Use Permit approved by the Board.

9.4. Mining Operations that Exceed 9.9 Acres of Cumulative Surface Disturbance

9.4.1. Standards

The following standards apply to any individual permit, or combination of permits that are part of a single project, and are in addition to the applicable Standards and Mitigation Techniques of Section 5, Section 6, and Section 9.2 of these Zoning Regulations:

A. New long-term mining operations shall be located a minimum of 1,000 feet from any property that is zoned for residential use (MRE, LDR, MDR, HDR, GR, PUD).

B. Final Reclamation shall be designed to create an aesthetically pleasing site or reclaimed area that will blend with or improve upon the surrounding areas. Reclamation that results in productive agricultural land or significant wildlife habitat is preferred.

C. Final Reclamation shall be designed to limit the amount of exposed groundwater in order to minimize the cumulative impacts of evaporative water loss from reclaimed mine sites.

D. Any new surface mine or expansion of the permit boundary of an existing surface mine, that is permitted for a time period of 5 years or greater, and results in a new cumulative surface disturbance greater than 10 acres, shall be required to enter into a development agreement with the County to provide conservation mitigation. Such conservation mitigation shall include one of the following:

1) For each acre in excess of 10 acres of surface disturbance an acre of undeveloped land within a 5-mile radius of the mine site will be preserved from future residential or commercial development; OR

2) Local public benefit such as open space, trails, hunting or fishing access, wildlife or agricultural conservation easements that in the determination of the Board of County Commissioners provide an
equivalent public benefit to the reduced development rights provided for in subsection 1.

9.4.2. Annual Reports

An annual report is required for all new and existing mining operations that exceed 9.9 acres in cumulative surface disturbance. Annual reports shall be due on a date determined by the Planning Director. Failure to submit annual reports required as either a condition of approval or as required by this section may result in revocation of the applicable Administrative, Conditional or Special Use Permit.

The report shall include the following information:

A. Copy of most recent Colorado Department of Natural Resources, Division of Minerals and Geology (DMG) annual report.
B. Total sales of all products mined at the site for the previous calendar year.
C. Total disturbed acreage on the site
D. Other information as required as a condition of approval.

9.5. Asphalt and Concrete Plants and Accessory Uses

9.5.1. Standards

The following Standards for Asphalt and Concrete plants are in addition to the applicable Standards and Mitigation Techniques of Section 5, Section 6, and Section 9.2 of these Zoning Regulations:

A. New long-term (greater than one-year) asphalt and concrete plants located outside of an Industrial Zone District shall obtain at least 90% (measured on an annual basis) of the aggregate used in the plant from on-site.
B. Asphalt and concrete plants and fuel tanks shall not be located within a 100-year floodplain unless all requirements of the National Flood Insurance Program will be complied with.
C. All plants and processing equipment shall have current Colorado Department of Public Health and the Environment (CDPHE) Air Pollution Permits and shall meet current CDPHE and Routt County emissions standards for air and water. The Board of County Commissioners may set more stringent requirements in certain locations.

9.6. Oil, Gas and Coal Bed Methane Exploration and Development

9.6.1. Permit Term

Permits will be granted for the following time periods:

A. Two (2) years after date of approval, if permittee does not commence drilling and was granted a permit to drill by COGCC using COGCC Form 2
B. Three (3) years after date of approval, if permittee does not commence construction operations on a COGCC approved oil and gas location using COGCC Form 2A.
C. Upon expiration of permittee’s COGCC permit.
9.6.2. Standards

The following standards for oil, gas and coal bed methane exploration and development and accessory uses are in addition to the applicable Standards and Mitigation Techniques of Section 5, Section 6, and Section 9.2 of these Zoning Regulations:

A. Trash and excess drilling fluids and water from on-site pits shall be transported to an approved disposal site. The Routt County Road and Bridge Director shall have approved the hauling of such materials if on a County Road. If waste materials are hazardous according to state and federal definitions, the wastes must be disposed of in an approved hazardous waste disposal site. On-site reserve pits shall comply with the requirements in Section 9.8.

B. During an application review process, the Routt County Road and Bridge Director shall review all proposed and potential hauling routes on county roads and submit conditions of approval, if appropriate.

C. Permittee shall begin reclamation on all flowlines as soon as practical but in no case later than the next growing season. Flowlines shall be monitored for weeds and continued establishment of revegetation.

D. All interim restoration and revegetation and final reclamation shall occur in accordance with the applicable COGCC Rules. Permit holders are encouraged to work with the applicable local conservation agencies and County Extension Services and the landowners where appropriate.

9.7. Seismic Testing and Accessory Uses

9.7.1. Applicability

Project includes vibroseis, surface shooting or underground blasting designed to identify mineral resources.

9.7.2. Permit Term

Permits shall be valid for six (6) months, unless otherwise approved.

9.7.3. Standards

The following standards for seismic testing and accessory uses are in addition to the applicable Standards and Mitigation Techniques of Section 5, Section 6, and Section 9.2 of these Zoning Regulations:

A. Exploration permits shall not be construed to grant access onto any private lands.

B. During seismic testing operations, areas of geologic hazards shall be avoided during times of snowmelt, spring runoff or heavy rainfall.

C. If Routt County road rights-of-way are proposed to be used for any vibroseis testing, the following shall apply:

1) No testing shall be permitted on any paved Routt County road.

2) The operator may be required to pay a fee for testing along Routt County roads. Such fee shall be established by the Board of County Commissioners in coordination with the Routt County Road Supervisor and the Routt County Engineer, and shall be payable to Routt County.
3) The County Road and Bridge Director shall be notified of county roads to be used to access test areas.

D. No blasting will be permitted in any Routt County Road right-of-way.

E. Blasting shall be kept a safe distance from Protected Structures, water wells, and springs according to the minimum setback distances described in Appendix A.

F. Any undetonated charges shall be reported to the Sheriff's Department immediately.

G. Shot-holes shall be plugged and compacted and any surface disturbance shall be regraded and seeded. Drilling and plugging shall meet or exceed COGCC requirements.

H. Sinkholes or other subsidence created by seismic testing operations shall be immediately filled and graded. The permittee is responsible for sinkholes that may form for up to one (1) year after the operation has terminated.

I. All explosives shall be legally and safely stored in magazines when not in use as per federal regulations. The permittee shall comply with all federal, state, and local regulations regarding the use of explosives.

J. Helicopters shall be operated in compliance with applicable regulations. A map of flight corridors shall be submitted to Planning Department.

K. Any residents and businesses within one (1) mile of any blasting shall be notified at least 24 hours in advance of blasting.

L. Seismic vibroseis testing shall maintain distances of a minimum of 440 feet from homes and other buildings, wells, springs and underground mines, unless otherwise approved.

M. Planning Department shall be notified of dates of commencement and termination of testing on each line.

N. All flagging, pins, stakes and other debris shall be removed immediately after termination of the operation.

O. Test lines shall not vary from those mapped by more than one-fourth (1/4) mile without review by Planning Department.

9.8. Injection Wells and Commercial Wastewater Disposal Sites

9.8.1. Applicability

All projects that have one or more of the following characteristics are subject to this section:

A. Project serves as wastewater disposal site for one or more oil, gas, or coal bed methane well.

B. Project will involve traffic from other areas and wells for wastewater disposal purposes.

9.8.2. Standards

The following standards for injection wells and commercial wastewater disposal sites and accessory uses are in addition to the applicable Standards and Mitigation Techniques of Section 5, Section 6, and Section 9.2 of these Zoning Regulations:
A. Disturbed areas not needed for the operation, and stockpiles of topsoil and overburden shall be stabilized by revegetation after construction, as per Natural Resources Conservation Service guidelines.

B. The evaporation ponds shall be impervious to leaching pursuant to the Colorado Department of Public Health and the Environment regulations, and shall be fenced and flagged overhead.

C. Any spills at the site shall be cleaned immediately by scraping or other methods acceptable to the Colorado Department of Public Health and the Environment.

D. The permit for wastewater disposal is contingent upon a Certificate of Designation being issued by the Board of County Commissioners after review and approval by the Colorado Department of Public Health and the Environment.

E. The use of aeration to increase evaporation from commercial wastewater ponds will be reviewed to determine if odors will create an impact to adjacent properties, or if airborne materials may be transported off the property on which such use is located.

F. Prior to approval the applicant shall provide evidence and certification by a professional soils and water engineer to assure that water placed in an injection well will not cause pollution to underground or surface water, nor cause seismic effects to nearby land and structures.

G. All domestic water wells/springs within the project area and outside of the project area to a distance of two (2) miles beyond the furthest necessary well shall be located and, with the consent of the owner, sampled and tested by a qualified, independent water sampling firm for inorganic and organic contaminants, including but not limited to methane, BTEX, hydrogen sulfide, ammonia chloride, nitrates, and sulphates. Such wells/springs shall be tested prior to the start of the project to establish baseline data, and monthly thereafter with results submitted to the Planning Department quarterly throughout the life of the project to ensure domestic water wells/springs are not contaminated as a result of the project. The Planning Director in consultation with the Environmental Health Department may authorize changes in the testing regimen including: location, frequency, and required tests.

H. No discharge into streams or rivers is allowed unless permitted by the County. County reserves the right to require independent sampling and testing by a qualified, independent water sampling firm of Sodium Absorption Rates (SAR) and to limit discharge or impose other conditions as necessary to maintain existing surface and/or groundwater quality.
SECTION 10. ENACTMENT CLAUSE

Upon approval and adoption by the Board of County Commissioners of Routt County, a certified copy of these Regulations and of the Official Zoning Map shall be filed, according to law, in the office of the County Clerk and Recorder of the County of Routt. These Regulations shall become of full force and effect as of the date of its adoption, this being the 7th day of March, 1972.

3-2-70 Establishment of the Planning Commission, Cecil Rorex, County Clerk. (Book 12 Page 283)

1-25-72 Endorsement of County-Wide Zoning: Planning Commission, M.S. Dismuke, Chairman. (No. 72-P-001)

1-27-72 Notice to endorse Routt County Zoning Resolution and Maps: Routt County Board of County Commissioners, J. Frank Stetson, Chairman. (No. 72-P-005)

1-27-72 Modification of Section 4, 7 of proposed Routt County Zoning Resolution: Routt County Board of Commissioners, J. Frank Stetson, Chairman. (No. 72-P-005)

2-23-72 Amend Routt County Zoning Resolution, Planning Commission Referrals, Section 5.8: Routt County Board of County Commissioners, J. A. Utterback, Chairman. (No. 72-P-005)

3-7-72 Certification and adoption of the Routt County Zoning Resolution and zoning map as recommended by the Planning Commission on 1-27-72.

1-9-73 Amend Routt County Zoning Resolution, Sections 4, 7, 8, 11, 12, 13: Routt County Board of County Commissioners, J. A. Utterback, Chairman. (No. 73-P-015)

4-3-73 Amend Routt County Zoning Resolution, Sections 2, 4, 7, 8, 10, 12, 13: Routt County Board of County Commissioners, J. A. Utterback, Chairman. (Book 375 Page 437)

12-19-73 Amend Routt County Zoning Resolution, Sections 3, 4: Routt County Board of County Commissioners, J. A. Utterback, Chairman. (Book 387 Page 190; Commissioners’ Proceedings Book 13, Pages 186, 220)

6-10-75 Amend Routt County Zoning Resolution, Section 8.1 A.3: Routt County Board of County Commissioners, J. A. Utterback, Chairman. (No. 75-P-034)

5-11-76 Amend Routt County Zoning Resolution, Section 8.3 pertaining to Natural Hazard Areas and Mineral Resource Areas: Routt County Board of County Commissioners, J. A. Utterback, Chairman. (No. 76-P-032; Book 420 Page 177)

6-15-76 Amend Routt County Zoning Resolution, Section 8.7 pertaining to Natural Hazard Areas and Mineral Resource Areas: Routt County Board of County Commissioners, J. A. Utterback, Chairman. (No. 76-P-040; Book 418 Page 200)

6-15-76 House Bill 1041: Designation and regulation of Natural Hazard Areas and Mineral Resource Areas, Sec. 8.3, Routt County Zoning Resolution: Routt Board of County Commissioners, J. A. Utterback, Chairman. (No. 76-P-046)

9-14-76 Amend Routt County Zoning Resolution, Section 8.7, pertaining to Critical Wildlife Habitat: Routt County Board of County Commissioners, J. A. Utterback, Chairman. (No. 76-P-062; Book 425 Page 578)
Section 10 Enactment Clause

11-23-76 Amend Routt County Zoning Resolution, Sections 4.2 and 8.3 pertaining to Public Utilities: Routt County Board of County Commissioners, J. A. Utterback, Chairman. (No. 76-P-090; Book 428 Page 304)

3-8-77 Amend Routt County Zoning Resolution, Sections 8.3, 8.7, 12.4, 12.5, 13.3 to clarify Standards for Mitigation of Wildlife Habitat: Routt County Board of County Commissioners, Sumner Hockett, Chairman. (No. 77-P-015; Book 431 Page 692)

3-8-77 Amend Routt County Zoning Resolution, Sections 8.3 and 8.8, on site selection and construction of new domestic water and sewer treatment systems and extension of existing domestic water and sewer treatment systems: Routt County Board of County Commissioners, Sumner Hockett, Chairman. (No. 77-P-019; Book 431 Page 700)

8-8-78 Amend Routt County Zoning Resolution, Section 4, creating a second level Zone District and zone map for Hahn’s Peak Historical Zone District: Routt County Board of County Commissioners, Sumner Hockett, Chairman. (No. 78-P-058; Book 478 Page 671)

8-8-78 Amend Routt County Zoning Resolution to add Section 8.9, supplemental regulations for use in the Hahn’s Peak Historical Zone District: Routt County Board of County Commissioners, Sumner Hockett, Chairman. (Book 478 Page 669)

2-23-81 Amend Routt County Zoning Resolution pertaining to Temporary Variances for Mobile Homes: Routt County Board of County Commissioners, Robert McKune, Chairman. (No. 81-P-014)

8-4-81 Amend Routt County Zoning Resolution relating to Board of Adjustment Authority and Powers: Routt County Board of County Commissioners, Robert McKune, Chairman. (No. 81-P-059)

6-23/30-81 Amend Routt County Zoning Resolution, Sections 4 (minimum lot area), 5, 8.3, 10.5, 13: Routt County Board of County Commissioners, Robert McKune, Chairman. (No. 81-P-084; Book 572 Page 273)

4-26-83 Amend Routt County Zoning Resolution, Section 4 pertaining to Maximum Building Heights: Routt County Board of County Commissioners, Robert McKune, Chairman. (No. 83-P-022)

10-15-85 Amend Routt County Zoning Resolution, Sections 4 and 6: Routt County Board of County Commissioners, Paul Kenney, Chairman pro tem. (No. 85-P-106; Book 611 Page 0010)

11-24-87 Amend, Repeal, Supplement and/or Reorganize parts of Sections 4, 6, 8, and 13: Routt County Board of County Commissioners, Paul Kenney, Chairman. (No. 87-P-075; Book 632 Page 0057)

6-28-88 Amend Routt County Zoning Resolution, Sections 4, 6, 8: Routt County Board of County Commissions, L. Dennis Fisher, Chairman. (88-P-038; Book 635 Page 1376)

9-6-88 Amend Routt County Zoning Resolution, Section 4, pertaining to Maximum Building Height and Minimum Setback: Routt County Board of County Commissioners, L. Dennis Fisher, Chairman. (No. 88-P-062; Book 637 Page 0505)
<table>
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<tr>
<th>Date</th>
<th>Description</th>
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</thead>
<tbody>
<tr>
<td>7-10-90</td>
<td>Amend Routt County Zoning Resolution, Sections 6.1, 6.2, 6.3, 6.4, pertaining to Fees: Routt County Board of County Commissioners, Randy Taylor, Chairman. (No. 90-P-019; Book 655 Page 1187)</td>
</tr>
<tr>
<td>7-10-90</td>
<td>Policy on resolutions and actions by the Board of County Commissioners concerning planning issues: Routt County Board of County Commissioners, Randy Taylor, Chairman. (No. 90-P-043; Book 655 Page 1173)</td>
</tr>
<tr>
<td>11-13-90</td>
<td>Amend Routt County Zoning Resolution, Section 10 pertaining to the Board of Adjustment: Routt County Board of County Commissioners, Randy Taylor, Chairman. (No. 90-P-061; Book 658 Page 3048)</td>
</tr>
<tr>
<td>11-13-90</td>
<td>Amend Routt County Zoning Resolution, Section 10: Routt County Board of County Commissioners, Randy Taylor, Chairman. (No. 90-P-062; Book 658-3051)</td>
</tr>
<tr>
<td>2-4-92</td>
<td>Amend Routt County Zoning Resolution Sections 4, 6, 8, 13, pertaining to Mineral Resources: Routt County Board of County Commissioners, Robert Dorr, Chairman. (No. 92-P-012; Book 670 Page 0854)</td>
</tr>
<tr>
<td>6-22-92</td>
<td>Adopt Mobile Home Guidelines for Manufactured Housing Installation: Routt County Board of County Commissioners, Robert Dorr, Chairman. (No. 92-P-040; Book 675 Page 1085)</td>
</tr>
<tr>
<td>6-22-92</td>
<td>Amend Routt County Zoning Resolution, Sections 10 and 13, pertaining to Mobile Homes: Routt County Board of County Commissioners, Robert Dorr, Chairman. (No. 92-P-041; Book 675 Page 1091)</td>
</tr>
<tr>
<td>2-23-93</td>
<td>Amend Routt County Zoning Resolution, Section 8.3: Routt County Board of County Commissioners, L. Dennis Fisher, Chairman. (No. 93-P-011; Book 682 Page 2516)</td>
</tr>
<tr>
<td>2-23-93</td>
<td>Adopt Insurance Requirements for permits issued pursuant to Subsection 8.3.M of Routt County Zoning Resolution: Routt County Board of County Commissioners, L. Dennis Fisher, Chairman. (No. 93-P-012; Book 682 Page 2518)</td>
</tr>
<tr>
<td>6-28-94</td>
<td>Amend Routt County Zoning Resolution Sections 7.12 and 12.3, pertaining to Fee Schedule: Routt County Board of County Commissioners, Ben S. Beall, Chairman. (No. 94-P-044; Book 698 Page 1347)</td>
</tr>
<tr>
<td>6-28-94</td>
<td>Amend Routt County Zoning Resolution pertaining to Fee Schedule and &quot;notes&quot;: Routt County Board of County Commissioners, Ben S. Beall, Chairman. (No. 94-P-045; Book 698 Page 1351)</td>
</tr>
<tr>
<td>3-28-95</td>
<td>Amend Routt County Zoning Resolution, Sections 6, 7, 10, and 12; Submittal Deadlines: Routt County Board of County Commissioners, Nancy J. Stahoviak, Chairman. (No. 95-P-018; Book 707 Page 666)</td>
</tr>
<tr>
<td>5-2-95</td>
<td>Amend Routt County Zoning Resolution, Sections 4 and 13.3 pertaining to Maximum Building Heights: Routt County Board of County Commissioners, Nancy J. Stahoviak, Chairman. (No. 95-P-026; Book 707 Page 678)</td>
</tr>
<tr>
<td>6-20-95</td>
<td>Adopt Land Preservation Subdivision Regulations; Associated definitions; Amend A/F Zone District; Repeal Resolution 84-P-010: Routt County Board of County Commissioners, Nancy J. Stahoviak, Chairman. (95-P-056; Book 709 Page 942)</td>
</tr>
</tbody>
</table>
Adopt and approve a recodified version of the Routt County Zoning Resolution, incorporating all amendments periodically adopted by the Routt County Board of Commissioners, updating the Zoning Resolution and renumbering the Zoning Resolution in a logical and consistent manner. (No. 96-P-064: Book 725 Page 664)

Amend Routt County Zoning Resolution and adopt Water Body Setback Regulations, Section 8.10: Routt County Board of County Commissioners, Daniel R. Ellison, Chairman. (No. 96-P-54: Book 723 Page 215)

Amend Sections 4.2.6B and 4.2.62C of the Routt County Zoning Resolution regarding Transitional Secondary Unit Rules. (No. 96-P-008: Book 739 Page 37)

Amend Sections 4.6.2B and 4.6.2C of the Routt County Zoning Resolution regarding Transitional Secondary Unit Rules. (No. 96-P-009: Book 730 Page 38)

Amend Section 4.2.6B and 4.2.6C of the Routt County Zoning Resolution regarding extension of the deadline for the transitional secondary unit rules in the A/F Zone District.

Amend Sections 4.1, 4.2, 10.5 and 13.3 of the Routt County Zoning Resolution regarding Secondary Dwelling Unit Regulations. Routt County Board of Commissioners, Ben S. Beall, Chairman. (No. 97-P-084: Book 738 Page 776)

Amend Sections 4.3.4 A, 4.4.1, 4.5.4, 4.6.4, 4.7.4, 4.8.4, 4.9.4, 4.10.4, 4.11.4, 4.14.4, and 4.15.4 of the Routt County Zoning Resolution regarding minimum lot sizes required for individual sewage disposal systems in certain residential, commercial and industrial Zone Districts. Routt County Board of Commissioners, Nancy Stahoviak, Chairman. (No. 98-P-100: Book 753 Page 1108)

Amend portions of the Routt County Zoning Resolution and the Routt County Subdivision Regulations pertaining to the Land Preservation Subdivision Exemption and the Minor Development Subdivision Exemption. Routt County Commissioners, Nancy Stahoviak, Chairman pro tem. (No. 2000-P-063, Reception No. 530115)

Adopt Sections 4.3.10, 4.4.10, 4.5.10, 4.6.10, 4.7.10, 4.8.10, 4.9.9, 4.10.9, 4.11.9, 4.13.8, 4.15.10, and 4.16.10 of the Routt County Zoning Resolution and amend Section 6.10.F. of the Routt County Subdivision Regulations. Routt County Board of Commissioners, Ben S. Beall, Chairman. (No. 2000-P-096, Reception No. 534493)

Minor revisions to Sections 4, 5, 8, 9, 10, 12, 13, and 17 of the Routt County Zoning Resolution and Sections 2, 11, and 12 of the Routt County Subdivision Regulations. Routt County Commissioners, Nancy Stahoviak, Chairman (No. 2001-P-033, Reception No. 543650)

Amendments to the Zoning and Subdivision Regulations regarding road and driveway access to Buildable lots. Routt County Commissioners, Daniel R. Ellison, Chairman (No. 03-P-009, Reception No. 576592)

Amendments to the Zoning Resolution to add Section 8.12 regarding skyline regulations. Routt County Commissioners, Douglas B Monger, Chairman (No. 03-P-024, Reception No. 580832)
04-22-03 Re-record Resolution 03-P-024 with additional information regarding skyline regulations. Routt County Commissioners, Douglas B Monger, Chairman (No. 03-P-024, Reception No. 581605)

11-8-2005 Amend Section 4.6.6, 4.7.6, and 4.8.6 of the Routt County Zoning Resolution. Routt County Commissioners, Daniel R. Ellison, Chairman (No. 2005-P-088, Reception No. 628765)

05-16-06 Amend Section 4.3.6, of the Routt County Zoning Resolution regarding setbacks in the MRE zone district. Routt County Commissioners, Douglas B. Monger, Chairman (No. 2006-P-055, Reception No. 638091)

06-13-06 Amend and restate the Zoning Regulations in their entirety. Routt County Commissioners, Douglas B. Monger, Chairman (No. 2006-P-060, Reception No. 639872)

05-08-07 Amend Sections 2.3, 3.2.1, 4.19, 5.2.1, 5.3.C, 5.3.D, 7.4.2, 8.2, 8.3.2, 8.16.1, 9.6.2, and Appendices A and B of the Routt County Zoning Regulations. Routt County Commissioners, Nancy J. Stahoviak, Chairman (No. 2007-P-028, Reception No. 656580)

06-26-07 Amend Sections 2.3 and 5.2.1 of the Routt County Zoning Regulations. Routt County Commissioners, Nancy J. Stahoviak, Chairman (No. 2007-P-035, Reception No. 659424)

09-11-07 Amend Sections 3.2.1, 4.19, 5.2.1, 5.3.3, 5.11.3, 7.4.3, 9.2.I, and Appendix A of the Routt County Zoning Regulations. Routt County Commissioners, Nancy J. Stahoviak, Chairman (No. 2007-P-053, Reception No. 663874)

01-27-09 Amend Sections 3.6, 5.2.1, 8.3, and Appendix B of the Routt County Zoning Regulations. Routt County Commissioners, Douglas B. Monger, Chairman (No. 2009-P-004, Reception No. 683317)

02-24-09 Amend Section 5.13 of the Routt County Zoning Regulations. Routt County Commissioners, Douglas B. Monger, Chairman (No. 2009-P-014, Reception No. 688479)

01-12-10 Amend Sections 2.3, 3.2.7, 3.6, 4.19, 5.2.1, 8.3, 8.19, 8.20, 8.21, 8.22, and Appendix B of the Routt County Zoning Regulations. Routt County Commissioners, Nancy J. Stahoviak, Chairman (No. 2010-P-003, Reception No. 695136)

03-22-11 Amend Official Routt County Zoning Map (referenced by Section 4.2 of the Routt County Zoning Regulations). Routt County Commissioners, Diane Mitsch Bush, Chairman (No. 2011-P-010. Reception No. 711996)

09-27-11 Amend and restate the Zoning Regulations in their entirety. Routt County Commissioners, Diane Mitsch Bush, Chairman (No. 2011-P-56, Reception No. 717155)

02-14-12 Add new Sections 6.1.9 and 6.1.10 to the Routt County Zoning Regulations. Routt County Commissioners, Douglas B. Monger, Chair (No. 2012-P-002, Reception No. 722519)

03-26-13 Amend Appendix A of the Routt County Zoning Regulations. Routt County Commissioners, Douglas B. Monger, Chair (No. 2013-P-014, Reception No. 736215)
04-04-13 Amend Sections 2.3, 3.2.1, 3.2.4, 3.2.5, 3.2.8, 3.2.10, 3.3.1, 3.3.2, 5.1.5, 6.1.10, and 6.2 of the Routt County Zoning Regulations. Routt County Commissioners, Douglas B. Monger, Chair (No. 2013-P-019, Reception No. 736637)

07-09-13 Amend Sections 2.3, 4.19, 3.2.4, 5.9.4, and 8.15 and add Sections 8.24, 8.25, and 8.26 of the Routt County Zoning Regulations. Routt County Commissioners, Douglas B. Monger, Chair (No. 2013-P-045, Reception No. 739979)

07-09-13 Amend Sections 2.3, 4.19, and 8.22.A and add Section 8.23 of the Routt County Zoning Regulations. Routt County Commissioners, Douglas B. Monger, Chair (No. 2013-P-047, Reception No. 739981)

02-25-14 Amend Section 5.13 of the Routt County Zoning Regulations. Routt County Commissioners, Douglas B. Monger, Chair (No. 2014-P-010, Reception No. 746387)

10-17-14 Amend Sections 2.3, 4.19, 5.6.1.b, 5.13.5, 8.4.4, and 8 of the Routt County Zoning Regulations. Routt County Commissioners, Timothy V. Corrigan, Chair (No. 2014-P-053, Reception No. 752749)

4-22-15 Amend Sections 2.3 and 8 of the Routt County Zoning Regulations. Routt County Commissioners, Cari Hermacinski, Chair (No. 2015-P-014, Reception No. 757384)

1-26-16 Amend Sections 2, 3.2.14, 4.19, 8.3.1, 8.9, 8.19, 8.23, 8.24, and Appendix B of the Routt County Zoning Regulations. Routt County Commissioners, Cari Hermacinski, Chair (No. 2016-P-004, Reception No. 765654)

7-11-16 Amend Section 3.2.7 of the Routt County Zoning Regulations. Routt County Commissioners, Cari Hermacinski, Chair (No. 2016-P-035, Reception No. 770079)

9-27-16 Amend Sections 2, 4.19, and 5.9 of the Routt County Zoning Regulations. Routt County Commissioners, Cari Hermacinski, Chair (No. 2016-P-47, Reception No. 772724)


11-23-16 Amend Sections 2.3, 3.4.4, 4.16, 4.19, 5.2.1, 5.11.9, 6.14, 6.10.8, 7.3, and Appendix A and B of the Routt County Zoning Regulations. Routt County Commissioners, Cari Hermacinski, Chair (No. 2016-P-59, Reception No. 774615)

1-17-17 Amend Sections 4.19, 5.2.1, and 5.3 of the Routt County Zoning Regulations. Routt County Commissioners, Timothy V. Corrigan, Chair (No. 2017-P-002, Reception No. 776258)

5-23-17 Amend Sections 2 and 4.19 of the Routt County Zoning Regulations. Routt County Commissioners, Timothy V. Corrigan, Chair (No. 2017-P-039, Reception No. 779709)
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<tr>
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<th>Description</th>
<th>Commissioners</th>
</tr>
</thead>
<tbody>
<tr>
<td>5-1-18</td>
<td>Amend Section 5.11 of the Routt County Zoning Regulations. Routt County Commissioners, Douglas B. Monger, Chair (No. 2018-P-019, Reception No. 789632)</td>
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<tr>
<td>5-1-18</td>
<td>Amend Sections 2, 3.4.4, 3.2.1, 4.19, 5.9, and 5.10.1.B of the Routt County Zoning Regulations. Routt County Commissioners, Douglas B. Monger, Chair (No. 2018-P-20, Reception No. 789633)</td>
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<tr>
<td>10-16-18</td>
<td>Amend Sections 2, 3.4.4.B, 3.4.6, 4.19, 5.3, 5.3.1, 5.9.3 and 7.3.1 of the Routt County Zoning Regulations. Routt County Commissioners, Cari Hermacinski, Chair Pro Tem (No. 2018-P-74, Reception No. 794446)</td>
<td></td>
</tr>
<tr>
<td>3-27-19</td>
<td>Amend Appendix B of the Routt County Zoning Regulations. Routt County Commissioners, M. Elizabeth Melton, Chair (No. 2019-P-007, Reception No. 798134)</td>
<td></td>
</tr>
<tr>
<td>5-10-19</td>
<td>Amend Sections 2, 5.9, and 8.25 of the Routt County Zoning Regulations. Routt County Commissioners, M. Elizabeth Melton, Chair (No. 2019-P-015, Reception No. 799199)</td>
<td></td>
</tr>
<tr>
<td>9-29-20</td>
<td>Amend Sections 3.2.9 of the Routt County Zoning Regulations. Routt County Commissioners, Timothy V. Corrigan, Chair (No. 2020-P-046, Reception No. 814449)</td>
<td></td>
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</table>
Section 10 Enactment Clause

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SECTION 11. APPENDICES

The following Appendices are attached to the Routt County Zoning Regulations and may be amended in accordance with Section 1.5:

Appendix A: Submittal Requirements for Planning Reviews
Appendix B: Fee Schedule
APPENDIX A: SUBMITTAL REQUIREMENTS FOR PLANNING REVIEWS

These requirements apply to all review Processes listed in the Review Process Chart (Table 3.2.1) except Building Permit Signoffs and Skyline Prior Certifications.

Due to the unique character of each land use application reviewed by Routt County, the submittal requirements listed below are intended as general guidelines. Please keep one overriding principal in mind as you prepare your application: show us what exists on your site now and show us how you want to change it. This principle applies to both buildings and activities.

All applicants are encouraged to arrange a pre-application meeting with a Planner to review the specific submittal requirements for any proposal. During the meeting the Planner will review the submittal checklist requirements.

In general, items listed on the following Submittal Checklists and Table of Additional Requirements for Specific Projects/Uses must be submitted to the Planning Department in order for an application to be deemed complete. All applications must be deemed complete by the Planning Director prior to being placed on an agenda or scheduled for review. The Planning Director may waive certain submittal requirements if they are not required for the review of the project.
This checklist shall be completed by the applicant and must accompany a complete application form. Failure to submit all required information may delay the review of the application.

- Signed application form
- Application fee $_______________
- PDF of complete submittal package:  
  - CD/Flash  
  - Emailed
- Proof of ownership:  
  - Lease  
  - Deed
- Statement of Authority, if required
- Vicinity map
- Legal description:  
  - Attached  
  - On application form
- List and 2 sets of mailing labels with names and mailing addresses of all adjacent property owners (for public notice purposes)
- Written narrative / description of subject site and proposed use, with as much detail as possible regarding the following, as applicable:
  - Description of use
  - Hours of operation
  - Anticipated number of employees
  - Anticipated traffic
  - Access to the property
  - Type of equipment and vehicles
- Conceptual plan, drawn to scale. Plan should be as detailed as possible. Applicant is encouraged to include the following information, as applicable:
  - Scale
  - North arrow
  - Location and dimensions of all existing and proposed buildings, structures, and fencing
  - Location and dimensions of all outdoor storage, trash enclosures, staging areas, and/or other outdoor use areas
  - Parking areas
  - Snow storage
  - Sanitation facilities
  - Utilities
  - Water bodies, drainages, and ditches
  - Wetlands, floodplain, and steep slopes (>30%)
  - Easements, building envelopes, and minimum setbacks
  - Location, width, and surface of all sidewalks and trails
  - Location and type of proposed landscaping and/or screening
  - Location, width, and surface of all existing and proposed access roads and drives
  - Location and method of hazardous materials storage
  - Exterior lighting
  - Phasing Plan, if applicable
  - Grading and Excavation Plan, if applicable
  - Reclamation Plan, if applicable
- Conceptual floor plans and elevation drawings of proposed buildings, drawn to scale
This checklist shall be completed by the applicant and must accompany a complete application form. Failure to submit all required information may delay the review of the application. Applicant is responsible for notice to mineral interest owners (refer to Mineral Interest Notice Requirements).

- Signed application form
- Application fee $______________
- PDF of complete submittal package:  □ CD/Flash  □ Emailed
- Proof of ownership:  □ Lease  □ Deed
- Statement of Authority, if required
- Vicinity map
- Legal description:  □ Attached  □ On application form
- List and 2 sets of mailing labels with names and mailing addresses of all adjacent property owners (not required for Minor Use Permits)

Written narrative / detailed description of subject site and proposed use, including the following information, as applicable:

- Description of use
- Hours of operation
- Anticipated number of employees
- Anticipated traffic
- Access to the property
- Type of equipment and vehicles
- Easements, building envelopes, and minimum setbacks
- Location, width, and surface of all sidewalks and trails
- Location and type of proposed landscaping and/or screening
- Location, width, and surface of all existing and proposed access roads and drives
- Location and method of hazardous materials storage
- Exterior lighting
- Phasing Plan, if applicable
- Grading and Excavation Plan, if applicable
- Reclamation Plan, if applicable
- Wetlands, floodplain, and steep slopes (>30%)
This checklist shall be completed by the applicant and must accompany a complete application form. Failure to submit all required information may delay the review of the application. Applicant is responsible for notice to mineral interest owners (refer to Mineral Interest Notice Requirements).

- Signed application form
- Application fee $_______________
- PDF of complete submittal package:  
  - CD/Flash  
  - Emailed
- Proof of ownership:  
  - Lease  
  - Deed
- Statement of Authority, if required
- Vicinity map
- Legal description:  
  - Attached  
  - On application form
- List and 2 sets of mailing labels with names and mailing addresses of all adjacent property owners (for public notice purposes)
- Written narrative / description of subject site and proposed use/development, with as much detail as possible regarding the following, as applicable:
  - Description of proposed use(s)
  - Anticipated traffic
  - Description of proposed variations from Routt County Zoning Regulations and explanation of benefit(s) to be achieved by the proposed variations (e.g., innovative design, creative land use)
- Mitigation Plan for any significant negative impacts (Refer to Section 6, Routt County Zoning Regulations). Level of detail to be determined by Planning Director
- Existing Conditions Plan including the location and dimension of all existing buildings, structures, fencing and lots.
- Draft PUD Guide indicating basic zoning information such as land uses, building height and setbacks, permitted uses, etc..
- Conceptual plan, drawn to scale. A Land Use Plan of Development (POD Plan or sometimes referred to as a “bubble plan”) is acceptable if it includes at least the following for each land use pod: road circulation layout, land use(s), # and types of units, commercial type and square footage, other proposed elements as required by the Planning Director, as applicable:
  - Scale
  - North arrow
  - Parking areas over 10 spaces
  - Snow storage
  - Sanitation facilities
  - Utility plan
  - Water bodies, drainages, and ditches
  - General location, width, and surface of all trails
  - Conceptual Landscape Plan
  - Conceptual Phasing Plan, if applicable
  - Conceptual Grading and Excavation Plan, if applicable
  - Reclamation Plan, if applicable
  - Wetlands, floodplain, and steep slopes (>30%)
- Typical floor plans and elevation drawings (or photographs) of each proposed building type, drawn to scale
- Conceptual sign plan
- Traffic Impact Study (per Road & Bridge Department standards), if required
- Transportation Summary Information (per Road & Bridge Department standards), if Road Engineering Study is required
- Additional information as required by Planning Director
This checklist shall be completed by the applicant and must accompany a complete application form. Failure to submit all required information may delay the review of the application. Applicant is responsible for notice to mineral interest owners (refer to Mineral Interest Notice Requirements).

☐ Signed application form
☐ Application fee $______________
☐ PDF of complete submittal package: ☐ CD/Flash ☐ Emailed
☐ Proof of ownership: ☐ Lease ☐ Deed
☐ Statement of Authority, if required
☐ Vicinity map
☐ Legal description: ☐ Attached ☐ On application form
☐ List and 2 sets of mailing labels with names and mailing addresses of all adjacent property owners (for public notice purposes)
☐ Written narrative / detailed description of subject site and proposed use, including the following information, as applicable:
  ☐ Description of proposed use(s)
  ☐ Hours of operation
  ☐ Description of proposed variations from Routt County Zoning Regulations and explanation of benefit(s) to be achieved by the proposed variations (e.g., innovative design, creative land use)
☐ Mitigation Plan for any significant negative impacts (Refer to Section 6, Routt County Zoning Regulations)
☐ Site plan, drawn to scale, including the following information, as applicable:
  ☐ Scale
  ☐ North arrow
  ☐ Location and dimensions of all existing and proposed buildings, structures, fencing, and lots
  ☐ Location and dimensions of all outdoor storage, trash enclosures, staging areas, and/or other outdoor use areas
  ☐ Parking areas
  ☐ Snow storage
  ☐ Sanitation facilities
  ☐ Water bodies, drainages, and ditches
  ☐ Wetlands, floodplain, and steep slopes (>30%)
  ☐ Easements, building envelopes, and minimum setbacks
  ☐ Location, width, and surface of all sidewalks and trails
  ☐ Location and type of proposed landscaping and/or screening
  ☐ Location, width, and surface of all existing and proposed access roads and drives
  ☐ Location and method of hazardous materials storage
  ☐ Location and size of all signage and advertising devices
  ☐ Exterior lighting
  ☐ Phasing Plan, if applicable
  ☐ Grading and Excavation Plan, if applicable
  ☐ Reclamation Plan, if applicable
☐ Sign plan including construction drawings, in color and drawn to scale, with height and dimensions of all proposed signs and support structures, and sign lighting details, if applicable, in conformance with Section 5.9 of Routt County Zoning Regulations
☐ Summary on plans to satisfy the open space/fee-in-lieu requirement in Section 5.3 of the Routt County Subdivision Regulations.
☐ Floor plans and elevation drawings of proposed buildings, drawn to scale
☐ Engineered plan and profiles for all new Common Roads
☐ Additional submittal requirements for specific land use proposal (Refer to Appendix A, Routt County Zoning Regulations)
☐ Additional information as required by Planning Director ___________________________________________________________
  ☐ CDOT Access Permit (submitted or approved), if applicable
  ☐ Wildlife Mitigation Plan, if required
This checklist shall be completed by the applicant and must accompany a complete application form. Failure to submit all required information may delay the review of the application.

- Signed application form
- Application fee $__________
- PDF of complete submittal package:  
  - CD/Flash  
  - Emailed
- Proof of ownership:  
  - Lease  
  - Deed
- Statement of Authority, if required
- Vicinity map
- Legal description:  
  - Attached  
  - On application form
- List and 2 sets of mailing labels with names and mailing addresses of all adjacent property owners (for public notice purposes)
- Written narrative / detailed description of subject site and proposed use, including the following information, as applicable:
  - Description of proposed encroachment into water body setback
  - Evidence of unavoidability (Refer to Section 5.11.5.A, Routt County Zoning Regulations)
  - Description of Best Management Practices to be employed (Refer to Section 5.11.5.B, Routt County Zoning Regulations)
- Mitigation Plan for any significant negative impacts (Refer to Section 6, Routt County Zoning Regulations)
- Site plan, drawn to scale, including the following information, as applicable:
  - Scale
  - North arrow
  - Water bodies, drainages, and ditches
  - Wetlands, floodplain, and steep slopes (>30%)
  - Location and dimensions of all existing and proposed buildings, structures, roads, drives, and/or other encroachments within required water body setback
  - Grading and Excavation Plan
  - Reclamation Plan, if applicable
- Restoration Plan (Refer to Section 5.11.5.C, Routt County Zoning Regulations)
- Additional information as required by Planning Director ____________________________
  - Wildlife Mitigation Plan, if required
  - Army Corps of Engineers Permit, if required
This checklist shall be completed by the applicant and must accompany a complete application form. Failure to submit all required information may delay the review of the application. Applicant is responsible for notice to mineral interest owners (refer to Mineral Interest Notice Requirements).

- Signed application form
- Application fee $_______________
- PDF of complete submittal package: ☐ CD/Flash ☐ Emailed
- Proof of ownership: ☐ Lease ☐ Deed
- Statement of Authority, if required
- Vicinity map, illustrating site location, nearby residences, property lines, water wells, irrigation ditches, and roads
- Legal description: ☐ Attached ☐ On application form
- List and 2 sets of mailing labels with names and mailing addresses of all adjacent property owners (for public notice purposes)
- Written narrative / detailed description of subject site and proposed use, including the following information, as applicable:
  - Description of existing conditions (soils, vegetation, land uses, wildlife habitat, geologic hazards, etc.)
  - Description of mining operation (method of extraction; hours of operation (mining, processing, hauling); number of employees; phasing; maximum area to be disturbed; type of equipment and vehicles; expected volume of resource per year and life of mine; etc.)
  - Description of haul route and anticipated traffic
  - Waste disposal plan
  - Weed control plan (during operations and reclamation)
  - Dust control plan
  - Emergency response and wildland fire plan
  - Reclamation plan (final land use; timing; topsoil/overburden salvage, redistribution, and/or disposal; and NRCS and/or DRMS seeding and revegetation recommendations)
- Mitigation Plan for any significant negative impacts (Refer to Section 6, Routt County Zoning Regulations)
- Site plan, drawn to scale, including the following information, as applicable:
  - Scale and north arrow
  - Existing site conditions (topography, vegetation, water bodies, drainages, ditches, wetlands, structures, etc.)
  - Location and dimensions of all proposed buildings, structures, and fencing
  - Parking, circulation, and snow storage
  - Location and dimensions of all proposed mining, processing, stockpiling, and equipment storage areas
  - Utilities
  - Sanitation facilities
  - Exterior lighting
  - Air and water pollution control measures
  - Water use and water rights
  - Visual impacts and proposed mitigation measures
  - Noise mitigation measures
  - Conservation mitigation plan, if required
  - Utilities
  - Sanitation facilities
  - Exterior lighting

Page 1 of 2
☐ Engineered plan and profiles for all new Common Roads
☐ Traffic Impact Study (per Road & Bridge Department standards), if required
☐ Transportation Summary Information (per Road & Bridge Department standards), if Road Engineering Study is required
☐ Copy of application submitted to Division of Reclamation, Mining and Safety (DRMS)
☐ Additional information as required by Planning Director ____________________________________________

☐ CDOT Access Permit (submitted or approved), if applicable
☐ Wildlife Mitigation Plan, if required
This checklist shall be completed by the applicant and must accompany a complete application form. Failure to submit all required information may delay the review of the application. Applicant is responsible for notice to mineral interest owners (refer to Mineral Interest Notice Requirements).

To the extent possible, Routt County encourages applicants to utilize COGCC application materials to satisfy the submittal requirements noted below.

- Signed application form
- Application fee $__________
- PDF of complete submittal package: CD/Flash Emailed
- Table of contents for application package
- Proof of mineral ownership: Lease Deed Affidavit
- Statement of Authority, if required
- Legal description: Attached On application form
- List and 2 sets of mailing labels with names and mailing addresses of all adjacent property owners (for public notice purposes)
- Written narrative / detailed description of subject site and proposed use, including the following information, as applicable:
  - Project Overview (project description; projected drilling dates; equipment used; employee information (number, work shifts, on-site housing, sanitation facilities, grey water disposal, off-site housing, transportation); etc.)
  - Operation Plan (drilling (include well bore diagram); completion; production; site monitoring; flaring; parking; etc.)
  - Transportation Overview (access route; onsite traffic circulation; vehicle information (type, size, weight, number, and frequency of vehicles); etc.)
  - Geologic hazard summary
  - Hydrologic hazards summary
  - Weed control plan (during operations and reclamation)
  - Reclamation plan (interim and final)
  - Compliance with Sections 5, 6, and 9 of the Routt County Zoning Regulations
- Mitigation Plan for any significant negative impacts (Refer to Section 6, Routt County Zoning Regulations) including, but not limited to:
  - Air pollution control measures
  - Dust control measures
  - Wildlife mitigation measures
  - Visual impact mitigation measures
  - Water monitoring plan
- Vicinity/location map
- Access road map(s)
- Well location plat/survey drawing
- Topographic map
- Hydrology map
- Water monitoring map illustrating location of all water wells, seeps, and springs within one-half mile of site
- Site photographs
SUBMITTAL CHECKLIST
OIL & GAS (EXPLORATION/PRODUCTION)

☐ Construction layout drawing with 2-foot contours
☐ Construction layout cross-section
☐ Rig layout drawing
☐ Production facilities layout drawing
☐ Reclamation layout drawings (interim and final)
☐ Plan and profiles for proposed access road
☐ Traffic Impact Study (per Road & Bridge Department standards), if required
☐ Transportation Summary Information (per Road & Bridge Department standards), if Road Engineering Study is required
☐ CDOT Access Permit (submitted or approved), if applicable
☐ Federal Aviation Administration (FAA) documentation, if required by FAA
☐ Yampa Valley Regional Airport vicinity map, if applicable
☐ Wildlife and biological resource summary
☐ Stormwater Management Plan (State permit or letter of approval)
☐ Copy of COGCC Form 2 and Form 2A (submitted or approved)
☐ Emergency Response Plan (site map, directions to site, emergency response procedures*)
☐ Additional information as required by Planning Director

* Emergency response procedures may refer to previously approved Emergency Response Plan on file with Routt County Office of Emergency Management. Note: Site map and directions required for all applications.

Page 2 of 2
This checklist shall be completed by the applicant and must accompany a complete application form. Failure to submit all required information may delay the review of the application.

- **Signed application form**
- **Application fee $__________**
- **Proof of ownership:**
  - Lease
  - Deed
- **Statement of Authority, if required**
- **Vicinity map**
- **Legal description:**
  - Attached
  - On application form
- **Type of project (check all that apply):**
  - Single family residential
  - Multiple family residential
  - Mobile home
  - Non-residential
  - New construction
  - Substantial improvement
  - Improvement <50%

- **Written narrative / detailed description of proposed project, including the following information, as applicable:**
  - Watercourse name
  - Base flood elevation
  - Extent of alteration or relocation of watercourse

- **Site plan, drawn to scale, including the following information, as applicable:**
  - Scale
  - North arrow
  - Utility Plan, if applicable
  - Location, nature, dimensions, and elevations of existing and proposed structures, fill, and storage of materials

- **Certification by a registered professional engineer that flood proofing methods for any proposed new or substantially improved residential structures meet flood proofing criteria of the Routt County Zoning Regulations, including:**
  - Building plans illustrating lowest floor elevation (including basement) and attendant utilities of any structure are elevated or floodproofed to at least 2’ above the base flood elevation. *(As-built elevation certificate will be required upon completion of lowest floor)*

Or, for non-residential structures

- **Building plans illustrating that together with attendant utilities, the structure is watertight to at least 2’ above the base flood elevation. *(As-built flood proofed elevation certificate will be required upon completion of flood proofed portion)*

- **Certification by a registered professional engineer that all new construction or substantial improvements are designed and adequately anchored to prevent flotation, collapse, or lateral movement resulting from hydrodynamic and hydrostatic loads, including buoyancy.**
☐ Supporting documentation, prepared by a licensed professional engineer, that demonstrates any altered or relocated segment of the watercourse will provide equal or greater conveyance than the original stream segment.

☐ Provide evidence that maintenance of the altered or re-located watercourse is provided for so that the flood carrying capacity is not diminished.

☐ No-Rise Certification and supporting documentation, prepared by a licensed professional engineer, that demonstrates any encroachments within the floodway will not result in any increase in flood levels during a base flood discharge.

☐ Base flood elevation data, if no base flood elevation data is available from other sources

☐ Additional information as required by the Floodplain Administrator:
  - ☐ Technical analysis, prepared by a licensed professional engineer, illustrating whether proposed development may result in physical damage to any other property.
  - ☐ Manufactured Home information
  - ☐ Recreational Vehicle information
  - ☐ Subdivision information
  - ☐ Other
This checklist shall be completed by the applicant and must accompany a complete application form. Failure to submit all required information may delay the review of the application.

☐ Signed application form
☐ Application fee $_______________
☐ Proof of ownership: ☐ Lease ☐ Deed
☐ Statement of Authority, if required
☐ Vicinity map
☐ Legal description: ☐ Attached ☐ On application form
☐ Site plan, drawn to scale, including the following information, as applicable:
  ☐ Scale
  ☐ North arrow
  ☐ Location and size of all existing and proposed signs
  ☐ Easements, building envelopes, and minimum setbacks
  ☐ Location of all access roads and drives
☐ Construction drawing, in color and drawn to scale, with height and dimensions of all proposed signs and support structures
☐ Sign lighting details, if applicable
☐ Additional information as required by Planning Director ____________________________________________________________________

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<th>OFFICE USE</th>
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<tr>
<td>Height</td>
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<tr>
<td>________ ft.  ________ ft.  ________ ft.</td>
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<tr>
<td>Lighting</td>
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<tr>
<td>Permit</td>
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<tr>
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<tr>
<td>Conditions</td>
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<td>____________________________________________</td>
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Reviewed By ___________________________  Date _______________
This checklist shall be completed by the applicant and must accompany a complete application form. Failure to submit all required information may delay the review of the application.

☐ Signed application form
☐ Application fee $_____________
☐ Proof of ownership: ☐ Lease ☐ Deed
☐ Statement of Authority, if required
☐ Vicinity map
☐ Legal description: ☐ Attached ☐ On application form
☐ Written narrative / description of proposed event, including the following information, as applicable:
  ☐ Description of event
  ☐ Dates and hours of event
  ☐ Description of sanitary facilities to be used
☐ Sketch plan illustrating the following information, as applicable:
  ☐ Location and size of all proposed event use areas
  ☐ Location and capacity of proposed parking areas
  ☐ Site access
☐ Other permit approvals that may be applicable include:
  ☐ Liquor License (County Clerk)
  ☐ Special Event Permit (Road & Bridge)
  ☐ Food Service Permit (Environmental Health )
  ☐ Extra Duty Request (Sheriff)
☐ Additional information as required by Planning Director __________________________________________________________________________

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<thead>
<tr>
<th>Permit</th>
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<th>☐ Denied</th>
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<tr>
<td>OR</td>
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<tr>
<td>Reasons for Denial</td>
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</table>

Reviewed By ___________________________ Date __________
This checklist shall be completed by the applicant and must accompany a complete application form. Failure to submit all required information may delay the review of the application.

MAP AMENDMENT (REZONING)

☐ Signed application form
☐ Application fee $___________
☐ PDF of complete submittal package: ☐ CD/Flash ☐ Emailed
☐ Proof of ownership: ☐ Lease ☐ Deed
☐ Statement of Authority, if required
☐ Vicinity map
☐ Legal description: ☐ Attached ☐ On application form
☐ Boundary survey (certified by Registered Land Surveyor)
☐ List and 2 sets of mailing labels with names and mailing addresses of all adjacent property owners (for public notice purposes)
☐ Written narrative / detailed response to the standards of Section 8.2.1 of the Routt County Zoning Regulations. The petition must show that all of the following exist:
  ☐ The proposed zone change is consistent with the goals and policies of the Master Plan and any applicable sub-area plans.
  ☐ The area in question possesses geological, physical, and other environmental conditions compatible with the characteristics of the requested Zone District.
  ☐ The advantages of the requested Zone District substantially outweigh the disadvantages to the County and neighboring land occasioned by the amendment.
  ☐ The applicable provisions of the Zoning Regulations can be met.
  ☐ In the case of a rezoning that would increase allowable residential, commercial, or industrial density, adequate facilities such as roads, water and sanitation, fire protection, emergency services and public utilities are available to serve the area.
☐ Written narrative / detailed response to the standards of Section 8.2.2 of the Routt County Zoning Regulations. The petition must show that one or more of the following exist:
  ☐ The existing Zone District is inconsistent with the policies and goals of the applicable Master Plan and any applicable adopted area or community plan.
  ☐ The area for which rezoning is requested has changed or is changing to such a degree that it is in the public interest to encourage a new use or density in the area.
  ☐ The proposed rezoning is necessary in order to provide land for a demonstrated community need.
  ☐ The existing zone classification currently shown on the Official Zone Map is an error.
☐ Additional submittal requirements for water or sewer facilities (Refer to Appendix A, Routt County Zoning Regulations)

TEXT AMENDMENT

☐ Signed application form
☐ Application fee $___________
☐ PDF of complete submittal package: ☐ CD/Flash ☐ Emailed
☐ Written description of the proposed amendment to the text of the Routt County Zoning Regulations, the purpose of the request, and how the proposed amendment will further the goals of the Routt County Master Plan and sub-area plans
☐ Any information or documents supporting the need for the request, if available
This checklist shall be completed by the applicant and must accompany a complete application form. Failure to submit all required information may delay the review of the application.

☐ Signed application form
☐ Application fee $_______________
☐ PDF of complete submittal package:  ☐ CD/Flash  ☐ Emailed
☐ Proof of ownership:  ☐ Lease  ☐ Deed
☐ Statement of Authority, if required
☐ Vicinity map
☐ Legal description:  ☐ Attached  ☐ On application form
☐ List and 2 sets of mailing labels with names and mailing addresses of all adjacent property owners (for public notice purposes)
☐ Written narrative / detailed description of variance request, including the following information, as applicable:
  ☐ Specific relief being requested
  ☐ Reason for the request
☐ Written narrative / detailed description of how the requested variance meets all standards of Section 3.4.6.A of Routt County Zoning Regulations. The petition must be specific and show that all of the following exist:
  ☐ Peculiar and exceptional practical difficulties or an unnecessary and unreasonable hardship will be imposed on the property owner if the provisions of the Zoning Regulations are strictly enforced.
  ☐ Circumstances creating the hardship were in existence on the effective date of the regulations from which a variance is requested or created subsequently through no fault of the appellant.
  ☐ That the property for which a variance is requested possesses exceptional narrowness, shallowness, shape or topography or other extraordinary and exceptional situation or condition which does not occur generally in other property in the same Zone District.
  ☐ That the variance, if granted, will not diminish the value, use or enjoyment of the adjacent properties, nor curtail desirable light, air or open space in the neighborhood, nor change the character of the neighborhood.
  ☐ That the variance, if granted, will not be directly contrary to the intent and purpose of the Zoning Regulations or the Routt County Master Plan.
☐ Site plan, drawn to scale, including the following information, as applicable:
  ☐ Scale
  ☐ North arrow
  ☐ Property lines and dimensions
  ☐ Location of wells and septic/leach fields
  ☐ Location and dimensions of all existing and proposed buildings, structures, roads, drives, and/or other improvements
  ☐ Easements, building envelopes, and minimum setbacks
  ☐ Water bodies, drainages, and ditches
  ☐ Wetlands, floodplain, and steep slopes (>30%)
☐ Floor plans and elevation drawings of proposed buildings, drawn to scale
☐ Additional information as required by Planning Director  ________________________________
**Additional Requirements for Specific Projects/Uses**

<table>
<thead>
<tr>
<th>Bed and Breakfast</th>
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<tbody>
<tr>
<td>▪ Satisfactory evidence that the water system serving the subject property is constructed in accordance with recommended standards.</td>
</tr>
<tr>
<td>▪ Copies of bacteriological analysis, indicating compliance with the Colorado Drinking Water Standards for Public Water Systems.</td>
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<tr>
<td>▪ Evidence that the wastewater disposal system is designed to accommodate the proposed use and installed under permit from the Routt County Department of Environmental Health.</td>
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<table>
<thead>
<tr>
<th>Development Proposals in AO Zone District</th>
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<tbody>
<tr>
<td>▪ Map or graphic description of existing and proposed airport facilities including towers, lights, terminals, hangers, aprons, parking areas, taxiways and runways.</td>
</tr>
<tr>
<td>▪ Map showing the height of all existing and proposed structures within the contemplated development and the relationship of these structures to adjacent land uses.</td>
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<td>▪ Evidence of the elevation and pattern of aircraft flights over the proposed site.</td>
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<td>▪ Information relating to noise levels on the proposed site and written statements regarding sound mitigation measures, if any, which will be used to attenuate existing or projected noise levels.</td>
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<tr>
<th>Road Construction Permit</th>
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<tbody>
<tr>
<td>▪ Road Design Plans, engineer stamped, including plan and profile of centerline, cut, and fill, and may require cross-sections.</td>
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<tr>
<td>▪ Stormwater and Erosion Control Plan, in compliance with Building Department or Environmental Health Department recommendations.</td>
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<td>▪ Grading and Excavation Permit issued pursuant to UBC Appendix Chapter 33, if required.</td>
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<tr>
<th>Seismic Exploration</th>
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<tr>
<td>▪ Type and kind of explosives to be used.</td>
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<td>▪ Amounts of explosives per shot.</td>
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<td>▪ Size of charge to be used</td>
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<tr>
<td>▪ Number of shots per blast.</td>
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<tr>
<td>▪ Location of explosives storage magazine.</td>
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<tr>
<td>▪ Name and address of person or company in charge of blasting (if other than permittee).</td>
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<tr>
<td>▪ Seismic testing permit applicants are responsible for ensuring that they follow the setback requirements of the Colorado Oil and Gas Association regulations. This table is provided for convenience only.</td>
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<tr>
<th>CHARGES IN LBS. GREATER THAN</th>
<th>CHARGES IN LBS. UP TO AND INCLUDING</th>
<th>MINIMUM SETBACK DISTANCE IN FEET</th>
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<tr>
<th>Public Uses, Facilities, and Utilities (C.R.S. 30-28-110(1))</th>
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<tbody>
<tr>
<td>▪ Evidence that the applicant consulted with and/or applied to the Planning Commission no later than application was made to any other authority having or asserting jurisdiction over the use.</td>
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<thead>
<tr>
<th>Domestic Water and Sewage Treatment Systems</th>
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<tbody>
<tr>
<td>All Domestic Water and/or Sewage Treatment Systems</td>
</tr>
<tr>
<td>▪ Proposed system capacity and service area.</td>
</tr>
<tr>
<td>▪ Design capacity of each treatment system and distribution or collection network demonstrated through organic or</td>
</tr>
</tbody>
</table>
Appendix A Submittal Requirements for Planning Reviews

- Excess capacity of each treatment system and distribution or collection network demonstrated through organic or hydrologic capacity.
- Written statement setting forth the ten-year projected increased need in treatment and hydraulic capacity.
- Alternative potential site locations and degree of feasibility of each, with a written statement indicating why a particular alternative was selected.
- Description of the excess capacity of all existing and approved treatment systems and distribution of collection networks, in the proposed service area, including the age, state of repair and level of treatment in the existing facilities.
- Demonstration of the impacts of the water and sewer services on the land use including:
  a. Map detailing existing land uses and existing zoning in the service area, including peripheral lands which may be impacted at a scale appropriate for review.
  b. Conformity of the project with the Routt County Master Plan and such other adopted plans and policies as may be in effect for the property.
- Financial analysis of the facilities, including, but not limited to, the following:
  a. Estimation of capital outlay.
  b. Estimation of operating outlay.
  c. Estimation of operating income of the proposed facility.
  d. Estimation of supportive governmental (or other) revenues utilized to finance the new facility.

New Domestic Water Treatment Systems

- Written statement of the water source, rights and quality of the water supply, and evidence that such water rights are sufficient in quantity and quality to provide the proposed service.
- Written statement describing the water utilization, including historic yields and use by category such as agricultural, municipal and industrial, and supply obligation to other systems.
- Certificate of designation or other site form approved by the Colorado Department of Health for application for review of new water supply systems.

New Domestic Sewage Treatment Systems

- Site application form adopted by the Water Quality Control Commission.
- Timetable for construction of the facilities.
- Written statement demonstrating the need for a new sewage treatment system, including:
  a. Population trends for the service area, e.g. present population, population projection, and growth area.
  b. Predominant types of development to be served by the system.
  c. Percent of design capacity of existing systems that are presently being utilized.
  d. Potential of present facilities to be upgraded to adequately accommodate the ten (10) year projected increased need in treatment.
  e. Inventory of total commitments already made for the sewage treatment services.
  f. Detail of excess service capacity and the cost of such excess capacity if the proposed sewage treatment system exceeds the projected ten-year demand by ten (10), twenty (20), and fifty (50) percent.
- Written statement describing the potential impacts of the proposed sewage treatment system on water resources, including:
  a. Potential effects of the sewage on any adjacent waterbodies and/or groundwater.
  b. Potential effects of the sewage treatment system on plant and animal life dependent upon the water resources in the impacted area.
- Map of all surface water bodies and well locations within a one (1) mile radius of the proposed project, and the 100 year flood plain of any stream within the service area at a scale appropriate for review.

Extension / Enlargement of Existing Water and/or Sewage Treatment Systems

- Percentage of the design capacity of the existing system utilized by present demands.
- Map detailing existing land uses, existing zoning, the area to be serviced by the extension, public rights-of-way, and pipeline routes within the area to be serviced by the extension at a scale appropriate for review.

Zoning Map Amendment (Rezoning)

Areas to be Served by Public Water or Sewer Facilities

- Written commitment by municipal or quasi-municipal agency stating that such service will be available to the property and setting forth a date certain upon which service can be made available.
- Copies of the service plan for the subject municipal or quasi-municipal agency, including any amendments or new data developed since publication of the service plan.
### Appendix A Submittal Requirements for Planning Reviews

- Report by a registered engineer setting forth a determination of the expected water volume and the rate required to service the subject property at full development and determination of the expected sewage volume to be generated from the subject property.
- Written statement by an official or engineer of a municipal or quasi-municipal agency stating the amount and location of water storage to serve the subject property and the water pressure that can be developed on the subject property.
- Chemical and bacteriological quantitative analysis of the untreated water source.

#### Areas to be Served by Private Central Water or Sewer Facilities

- Determination of expected water volume and rate required to service the subject property at full development, including both average and peak requirements based on expected consumptive use of water on the property.
- Evidence of ownership, right of acquisition of, or use of existing and proposed water rights.
- Historic use and estimated yield of claimed water rights.
- Definition of the proposed source of water that will supply the subject property and determination of the dependability of that source.
- Evaluation of the potential for material injury to existing vested water rights as a result of the proposed development.
- Specifications of the sewage treatment plant proposed.
- Chemical and bacteriological quantitative analysis of the untreated water source.

#### Areas to be Served by Individual Wells or Sewage Systems

- Determination of expected water volume and rate required to service the subject property at full development, including both average and peak requirements based on expected consumptive use of water on the property.
- Site plan showing locations of pilot wells drilled on the property and the location of percolation tests.
- Logs taken at sufficient sites and sufficient depths to give an adequate representation of subsurface geological strata.
- Results of pumping tests on each well conducted over a continuous 72-hour period.
- Report by a qualified geologist or hydrologist of the size, depth, extent, recharge capabilities and tributary characteristics of subsurface aquifers, and analysis of individual well production on a continuous and intermittent basis.
- Calculation of net water loss for the subject property at full development.
- A least one percolation test for each 20 acres of the subject property, and at least one percolation test per lot in any area which initial test indicate a percolation rate less than one hour per inch.
- Soils map, with tables of interpretations, prepared by the U.S. Department of Agriculture Natural Resources Conservation Service. The petitioner may prepare the soils map if Natural Resources Conservation Service data is not available.
APPENDIX B: ROUTT COUNTY PLANNING DEPARTMENT FEE SCHEDULE  
Effective 3/27/2019

**MINIMUM BASIC FEES:** The Minimum Basic Fees listed shall be paid in full at the time of application. An application will not be deemed complete and scheduled for review until the Minimum Basic fee has been paid in full. The Minimum Basic Fee is designed to cover basic filing, publication and processing costs. It is also includes the minimum amount of Staff Planner time typically required for an application of that type.

**HOURLY FEES:** Hourly Fees will be charged for Staff Planner time not covered by the Minimum Basic Fees. Staff Planner time will be charged at a minimum rate of $134/hr. This rate may be adjusted by the Planning Director as necessary. Hourly Fees apply to all review processes unless otherwise noted.

**ANNUAL FEES:** Permits/Approvals that require an ongoing review and administration (as determined by the Planning Director) are required to pay Annual Fees as noted below. Annual Fees apply to all active Permits/Approvals including those issued prior to the adoption of this fees schedule. Additional Annual Fees for mitigation monitoring will be charged on an hourly basis for any staff time necessary to review and/or implement conditions of approval.

**RENEWAL FEES:** 50% of the minimum basic fee will be charged to process administrative renewals that are authorized under the original conditions of approval.

**SPECIAL FEES:** Special fees may be charged at the discretion of the Planning Director for professional consultants or special research/analysis that is required to ensure adequate review of a development application.

**DIGITAL SCANNING SURCHARGE:** Application materials and final plats which are not submitted in a digital format that conforms to Planning Department application requirements will be subject to a minimum surcharge of $50. Additional charges may apply based on an Administrative staff rate of $50/hr to complete any required scanning and/or document conversion.

**APPROVALS/PERMITS ARE CONTINGENT ON FULL PAYMENT OF ALL APPLICABLE FEES:** This includes any and all Minimum Basic Fees, Hourly Fees, Annual Fees, Surcharges, and/or Special Fees. Approvals/Permits with outstanding balances that exceed 90 days will be revoked.

<table>
<thead>
<tr>
<th>REVIEW PROCESS</th>
<th>MINIMUM BASIC FEES</th>
<th>ANNUAL FEES</th>
<th>NOTES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minor Use Permit</td>
<td>$112</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Building Permit Review</td>
<td>$56</td>
<td></td>
<td>Collected at permit application through Building Dept. Hourly rates apply for reviews more than ½ hour.</td>
</tr>
<tr>
<td>Floodplain Development Permit</td>
<td>$112</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sign Permit</td>
<td>$56</td>
<td></td>
<td>No Hourly Fees</td>
</tr>
<tr>
<td>35-acre Subdivision Plat Road Review</td>
<td>$1,675</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Land Preservation Subdivision Exemption (LPS)</td>
<td>$1,116+$100/ buildable lot</td>
<td></td>
<td>Major and Minor amendments as defined in Section 2 of the Subdivision Regulations</td>
</tr>
<tr>
<td>LPS Amendments</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minor - $540</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Major - $1,116</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minor Development Subdivision Exemption</td>
<td>$1,116</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pre-Application Conference</td>
<td>$1,116</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Administrative Permit</td>
<td>$446</td>
<td>$50</td>
<td>Additional Annual Fees for mitigation monitoring may apply</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>No Fee for Waterbody Setback Permit required for buildable lot access</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Total fees collected for electric or solar thermal devices shall not exceed actual costs to the County and up to a maximum of $500 for residential systems.</td>
</tr>
<tr>
<td>Conditional Use Permit</td>
<td>$670</td>
<td>$50</td>
<td>Additional Annual Fees for mitigation monitoring may apply</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Total fees collected for electric or solar thermal devices shall not exceed actual costs to the County and up to a maximum of $1000 for non-residential systems.</td>
</tr>
<tr>
<td>Special Use Permit (Non-mining)</td>
<td>$894</td>
<td>$100</td>
<td>Additional Annual Fees for mitigation monitoring may apply</td>
</tr>
</tbody>
</table>
## Appendix B Routt County Planning Department Fee Schedule

<table>
<thead>
<tr>
<th>Service Description</th>
<th>Fee</th>
<th>Additional Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Special Use Permit (Mining, mineral extraction and related uses)</td>
<td>$1,675</td>
<td>$200 (&lt;10 acre permit area) $400 (10+ acre permit area) Additional Annual Fees for mitigation monitoring may apply</td>
</tr>
<tr>
<td>Amendment to Zoning Map</td>
<td>$1,116</td>
<td>50% reduction in Minimum Basic Fee for Milner rezone AF to LDR, MDR, or GR 50% reduction in Minimum Basic Fee for Steamboat Lake Subdivision or Stagecoach rezone from LDR, MDR, HDR, or GR to MRE</td>
</tr>
<tr>
<td>Zoning Variance</td>
<td>$1,116</td>
<td>Total fees collected for electric or solar thermal devices shall not exceed actual costs to the County and up to a maximum of $500 for residential systems and $1000 for non-residential systems.</td>
</tr>
<tr>
<td>Conceptual PUD Plan</td>
<td>$1,116</td>
<td></td>
</tr>
<tr>
<td>Final PUD Plan</td>
<td>$2,232</td>
<td></td>
</tr>
<tr>
<td>Subdivision Exemption (BCC review only)</td>
<td>$2,232</td>
<td>Creation of new tracts of land or residential sites</td>
</tr>
<tr>
<td>Pre-App./Sketch Subdivision</td>
<td>$540 + $20/lot</td>
<td>Final Plats and Replats that combine Pre-Application, Sketch, Preliminary and Final Subdivision review will be charged Final Subdivision Plat fees</td>
</tr>
<tr>
<td>Preliminary Subdivision</td>
<td>$2,232 + $40/lot</td>
<td></td>
</tr>
<tr>
<td>Final Subdivision Plat</td>
<td>$1,000 + $20/lot</td>
<td></td>
</tr>
<tr>
<td>Plat Correction</td>
<td>$600</td>
<td></td>
</tr>
<tr>
<td>Lot Line Adjustment</td>
<td>$600</td>
<td></td>
</tr>
<tr>
<td>Consolidation Plat</td>
<td>$600</td>
<td></td>
</tr>
<tr>
<td>Division of Land for Public Purposes</td>
<td>$1,116</td>
<td></td>
</tr>
<tr>
<td>Vacation of Plat, Right-of-Way or Public Utility Easement</td>
<td>$750</td>
<td></td>
</tr>
<tr>
<td>Site Plan Review</td>
<td>$670</td>
<td></td>
</tr>
<tr>
<td>Other review that requires County approval (including Master, Comprehensive, and Community Plan amendments including Urban Growth Boundary Expansions)</td>
<td>Hourly fees only. A $1,200 deposit against which the hourly rate will be applied is required. Any unused balances will be returned to the applicant.</td>
<td></td>
</tr>
</tbody>
</table>

**RESEARCH**: First three (3) hours no charge; each additional hour will be charged at the current rate for Hourly Fees. Research requests shall be submitted for review and approval of the Planning Director prior to the initiation of any staff research. The Director shall determine if the requested research is appropriate based on the nature of the research requested, the amount of research requested, and the available staff time.

**PLANNING DIRECTOR DETERMINATION/INTERPRETATION LETTER**: Hourly Fees will apply ($50 minimum).

1Research is defined as the interpretation of documents in the planning files of the County. By way of example and not limitation, a party may request research as to the history of the zoning for a particular parcel or for the history and status of a planning approval for a specific parcel. This section is not intended to replace or nullify a citizen’s rights under the Open Records Act to inspect and copy a specifically described document or documents or file.

**APPEALS**: Appeals in accordance with the Zoning Regulations will be charged Minimum Basic Fees and Hourly Fees at the same rate as the original application.

**AFTER THE FACT REVIEW**: An additional charge equal to the total applicable Minimum Basic Fees shall be applied to all applications for Approvals/Permits that are received after the start of construction and/or operation. These additional fees will not be used to offset any Hourly Fees that may apply.

**MULTIPLE PROCESSES**: In general an application will be charged the total of all applicable Minimum Basic Fees at the time of application. However the Planning Director may adjust the aggregate of fees for concurrent multiple processes based upon the scope and complexity of each affected application and the cost to Routt County to complete the reviews.

**REFUNDS**: A written request may be made for a base fee reimbursement for unused planner time in excess of 30 minutes. Fees other than for unused planner time, will not be refunded for any processing or partial processing of an application except as approved by the Board of County Commissioners.
OTHER DEPARTMENT AND AGENCY FEES: Applicant will be responsible for any and all fees charged by other departments or agencies necessary to process application including but not limited to:
   a) Colorado Geologic Survey subdivision review fees
   b) Steamboat Springs Rural Fire Protection District Review Fees
   c) Clerk and Recorder Fees
   d) Routt County Building Department

CRITERIA FOR THE WAIVER OF FEES FOR SPECIAL PROJECTS: Fees may be reduced or waived by the Planning Director or the Board of County Commissioners. In general, but not limited to, the following categories will be used to determine if a fee reduction or waiver is appropriate:
   a) Projects of public entities.
   b) Projects of non-profit entities that will have a substantial benefit to the citizens of Routt County.
   c) Projects initiated by Routt County