

Article 20.0 Rules of Interpretation and Definitions

20.1. Rules of Interpretation

20.1.1. Meanings and Intent

Words and phrases shall be read in context and construed according to the rules of grammar and common usage. Words and phrases that have acquired a technical or particular meaning, whether by definition under the definitions section of this Code, by legislative declaration or otherwise, shall be construed accordingly. The particular controls the general.

20.1.2. Mandatory and Discretionary Terms

Mandatory requirements use the words "shall," "must" or "will" and are sometimes labeled Standards. Recommendations use the words "may" or "should" and are sometimes labeled Guidelines.

20.1.3. Tenses, Plurals, and Gender

Words used in the present tense include the future, unless the context clearly indicates otherwise. Words indicating a specific gender apply to all persons and things unless the context clearly indicates otherwise.

20.1.4. Conjunctions

Unless the context clearly indicates otherwise, the word "and" indicates all connected words or provisions apply. The word "or" indicates connected words or provisions may apply singly or in any combination. The words "either ... or" indicate the connected words or provisions apply singly but not in combination.

20.1.5. Computation of Time

A reference to days is to calendar days unless otherwise specified in this Code or state statute. If a deadline falls on a weekend or county holiday, the deadline extends to the next working day. When computing a period of days, the first day is excluded and the last day is included. If the last day falls on a weekend or county holiday, the last day is the next working day.

20.1.6. Delegation of Authority

Whenever a provision requires the head of a department or another officer or employee of the County to perform an act or duty, that provision shall be construed as authorizing the department head or officer to delegate that responsibility to others.

20.1.7. Headings, Illustrations, and Text

In the event of a conflict or inconsistency between the text of this Code and any heading, caption, figure, illustration, table, or map, the text shall control. Section and subsection headings are for convenience only. They do not govern, limit, or modify the scope, meaning or intent of this Code.

20.2. Definitions of Use Categories and Specific Use Types

20.2.1. Agricultural Uses

Uses in this category include the production, keeping, or maintenance, for sale, lease, or personal use, of plants and animals useful to people. This includes but is not limited to forages and sod crops; grains and seed crops; dairy animals and dairy products; poultry and poultry products; emus and ostriches; livestock, including beef cattle, sheep, swine, horses, ponies, mules, llamas, alpacas or goats or any mutations or hybrids thereof, including the breeding and grazing of any or all such animals; bees and apiary products; fur animals; trees and forest products; fruits of all kinds, including grapes, nuts and berries; vegetables; nursery, floral, ornamental and greenhouse products; or lands devoted to a soil conservation or forestry management program. Specific use types include:

A. Agricultural Operation

The cultivation of agricultural or horticultural crops, composting, aquaponics, aquaculture, hydroponics, the keeping of livestock and/or poultry, or a combination of these activities. This use does not include the agricultural uses listed in §§20.2.1.B, 20.2.1.C, and 20.2.1.D. Accessory uses commonly include greenhouses and other facilities and storage necessary for the management of the agricultural operation or transport of products.

B. Agricultural Cultivation

Uses in this category are characterized by the raising of agricultural products for consumption or commercial sale. Products may include, but are not limited to, vegetables, grains, fruits, plants, sod, trees, and other similar products. Specific use types include:

1. Community Garden

A parcel of land where members of the community have access to individual garden plots for the cultivation of fruits, flowers, vegetables, or ornamental plants.

2. Forestry

A land use that creates, conserves, and manages forests and forest lands for the continuing use of both commodity and non-commodity benefits. This use does not include tree farms. Accessory uses include office space, storage and maintenance of equipment used to harvest and transport forest trees, and storage of harvested trees.

3. Nursery

A parcel of land used to raise plants, shrubs, trees, and other horticultural and floricultural products, conducted within or without an enclosed building. A single-unit dwelling occupied by the owner or operator of a nursery is allowed as an accessory building.

a. Retail

A nursery where products are displayed and sold on-site. This use does not include the sale of garden tools, equipment, and supplies.

b. Wholesale

A nursery where products are transported to market and no on-site sales occur.

4. Tree Farm

Any parcel of land used to raise and harvest trees for wood products, such as lumber, posts and poles, fuel wood and Christmas trees and such parcel is included in a forest management plan approved by the Colorado State Forest Service or other state certified forestry consultant.

a. Retail

A tree farm where products are sold on-site.

b. Wholesale

A tree farm where forest products are transported to market and no on-site sales occur.

5. Vertical Agriculture

Building-based agriculture, generally soilless, involving the growing of vertically stacked layers of crops in a controlled environment. Vertical agriculture does not include agricultural activities or techniques conducted in single-story greenhouses, hoopouses or shipping containers.

C. Agricultural Support and Services

Uses in this category are characterized by activities that provide support and services to agricultural, horticultural, and animal husbandry activities that operate in conjunction with and on the site of on-going agricultural, horticultural, or animal husbandry uses or off-site. Specific use types include:

1. Agricultural Equipment Repair and Sales

A commercial enterprise for the repair of equipment normally or routinely used for agricultural uses, and related parts, tools, and accessories, includes sales of such materials.

2. Agricultural Labor Housing

Housing occupied by individuals that are primarily engaged with and/or employed by an agricultural operation. Family members of such individuals may also live in the same unit.

3. Custom Meat Processing Facility

A facility for the processing of meat and poultry for individuals, not intended for resale on the premises, including but not limited to the butchering, cutting, dressing, and packaging of meat and poultry products. All facilities shall be indoor operations only.

4. Livestock Auction

A commercial facility where livestock are offered for sale to people who bid on the animals.

5. Packing Facility

A facility where locally raised livestock and/or poultry products are to be packaged for shipping. This use does not include the butchering, cutting, or dressing of meat and poultry products.

D. Animal Agriculture

Uses in this category are characterized by the commercial breeding, raising, and/or keeping of fish, livestock, and/or any type of fowl for sale or use of the animal, their products, or byproducts, and/or the processing of those products or byproduct. Specific use types include:

1. Apiary

A structure that is designed to hold honeybee hives.

2. Commercial Feedlot or Dairy

A confined enclosure for the feeding and fattening of livestock where the average number of animals exceeds ten animals per acre of feed yard and where less than 50 percent of the roughage type feed is raised on the same premises. Accessory uses commonly include the processing and packaging of dairy products.

3. Equestrian Operation, Large

A facility or place used for horse boarding (including equestrian pasture boarding) and/or equestrian activities for a fee, and/or for an exchange of goods or services that receives 35.5 or more points using the method in §3.3.2.H, *Equestrian Operation, Large and Small*. Uses specifically excluded from equestrian operations are horse rescue and horse breeding farms.

4. Equestrian Operation, Small

A facility or place used for horse boarding (including equestrian pasture boarding) and/or equestrian activities for a fee, and/or for an exchange of goods or services that receives up to 35 points using the method in §3.3.2.F. Uses specifically excluded from equestrian operations are horse rescue and horse breeding farms.

5. Poultry Keeping

Maintaining an inventory of poultry for the purpose of egg production and wholesale or retail sales of eggs and/or limited sales of poultry or poultry byproducts. Accessory uses may include limited on-site processing, butchering, cutting, dressing, and packaging of poultry products.

a. Rural

A poultry keeping operation located in the Conservation and Agriculture, Rural, and Mixed Center districts.

b. Urban

A poultry keeping operation located in the Urban districts and within the GMAs.

6. Poultry Processing

Maintaining an inventory of poultry for the purpose of slaughtering, defeathering, eviscerating, carcass chilling, wrapping, or packaging poultry.

20.2.2. Residential Uses

A. Household Living

Uses in this category are characterized by residential occupancy of a building by a living unit and is not occupied by the living unit for less than 31 continuous days. This category does

not include hotels, motels, boarding/rooming houses, resort cottages, or lodges. Specific use types include:

1. Dwelling, Cabin

A structure that contains at least one habitable room for living and sleeping that is designed, arranged, and intended to be occupied by one occupant or living unit. A cabin that includes a primary heat source and living facilities for sleeping, eating, cooking and sanitation will be considered a single-unit detached dwelling.

2. Dwelling, Co-Housing

A residential development that combines small individually owned units on a single lot with common open space and sometimes including a larger community kitchen and dining room intended for communal use on a regular basis. The residents in a co-housing development may agree to share in the provision of communal services such as cooking meals, maintenance of grounds, and childcare.

3. Dwelling, Duplex

A single building on a single lot or tract with two independent dwelling units under one roof, each of which is occupied by one occupant or living units and contains a primary heat source and living facilities for sleeping, cooking, eating, and sanitation.

4. Dwelling, Live/Work

A dwelling unit containing an integrated living and working space in different areas of the unit.

5. Dwelling, Multi-Unit

One or more buildings or portion of buildings on a single lot or tract that contains five or more individual dwelling units, where each unit is occupied by one occupant or living unit living independently of each other and maintaining separate cooking facilities and where each unit has an individual entrance to the outdoors or to a common hallway.

6. Dwelling, Single-Unit Attached

A single-unit dwelling attached to one or more single-unit dwellings by a common vertical wall, containing a primary heat source and living facilities for sleeping, cooking, eating, and sanitation.

7. Dwelling, Single-Unit Detached

A single-unit dwelling that is not attached to any other dwelling by any means, containing a primary heat source and living facilities for sleeping, cooking, eating, and sanitation. This use type includes modular homes.

8. Dwelling, Triplex or Fourplex

A single building on a single lot or tract containing three or four independent dwelling units under one roof, each of which is occupied by one occupant or living unit, and contains a primary heat source and living facilities for sleeping, cooking, eating, and sanitation.

9. Dwelling, Tiny Home

A tiny home on wheels that is fixed on permanent foundation as a primary use is a dwelling.

10. Manufactured Home

A factory-built, single-unit detached dwelling that complies with the National Manufactured Housing and Construction Standards Act of 1974, 42 U. S. C. 5401 et seq., as amended and bears a seal issued by either the Department of Housing and Urban Development or the Colorado Division of Housing that certifies that the structure is approved to be a dwelling.

11. Manufactured Housing Park

A parcel of land under single ownership that has been planned and improved for the placement of manufactured homes for single-unit dwelling purposes. Accessory uses include community meeting space, common laundry and recreational facilities, and vehicle parking for residents and staff.

12. Storage Building or Garage, Residential

A building or garage intended for storing personal property of the lot owner.

B. Group Living

Uses in this category are characterized by residential occupancy of a structure by a group of people who do not meet the definition of “household living.” Tenancy is arranged on a monthly or longer basis and the size of the group may be larger than a living unit. Generally, group living structures have a common eating area for residents. Residents may receive care, training, or treatment, and caregivers may or may not also reside at the site. Accessory uses commonly include recreational facilities and vehicle parking for occupants and staff.

1. Assisted Living Facility

A residential facility that makes available to three or more adults not related to the owner of such facility, either directly or indirectly through a resident agreement with the resident, room and board and at least the following services: personal services; protective oversight; social care due to impaired capacity to live independently; and regular supervision that shall be available on a twenty-four-hour basis, but not to the extent that regular twenty-four hour medical or nursing care is required.

2. Community Residential Home

A group living situation accommodating at least four, but no more than eight, persons which is licensed by the state and in which services and supports are provided to persons with intellectual and developmental disabilities.

3. Congregate Residence

Apartments and dwellings with communal dining facilities and services, such as housekeeping, organized social and recreational activities, transportation services and other support services appropriate for the residents.

4. Group Home

A single-unit dwelling licensed by the state to be occupied as a group home for no more than eight persons and includes the following.

a. Group Home for the Aged

A group home for the exclusive use of persons who are 60 years of age or older, as defined by §31-23-303(2)(b)(II) C.R.S., as amended.

b. Group Home for the Persons with Behavioral or Mental Health Disorders

A single-family dwelling occupied by two to eight people who are mentally ill as defined in Colorado Revised Statute 30-28-115.

20.2.3. Public, Institutional, and Civic Uses

A. Community and Cultural Facilities

Uses in this category include buildings, structures, or facilities that provide services to the public and generally provide public access. Accessory uses may include limited retail, concessions, parking, and maintenance facilities. Specific use types include:

1. Assembly

A facility for social, educational, worship, or recreational purposes primarily for members and their guests. Accessory uses may include offices, meeting areas, food preparation areas, concessions, parking, nonpublic schools, and maintenance facilities.

a. Indoor Only

An assembly use with no outdoor recreation or seating areas.

b. Outdoor Area

An assembly use with at least one outdoor recreation or seating area.

2. Cemetery

A tract of land set aside for interring four or more bodies, including columbaria and mausoleums when operated in conjunction with and located on the same premises as the cemetery.

a. With Funeral Home or Crematorium

A cemetery with an accessory funeral home and/or crematorium operated on the same premises.

3. Crematorium

A structure that houses one or more crematories. A crematory is an incinerator, furnace, retort, oven, or chemical system used for the purpose of cremation of human or animal remains.

4. Cultural Institution

A public or non-profit institution displaying or preserving objects of interest in one or more of the arts or sciences, including libraries and museums.

5. Day Care Center

A facility providing for the care, protection, and supervision of more than eight children under 16 or more than eight people over 60.

6. Funeral Home

A building used for the preparation of the deceased for burial or cremation, for the display of the deceased and/or for ceremonies or services related thereto.

a. With Crematorium

A funeral home with an accessory crematorium operated on the same premises.

7. Prison or Detention Center

A facility for the processing and confinement of people held in lawful custody.

B. Educational Facilities

1. School, Nonpublic

A school organized and maintained by a recognized religious or independent association performing an academic function including private, parochial, and independent schools which provide education to children of compulsory school age.

2. School, Public

A public institution intended for the purposes elementary or secondary education, including charter schools and similar institutions as recognized by state regulations.

C. Healthcare Facilities

Uses characterized by activities focusing on medical services, particularly licensed public or private institutions that provide primary health services and medical or surgical care to persons suffering from illness, disease, injury, or other physical or mental conditions. Accessory uses may include laboratories, outpatient, or training facilities, or other amenities primarily for the use of employees in the firm or building. Specific use types include:

1. Health Services

A facility providing support to the medical profession and patients, including medical and dental laboratories, blood banks and various types of medical supplies and services.

2. Hospital

A facility providing health services primarily for inpatients and medical and surgical care of the sick and injured, including as an integral part of the institution such related facilities as laboratories, outpatient departments, training facilities, emergency departments and staff offices.

3. Medical or Dental Clinic

An ambulatory health facility where patients are admitted for outpatient examination and treatment by a group of licensed health care practitioners, dentists, or licensed health care practitioners and dentists in practice together.

4. Rehabilitation Facility

A facility that provides formal, organized, services designed to alter specific physical, mental, or social functions of persons under treatment by reducing disability or discomfort. Such facilities also ameliorate the signs or symptoms causing such functions, which may include counseling, vocational, social and/or educational services aimed at restoring the overall well-being, health, and abilities of those being treated.

D. Parks and Open Lands

Uses in this category are characterized primarily by natural areas, large areas consisting mostly of vegetative landscaping or outdoor recreation. Structural improvements are generally limited to those structures that facilitate the use of the land as park and open space. Accessory uses may include maintenance facilities, restrooms and dressing rooms, concessions, and parking.

1. Natural Resources and Wildlife Areas

Ecologically important areas including critical wildlife habitat areas, riparian areas, rivers, water bodies, wetlands, potential conservation areas, and other protected lands.

2. Park or Playground

A parcel of land designated and used by the public for passive and active recreation. It may include a variety of facilities, including equipment for younger children as well as court and field games.

3. Regional Open Space and Trails

Areas of primarily unimproved land reserved for natural and ecological reasons or recreational opportunities and longer distance natural surface or paved trails that may be used for recreation as well as serve non-motorized transportation needs. Regional open space and trails are located outside of adopted Growth Management Areas.

4. Reservoir Parks

Reservoirs (including the four Reclamation reservoirs, Horsetooth Reservoir, Pinewood Reservoir, Flatiron Reservoir, and Carter Lake) and the land immediately adjacent to the surface waters, providing motorized and non-motorized water-based recreation, fishing, hiking, camping, picnicking, and mountain biking opportunities.

5. Urban Open Space and Trails

Areas of primarily unimproved land reserved for natural and ecological reasons or recreational opportunities and shorter distance natural surface or paved trails that may be used for recreation as well as serve non-motorized transportation needs. Urban open space and trails are located within adopted Growth Management Areas.

20.2.4. Commercial Uses

A. Agricultural and Animal Uses

Uses in this category include limited, commercially oriented agricultural activities, greenhouses, nurseries, and facilities for selling agricultural products. This category also includes animal-related uses include the boarding and care of animals on a commercial basis. Accessory uses may include confinement facilities for animals, parking, and storage areas. Specific use types include:

1. Garden Supply Center

A facility for the sale of garden tools, equipment and supplies that includes the sale of plant materials grown on the premises.

2. Kennel, Commercial

Any place or premise used in whole or in part for the keeping of pet animals for the purpose of adoption, breeding, overnight boarding, handling, selling, sheltering, trading, or otherwise transferring such animals and shall exclude pet animal service facilities. Commercial kennel also includes any individual animals kept by such a facility as breeding stock. Commercial kennel does not mean a common carrier engaged in intrastate or interstate commerce and does not include hobby breeder facilities or a foster home for pet animals. Two or more commercial kennels that have the same or

similar purpose and operate from one place or premise are considered a single commercial kennel.

a. Indoor only

A commercial kennel of any size with only indoor operations.

b. Outdoor Animal Use Area

A commercial kennel of any size with any outdoor animal use area.

3. Pet Animal Service Facility

Any place or premise used in whole or in part to provide care and service for pet animals, including grooming, training, day care, and other services that do not require the overnight boarding of animals. Outdoor facilities such as runs and exercise yards shall not exceed 100 square feet.

4. Veterinary Clinic or Hospital, Livestock

A facility for the diagnosis, treatment, and/or hospitalization of livestock.

a. Indoor only, ≤ 5,000 Square Feet or Outdoor Animal Use Area ≤ 1,000 Square Feet

A livestock veterinary clinic or hospital with 5,000 square feet or less gross floor area of indoor operations, and/or an outdoor animal use area of 1,000 square feet or less.

b. Indoor only, > 5,000 Square Feet or Outdoor Animal Use Area > 1,000 Square Feet

A livestock veterinary clinic or hospital with more than 5,000 square feet gross floor area of indoor operations, and/or an outdoor animal use area of more than 1,000 square feet.

5. Veterinary Clinic or Hospital, Pet Animal

A facility for the diagnosis, treatment, and/or hospitalization of pet animals.

a. Indoor only, ≤ 2,500 Square Feet or Outdoor Animal Use Area ≤ 200 Square Feet

A pet animal veterinary clinic or hospital with 2,500 square feet or less gross floor area or an outdoor animal use area of 200 square feet or less.

b. Indoor only, > 2,500 Square Feet or Outdoor Animal Use Area > 200 Square Feet

A pet animal veterinary clinic or hospital with more than 2,500 square feet gross floor area or an outdoor animal use area of more than 200 square feet.

B. Food and Beverage Services

Uses in this category include establishments involved in serving prepared food or beverages for consumption on or off the premises. Accessory uses may include food preparation areas, offices, and parking. Specific use types include:

1. Bar or Tavern

An establishment where the primary business is providing or dispensing by the drink for on-site consumption of fermented malt beverages and/or malt, special malt, vinous or spirituous liquors, in which the sale of food products such as sandwiches and light

snacks is secondary, and where music, live entertainment and/or dancing may be provided. This use does not include any adult use.

2. Microbrewery, Cidery, Winery, Meadery or Distillery

A small brewery, winery, meadery or distillery operated separately or in conjunction with a drinking establishment or restaurant, provided the beer, wine, mead or liquor is sold for consumption onsite or off the premises and is not sold to other drinking establishments, restaurants, or wholesalers. Accessory uses include tasting rooms at which product tasting occurs.

3. Restaurant

An establishment where food and beverages are prepared, served, and consumed within the principal building, or off the premises as carry-out orders; or in an outdoor seating area on the premises. Accessory uses may include an outdoor dining area.

C. Lodging Facilities

Uses in this category provide lodging services for a defined period with the incidental food, drink, and other sales and services intended for the convenience of guests. Specific use types include:

1. Bed and Breakfast Inn

An establishment operated in a principal dwelling or portion thereof, which provides transient accommodations for a fee to overnight guests, a meal limited to guests only, and that is occupied by the owner or operator of such establishment. A bed and breakfast inn may provide accommodations to individuals or multiple separate parties concurrently on both a reservation or a walk-in basis. The term “party” as used in this definition shall mean one or more persons who stay at a bed and breakfast inn as a single group pursuant to a single reservation and payment.

a. Maximum Number of Guests

A Bed and Breakfast Inn shall be limited to 20 or fewer guests.

2. Boarding or Rooming House

A building or portion thereof used to accommodate, for compensation, three or more boarders or roomers with lodging and/or meals. "Compensation" includes money, services, or other things of value.

3. Hotel or Motel

A facility offering transient lodging accommodations to the general public.

4. Resort Lodge or Resort Cottages

A building or group of buildings, under single management and ownership with an on-site manager or staff, containing rooms and/or units available for temporary rental to transient guests, which serves as a destination point for visitors, and where the primary attraction is major recreational features or activities for persons on vacation.

5. Short-term Rental

A principal dwelling rented to transient guests who are part of one party for short-term lodging (30 days or less) when not occupied by the owner/operator. The term “party” as

used in this definition shall mean one or more persons who stay at a short-term rental as a single group pursuant to a single reservation and payment.

a. Maximum Number of Occupants or Guests

A short-term rental shall be limited to 10 or fewer guests who are part of one party or single group of renters.

6. Short-term Rental, Hosted

A principal dwelling occupied by a full-time resident or owner living on-site where short-term lodging (30 days or less) is provided to transient guests.

a. 1-10 Guests (Small)

A hosted short-term rental that serves 10 or fewer guests.

b. 11-16 Guests (Large)

A hosted short-term rental that serves more than 10 guests, with a maximum of 16 guests.

D. Marijuana

Uses in this category are primarily engaged in the sale of medical and retail marijuana product. Specific use types include:

1. Medical Marijuana-infused Products Manufacturer

A person or entity licensed pursuant to the Colorado Medical Marijuana Code to operate a business manufacturing medical marijuana-infused products.

2. Medical Marijuana Center

A person or entity licensed to operate a business as described in the Colorado Medical Marijuana Code that sells medical marijuana and medical marijuana-infused products to registered patients or primary caregivers as defined in Section 14, Article XVIII of the Colorado Constitution, but is not a primary caregiver.

3. Medical Marijuana Optional Premises Cultivation Operation

A person or entity licensed pursuant to the Colorado Medical Marijuana Code to grow and cultivate marijuana for a purpose authorized by Section 14, Article XVIII of the Colorado Constitution.

4. Private Marijuana Club

The consumption of *marijuana* by persons assembled within a nonresidential structure, where such consumption is permitted, encouraged, promoted, enabled, or condoned by persons assembled therein, whether such consumption is the primary intended purpose or an intended purpose incidental to other reasons for assembly therein.

5. Retail Marijuana Cultivation Facility

A person licensed to cultivate, prepare, and package marijuana and sell marijuana to retail marijuana stores, to marijuana product manufacturing facilities, and to other marijuana cultivation facilities, but not to consumers.

6. Retail Marijuana Product Manufacturing Facility

A person licensed to purchase marijuana; manufacture, prepare, and package marijuana products; and sell marijuana and marijuana products to other marijuana product manufacturing facilities and to retail marijuana stores, but not to consumers.

7. Retail Marijuana Store

A person licensed to purchase marijuana from marijuana cultivation facilities and marijuana products from marijuana product manufacturing facilities and to sell marijuana and marijuana products to consumers.

8. Retail Marijuana Testing Facility

An entity licensed to analyze and certify the safety and potency or [of] marijuana. Marijuana testing facilities includes only fixed structures/buildings and does not include mobile facilities that move from place to place.

E. Office, Business and Professional Services

Uses in this category provide executive management, administrative, governmental, or professional services, but do not sell merchandise except as incidental to a permitted use. Specific use types include:

1. Financial Institution

An establishment that provides retail banking, mortgage lending, and financial services to individuals and businesses, and including check-cashing facilities. Accessory uses may include automatic teller machines, drive-through service, offices, and parking.

2. Professional Office

A place used primarily to conduct the affairs of a business, profession, service, industry, government, or other similar activity and where the indoor storage and sale of merchandise is secondary to the conduct of the business or profession. Typical uses include real estate, insurance, property management, investment, employment, travel advertising, law, architecture, design, engineering, accounting, call centers, and similar offices. Accessory uses may include cafeterias, health facilities, parking, or other amenities primarily for the use of employees in the firm or building.

F. Personal Services

Uses in this category are primarily engaged in the provision of informational, instructional, personal improvement, personal care, and similar services such as portrait shops, photography studios, art and music schools, licensed massage therapists, driving schools, riding academies, health and fitness studios, handicraft or hobby instruction, laundry and dry-cleaning retail outlets, beauty and barber shops, shoe repair, and tailor/alterations shops. Specific use types include:

1. Instructional Facility

A facility offering specialized instruction in such things as a trade, music, dance, martial arts, or business.

2. Personal Service

A facility primarily engaged in providing services involving the care of a person and their apparel, appearance, or personal goods.

G. Recreation and Entertainment

Uses in this category include indoor and outdoor recreation and entertainment activities. Accessory uses may include limited retail, concessions, parking, and maintenance facilities. Specific use types include:

1. Campground**a. Primitive Campground**

A parcel of land on which two or more camping sites are located, established, or maintained for occupancy by camping units for the general public as temporary living quarters for vacation or recreation purposes. Primitive campgrounds are characterized by limited or no sanitary facilities and campsites are typically accessible only by walk-in, pack-in and pack-out, equestrian, or motorized trail vehicles.

b. Modern Campground

A parcel of land on which two or more recreational vehicle sites and/or camping sites are located, established, or maintained for occupancy by recreational vehicles or camping units of the general public as temporary living quarters for vacation or recreation purposes. Modern campgrounds do not require, but may provide electrical hookups for recreational vehicles on each site. Modern campgrounds are characterized by accessibility by vehicular traffic and substantially developed campsites with tables, refuse containers, flush toilets, bathing facilities, and water provided.

2. Membership Club or Clubhouse

A facility to accommodate a group of people organized for a common purpose to pursue common goals, interests or activities and characterized by certain attributes, including membership qualifications, payment of fees and dues, regular meetings and/or a constitution and by-laws.

3. Rafting Business

A facility for the operation of a commercial rafting business where vehicles, rafts and other equipment are stored and where customers congregate to change clothes and be transported to and from the put in and take out sites.

4. Recreation Facility, Indoor

An enclosed facility for entertainment, sports, and recreational activities such as health clubs, game arcades, bowling, skating, swimming, tennis, health and fitness centers, gyms, and similar indoor activities. Accessory uses may include limited retail, concessions, and maintenance facilities.

5. Recreational Vehicle Park

A parcel of land on which two or more recreational vehicle sites and/or camping sites are located, established, or maintained for occupancy by recreational vehicles or camping units of the general public as temporary living quarters for vacation or recreation purposes. Recreational Vehicle Parks require electrical hookups for recreational vehicles on each site.

6. Riding Stable

A facility where horses are harbored and the general public may, for a fee, hire horses for riding.

7. Seasonal Camp

A land parcel under single ownership and management having tents, buildings, or other shelters (not including recreational vehicles or mobile homes) for recreational or educational purposes, or portions thereof.

8. Shooting Range

A facility designed and arranged to accommodate fixed or moving targets for shooting practice with firearms or bow and arrow.

a. With Outdoor Activity

A Shooting Range with any outdoor activity other than the parking of customer's cars.

H. Retail Sales

Uses involving the sale, lease, or rent of new or used products directly to the final consumer for whatever purpose, but not specifically or exclusively the purpose of resale. Accessory uses may include offices, parking, storage of goods, assembly, repackaging, or repair of goods for on-site sale. Specific use types include:

1. Building Material and Supply Store

A business involved in the sale, storage, and distribution of structure supplies and services including lumber, brick, tile, cement, insulation, floor covering, lighting, plumbing supplies, electrical supplies, cabinetry, and roofing materials. Accessory uses may include repair or delivery services and outside sale of plants and gardening supplies.

2. Fireworks Sales, Permanent

A facility where fireworks are stored, shipped, packaged, or sold (not including a temporary fireworks stand) and that has a valid permit from the Larimer County Building Department for the current fireworks sales season.

3. Flea Market

A facility where stalls or sales areas are set aside and rented or otherwise provided and intended for use by various individuals to sell articles that are homemade, homegrown, handcrafted, old, obsolete, or antique. It may also include the selling of goods at retail by businesses or individuals who are generally engaged in retail trade. This use does not include farmer's markets and garage or yard sales which operate a total of less than seven days per calendar year.

a. With Outdoor Activity

A flea market with outdoor activities including the display and selling of goods on the same premise as the enclosed facility.

4. General Retail, ≤ 10,000 Square Feet

Retail sales containing not more than 10,000 square feet of floor area. General retail may include a drive-up window.

5. General Retail, Between 10,000 Square feet and 25,000 Square Feet

Retail sales containing between 10,000 square feet and 25,000 square feet of floor area. General retail may include a drive-up window.

6. General Retail, > 25,000 Square Feet

Retail sales containing more than 25,000 square feet of gross floor area of the establishment or use (not the size of the structure). General retail may include a drive-up window.

7. Outdoor Display and Sales

The placement of goods, equipment, or materials for sale, rental or lease in a location not enclosed by a structure consisting of walls and a roof.

I. Transportation

Uses in this category are primarily associated with bus, train, and aircraft facilities. Specific use types include:

1. Airport

A facility designed and improved for the landing and takeoff of aircraft that may be equipped with hangars, facilities for refueling and repairing aircraft and accommodations for passengers and cargo. Accessory uses include commercial tour flights where aircraft, either rotary (helicopter) or fixed wing, are used to carry passengers for sightseeing, skydiving, or tour purposes on a contract basis or for a fee or other consideration.

2. Fleet Services

A central facility for the storage of vehicles used regularly in business operation and not available for sale, or long-term storage of operating vehicles. Typical uses include courier, delivery, and express services, recreational touring fleets, taxi fleets, and mobile catering truck storage.

3. Helipad

A facility designed and improved for the landing and takeoff of helicopters, usually equipped with hangars, facilities for refueling and repairing helicopters and accommodations for passengers and cargo. Accessory uses include commercial tour flights where aircraft, either rotary (helicopter) or fixed wing, are used to carry passengers for sightseeing, skydiving, or tour purposes on a contract basis or for a fee or other consideration.

4. Parking Lot or Garage

A facility designed and improved for temporary, daily, or overnight parking of automobiles or light trucks.

5. Private Landing Strip

A landing strip located on private property and used solely by the owner of the property for personal use.

6. Transit Terminal or Station

A facility where public transit vehicles load and unload patrons, and where patrons may transfer from between public transit lines, when that is the principal use of the property. This use may include park-and-ride or ridesharing facilities but does not include public transit vehicle repair or maintenance facilities.

7. Transportation Depot

Land and buildings used as a relay station for the transfer of a load of freight from one vehicle to another or from one party to another. Long-term or accessory storage is not permitted in a transportation depot.

J. Vehicles and Equipment**1. Truck Stop**

A facility for the servicing, repair, and maintenance of motor vehicles, including the dispensing of motor fuels or other petroleum products directly into the vehicles. A truck stop may include a restaurant, overnight accommodations, showers, and other facilities intended to serve travelers.

2. Vehicle Fuel Sales

A lot or portion of property where flammable or combustible liquids or gases used as fuel are stored and dispersed from fixed equipment into the fuel tanks of motor vehicles. Such an establishment may offer for sale at retail other convenience items as a clearly secondary activity and may also include a single-bay carwash as an accessory use.

3. Vehicle Repair, Major

An establishment primarily engaged in the repair or maintenance of motor vehicles, trailers, and similar large mechanical equipment, including paint, upholstery, muffler, transmission work and major engine and engine part overhaul. Accessory uses include outdoor repair, storage, and staging areas.

4. Vehicle Repair, Minor

An establishment primarily engaged in the repair or maintenance of motor vehicles, trailers, and similar mechanical equipment, including brake, muffler, tire repair and change, lubrication, and tune ups, provided it is conducted within a completely enclosed building. Major repairs such as vehicle bodywork or painting or repair of engines or drive trains is prohibited.

5. Vehicle Sales and Leasing

The sale, display, lease, rental, or storage of light motor vehicles, including automobiles, vans, light trucks, light trailers, boats, ATVs, snowmobiles, and recreational vehicles. This definition shall not include salvage operations, scrap operations, impound yards, or commercial parking lots available for short-term use.

6. Vehicle Wash

A facility for full service, self-service or automatic car and light truck washing.

K. Other Uses**1. Adult Uses**

Any facility used for an adult amusement or entertainment business. This includes an adult bookstore, adult photography studio, adult theater, adult movie arcade, adult restaurant, bar or nightclub, adult tanning salon and other adult businesses characterized by offering patrons activities or material depicting, exhibiting, describing, or relating to specified sexual activities or specified anatomical areas for observation, amusement, enjoyment, satisfaction, or gratification, whether for a fee or not. The uses contemplated by this definition customarily, although not always, offer adult amusement or entertainment activities or materials as a principal, significant or emphasized part of their enterprise and such uses, customarily, although not always, exclude minors under 18.

2. General Commercial

A facility for any commercial activity that is not of an assembly, manufacturing, or industrial nature.

20.2.5. Industrial Uses**A. Manufacturing and Processing**

Uses in this category includes the excavation, transporting, manufacture, fabrication, processing, reduction, destruction, or any other treatment of any article, substance, or commodity, in order to change its form, character or appearance. Accessory uses may include retail sales, offices, storage, cafeteria, employee amenities, parking, warehousing, and repair facilities. Specific use types include:

1. Hazardous Material Processing and/or Storage

A facility for the storage, treatment, disposal or otherwise handling any substance or material that, by reason of its toxic, corrosive, caustic, abrasive, or otherwise injurious properties that may be detrimental or deleterious to the health of anyone coming into contact with such material or substance. This use category includes the collecting, storing and/or blending of hazardous waste to be used as a fuel source or alternate fuel.

2. Junkyard

A facility for the display, storage, collection, processing, purchase, sale, salvage, or disposal of used or scrap materials, equipment, junk vehicles, appliances, or other personal property whether of value or valueless. "Junkyard" does not include the storage of implements of husbandry, tractors, agricultural equipment or vehicles customarily operated in an agricultural operation or ranch.

3. Landfill

A facility used primarily for the disposal by dumping, burial and other means of garbage, sewage, junk, trash, refuse, discarded machinery, vehicles, or parts thereof.

4. Manufacturing, Light

Industrial operations relying on the assembly, distributing, fabricating, manufacturing, packaging, processing, recycling, repairing, servicing, storing, or wholesaling of goods or products, using parts previously developed from raw material including, but not limited to, electronic instruments or devices, food and beverage processing, scientific research

and testing and commercial bakeries. This definition includes uses that ordinarily do not create noise, smoke, fumes, odors, glare, or health or safety hazards outside of the building where such assembly fabrication, or processing take place.

5. Manufacturing, Heavy

An establishment or business that uses hazardous inputs or creates hazardous by-products in the course of manufacturing, assembly, fabrication, or materials treatment, or that uses manufacturing, assembly, fabrication, or treatment processes that create potentially hazardous impacts on the environment or surrounding areas. Examples include but are not limited to: asphalt and concrete batch plants, fuel alcohol plants, fuel bulk plants, and ice and cold storage plants.

6. Mining

The act of exploring for and recovering stone, soil, peat, sand, gravel, limestone, coal, granite, or other mineral resources from the ground for sale or for use off the property where it was recovered. Mining does not include the removal of loose surface stone; excavation solely for agricultural practices; excavation for a basement or footing for a structure authorized by a valid building permit; or grading associated with residential, agricultural, or accessory uses. On-site processing of mined materials and asphalt and concrete batch plants are considered accessory to the mining activity.

7. Oil and Gas Drilling and Production

Any operation intended to discover, develop, recover and/or process oil and/or gas.

8. Recycling Facility

A facility where used material is separated, processed, and stored prior to shipment to others who use the materials to make new products.

9. Sawmill

A facility where logs or partially processed cants are sawn, split, shaved, stripped, chipped, or otherwise processed to produce wood products, not including the processing of timber for use on the same lot by the owner or resident of the lot.

10. Trade Use

A business or occupation requiring specialized training in a manual or mechanical skill, including but not limited to carpentry; plumbing; sheet metal; electrical; auto repair; heating; ventilation and air conditioning; furniture upholstery; and machine shops.

11. Treatment Plant

A facility for the treatment of sanitary sewage that complies with the minimum standards specified in the Design Criteria Considered in the Review of Wastewater Treatment Facilities, Colorado Department of Health and Environment, Water Quality Control Commission, or a facility for the treatment of raw water designed to meet the water quality requirements contained in the Colorado Primary Drinking Water Regulations.

12. Utility Substation

Any electric transmission lines, substations or electric utilities, major gas regulator station, transmission and gathering pipelines and storage areas of utilities providing natural gas or petroleum derivatives and their appurtenant facilities.

13. Water Storage Facility

A pond, lake, tank, or basin, natural or man-made, used for the storage, regulation and/or control of water.

B. Storage and Warehousing

Uses in this category are engaged in the storage or movement of goods for themselves or other businesses. Goods are generally delivered to other businesses or the final consumer, except for some will-call pickups. There are typically few customers present. Specific use categories include:

1. Enclosed Storage

A principal use where goods are kept in a completely enclosed building or buildings. Enclosed storage includes self-storage and ministorage facilities, freezers, and meat lockers, and may include an accessory single-unit dwelling for the owner/operator of the facility.

2. Outdoor Storage

A principal use where goods such as recreational vehicles, boats, and other large items, are stored outside of a building.

3. Warehousing and Wholesale Facility

A building or area for storage, wholesale, and/or distribution of goods and materials, supplies, and equipment that are manufactured or assembled off-site. This definition excludes the bulk storage of materials that are flammable or explosive or that create hazardous or commonly recognized offensive conditions. Accessory uses may include retail and office uses.

20.2.6. Public and Semi-Public Utility Uses

Uses in this category include all lines, buildings, easements, passageways, or structures used or intended to be used by any public or private utility related to the provision, distribution, collection, transmission, or disposal of power, oil, gas, water, sanitary sewage, communication signals, or other similar public services at a local level. Specific use types include:

A. Power Plant

A facility designed, constructed, and operated to generate electric power by steam, wind, solar, water or other means.

B. Radio and Television Transmitter

A facility consisting of antennas and transmitters for sending audio and visual programs to the public. Broadcast studios and administrative or business offices are not allowed.

C. Small Solar Energy Facility

A facility which is used for the production of electrical energy from energy collected by the sun including solar energy collectors, power generation facilities, facilities for storing and

transforming energy, other appurtenant facilities, and any transmission lines, which is developed for the purpose of supplying or distributing electrical energy to users, a customer, or customers. (Note: this could include a solar garden that has a disturbed area of five or fewer acres.)

1. Building-Mounted

A small solar energy facility flush-mounted to the roof or walls of a structure.

2. Ground-Mounted

A small solar energy facility mounted on the ground in which all components together disturb an area of ten or fewer acres.

D. Small Wind Energy Facility

A facility which is used for the production of electrical energy from energy supplied by the wind including any transmission lines, and developed for the purposes of supplying or distributing electrical energy to a customer or customers, and in which there are no more than three wind generator towers and the hub height of the wind towers does not exceed 80 feet.

E. Wireless Communications Facility (WCF)

A facility used to provide personal wireless services as defined at 47 U.S.C. Section 332 (c)(7)(C); or wireless information services provided to the public or to such classes of users as to be effectively available directly to the public via licensed or unlicensed frequencies. A WCF does not include a facility entirely enclosed within a permitted building where the installation does not require a modification of the exterior of the building; nor does it include a device attached to a building, used for serving that building only and that is otherwise permitted under other provisions of the Code. A WCF includes an antenna or antennas, including without limitation, directional, omni-directional, and parabolic antennas, support equipment, alternative tower structures and towers. It does not include the support structure to which the WCF or its components are attached if the use of such structures for WCFs is not the principal use. The term does not include mobile transmitting devices used by wireless service subscribers, such as vehicle or hand-held radios/telephones and their associated transmitting antennas, nor does it include other facilities specifically excluded from the coverage of this Code.

1. Alternative Tower Structure

Man-made trees, clock towers, bell steeples, light poles, traffic signals, buildings, and similar alternative design mounting structures that are compatible with the natural setting and/or surrounding structures, and camouflages or conceals the presence of antennas or towers so as to make them architecturally compatible with the surrounding area pursuant to this chapter including height limits as set forth in this Code. This term also includes any antenna or antenna array attached to an alternative tower structure. A stand-alone monopole (including a replacement pole) in the right-of-way that accommodates small cell facilities is considered an alternative tower structure to the extent it meets the camouflage and concealment standards of §8.0, *Wireless Communication Facilities*.

2. Small Cell Facility

A WCF where each antenna is located inside an enclosure of no more than three (3) cubic feet in volume, or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements could fit within an imaginary enclosure of no more than three (3) cubic feet; and primary equipment enclosures are not larger than seventeen (17) cubic feet in volume. The following associated equipment may be located outside of the primary equipment enclosure and, if so located, is not included in the calculation of equipment volume: electric meter, concealment, telecommunications demarcation box, ground-based enclosure, back-up power systems, grounding equipment, power transfer switch and cut-off switch.

3. Tower

Any structure built for the sole or primary purpose of supporting one or more FCC-licensed or authorized antennas and their associated facilities, including structures that are constructed for wireless communications services including, but not limited to, private broadcast services as well as unlicensed wireless services and fixed wireless services such as microwave backhaul, and the associated site.

20.2.7. Accessory Uses

A use of land or of a building or portion thereof customarily incidental and subordinate to the principal use of the land or building and located on the same lot with the principal use. Specific use types include:

A. Agriculture**1. Agricultural Operation, Accessory**

A parcel of land where livestock, pet animals, or poultry are raised or garden crops grown in a manner incidental to the principal residential use of the property and where the production of livestock or garden crops on the property does not constitute a principal income for the property owner. This use does not include the accessory agricultural uses listed in paragraphs 2. through 10 of this §20.2.7.A. This would include 4H and similar types of programs.

2. Agritourism Enterprise

Activities conducted on a parcel with a primary agricultural use and offered to the public for the purpose of recreation, education, or active tourism related involvement in the agricultural use. These activities shall be incidental to the primary agricultural use on the site or related to natural resources present on the property. This term includes site tours, hayrides, corn mazes, classes related to agricultural products or skills, picnic and party facilities offered in conjunction with the above. An agritourism enterprise does not include accommodations uses or retail sales.

a. Large

An agritourism enterprise with a maximum lot area of 10% of the total acreage or 5 acres (whichever is less) and/or generates 20 or more vehicle trips per day, including customers, employees, and deliveries.

b. Small

An agritourism enterprise with a maximum lot area of 10% of the total acreage or 3.5 acres (whichever is less) and/or generates up to 20 vehicle trips per day, including customers, employees, and deliveries.

3. Apiary, Accessory

A structure that is designed to hold honeybee hives and is incidental to the principal use on a lot.

4. Backyard Poultry

The non-commercial or agricultural raising and caring for poultry.

5. Farm Stand

A temporary or permanent structure used for the sale and display of agricultural or horticultural products such as vegetables, fruits, dairy products, eggs, grains, meat, poultry, fish, honey, hay, bedding plants, herbs, and wool.

6. Horse Keeping

The activity of keeping and/or caring for boarded horses including horse rescue operations.

7. Livestock Auction, Accessory

Where a property is being used for the raising of livestock, an event where livestock are offered for sale to people who bid on the animals.

8. Pet Animal

Dogs, cats, rabbits, guinea pigs, hamsters, mice, ferrets, birds, fish, reptiles, amphibians and invertebrates or any other species of wild or domestic or hybrid animal, except livestock, sold, transferred, or retained for the purposes of being kept as a household pet. Pet animal includes dogs and cats kept for working purposes on an agricultural operation or ranch.

9. Personal Horses

Personal horses for the use of the occupants of the lot and their guests.

10. Poultry Keeping, Rural Accessory

See §20.2.1.D.5.a.

11. Value-Added Ag Processing

The processing and/or packaging of agricultural products, excluding the processing of fish, meat, or game. Examples include but are not limited to: the making of alfalfa pellets, herbal products, food products, wreaths, woolen products, cheese, and candles. Value added processing may include the sales of agricultural products grown on the site or value-added agricultural products produced on the site.

a. Small

See §3.4.4.K.2.

b. Medium

See §3.4.4.K.2.

c. Large

See §3.4.4.K.2.

B. Accessory Dwelling Unit (ADU)

A residential unit that is located on the same lot as a primary residential dwelling unit or principal use and is either internal to or attached to the unit or located in a detached structure.

1. Accessory Living Area

Finished space attached to or part of (e.g. basement) a single-unit dwelling or a detached building that is intended and designed to be occupied as a separate living unit than that of the primary single-unit dwelling and clearly accessory to the single-unit dwelling on the lot. A single-unit dwelling that includes contiguous living space intended to be occupied by a single living unit is not considered an accessory living area.

2. Business Accessory Dwelling Unit

An accessory dwelling intended for occupation in association with a related primary commercial structure or use.

3. Extended Family Dwelling

Living quarters in a manufactured home to be used on a temporary basis to house immediate family members.

4. Farmstead Accessory Dwelling

An accessory dwelling permitted in association with a farmstead.

C. Public, Civic and Institutional Accessory Uses

1. Child/Elderly Care

A child care home as defined by Colorado state law.

2. Landing Strip or Helipad, Commercial

An area of land or structural surface created for and used for the landing and takeoff of planes, helicopters, or similar vertical aircraft, including but not limited to medical, commercial, and law-enforcement helipads located on the same property as the associated use.

3. Landing Strip or Helipad, Private

An area of land or structural surface created for and used for the landing and takeoff of planes, helicopters, or similar vertical aircraft located on private property and used solely by the owner of the property for personal use.

D. Commercial Accessory Uses

1. Outdoor Display and Sales

The accessory outdoor display of merchandise for sale.

2. Home Occupation

A business use conducted as a customary, incidental, and accessory use in the resident's dwelling unit, attached garage or detached building, including office work, the making of art or crafts, trade uses, the providing of personal or professional services, and similar

activities, and including retail sales of products produced on the premises and products clearly incidental, secondary, and ancillary to the home occupation. Uses specifically excluded from home occupations include vehicle repair or similar activities and retail marijuana establishments.

a. Limited

See §3.4.7.B.

b. Large

See §3.4.7.B.

3. Rural Occupation

A use conducted as a customary, incidental, and accessory to a single-unit dwelling or an agricultural use. An accessory rural occupation may include such business uses as the repair of agricultural equipment or the use of agricultural equipment for excavating, etc., but may not include any of the uses specifically listed in §3.4.7.C.3.a

a. Limited

See §3.4.7.C.

b. Large

See §3.4.7.C.

E. Industrial Accessory Uses

1. Storage Buildings and Garages

Accessory structures either attached to or separate from a primary structure that are intended or use for storage.

2. Outside Storage of Vehicles

The storage of vehicles on a lot outside of a structure such as a storage building or garage.

3. Outdoor Commercial Storage

The storage of materials, equipment, products, and any other goods that are clearly incidental and subordinate to the principal business, commercial or industrial use of the property. Parking of employee and customer vehicles is not accessory outdoor commercial storage.

F. Utility Accessory Uses

1. Wind Generator

A generator specifically designed to convert the kinetic energy in wind into electrical energy. A wind generator may include a generator, tower, and associated control or conversion electronics. The height of a wind generator is measured at the hub of the generator.

2. Solar Energy System

A system which is used for the production of electrical energy from energy collected by the sun including solar energy collectors, power generation facilities, facilities for storing

and transforming energy, and any other appurtenant facilities, which is designed to supply power to principal use(s) on the lot.

20.2.8. Temporary Uses

A. Agritourism Enterprise

See §20.2.7.A.2.

B. Christmas Tree Stand

A location used for the seasonal display and sales of Christmas trees.

C. Temporary Storage for a Construction Project

The construction of temporary structures, fences, or screening to be used in conjunction with a construction project.

D. Fireworks Stand

A location used for the sale of fireworks.

E. Manufactured Home

See §20.2.2.A.9.

F. Office, Temporary

A manufactured home, recreational vehicle or modular unit used as a temporary office facility. Temporary offices may include: construction supervision offices on a construction site or off-site construction yard; a temporary on-site real estate office for a development project; or a temporary business office in advance of permanent facility construction.

G. Recreational Vehicle

A vehicle designed to be used primarily as temporary living quarters for recreational, camping, travel, emergency, or seasonal use that either has its own motor power or is mounted on or towed by another vehicle, including camping trailers, fifth wheel trailers, motor homes, travel trailers, truck campers, and tiny houses on wheels.

H. Storage for Construction Projects, Temporary

The temporary storage of vehicles, materials, equipment, field offices and the excavation of fill material that are accessory to a construction project.

20.3. Other Terms Defined

The following words, terms, and phrases used in this Code shall have the meanings ascribed to them in this article, except where the context clearly indicates a different meaning:

Abandonment

The voluntary discontinuance of a use or the occupancy of a structure.

Accessory Use

A use of land or of a building or portion thereof customarily incidental and subordinate to the principal use of the land or building and located on the same lot with the principal use.

Adequate Firefighting Water Supply

A public or community water supply that can supply water to a fire hydrant at a pressure and flow rate of 1,000/1,500 gpm in GMA/urban areas and 500 gpm in outside of GMA areas. The residual pressure

shall be 20 pounds per square inch (psi). This typically requires a minimum six-inch diameter water line that is designed to supply fire hydrants and may require looping or other connections within a water system to ensure pressure and flow rates.

Adverse Impact

A condition that creates, imposes, aggravates, or leads to a negative condition on a site proposed for development or on off-site property or facilities. For example, a proposed building that blocks a scenic view corridor or a commercial building with a height and mass out of scale and proportion with adjacent residential buildings.

Agricultural Equipment

For the purpose of exterior lighting regulations, any farm tractor, self-propelled or towed unit of agricultural equipment, or implement of husbandry.

Agricultural Fencing

For the purpose of adjacency and buffering regulations, any fence in the Conservation and Agriculture, Rural, and Mixed Center character areas used to control, confine, or corral livestock, deter wildlife from crops, or indicate the borders of a lot that maintains any agriculture use as listed in Table 3-1 and Table 3-3.

Agricultural Housing

Housing associated with an agricultural use and provided for use by individuals who are primarily engaged in an agricultural use; includes agricultural labor housing and associated dwellings.

Agricultural Structure

A structure designed and constructed to house agricultural implements, hay, grain, poultry, livestock, or other horticultural products. This structure shall not be a place of human habitation or a place of employment where agricultural products are processed, treated, or packaged, nor shall it be a place used by the public.

Airport

A facility designed and improved for the landing and takeoff of aircraft that may be equipped with hangars, facilities for refueling and repairing aircraft, and accommodations for passengers and cargo.

Annual

A plant that, under typical conditions, lives for only one year (see Perennial).

Appurtenant Facility

Any building(s), structure(s) or other property which are clearly incidental to, and customarily found in connection with the 1041 project.

Applicant

A person submitting an application for development, a permit, or other required approval under this Code. "Applicant" includes the owner of the property subject to the application and any person designated by the owner to represent them.

Appurtenant Facility

Any building(s), structure(s) or other property which are clearly incidental to, and customarily found in connection with a 1041 project.

Architectural Feature

A part, portion, or projection of a building or structure that contributes to its character or style, exclusive of signs, that is not necessary for the structural integrity of the building or to make a building habitable.

Arterial Highway

Any limited-access highway which is part of the federal-aid interstate system or any limited-access highway constructed under the supervision of the Colorado Department of Transportation (CDOT) and any other publicly or privately financed highway, whether or not designed to County standards, owned, or maintained by the County, or tolled.

Articulation

Variation in the depth of the building or wall plane, roof line, or height of a structure or an individual fence/wall that breaks up plain, monotonous areas and create patterns of light and shadow.

Banner

A sign which is constructed of cloth, canvas, or other type of natural or manmade fabric, or other similar light material which can be easily folded or rolled, but not including paper or cardboard.

Beekeeper

Any person producing or causing to be produced bees or bee products.

Bees

Honey-producing insects of the genus *apis*, including all life stages.

Bedroom

A room in a dwelling designed and intended for sleeping in.

Billboard

See sign, off-premise.

Bird Hobby Breeder Facility

Any facility engaged in the operation of breeding and raising birds for the purpose of personal enjoyment that does not transfer more than 30 birds per year.

Block

A land area consisting of contiguous lots established by a recorded plat, usually bordered by streets, common areas, open space, rights-of-way, or other barriers to the continuity of development.

Board of County Commissioners

The Board of County Commissioners of Larimer County, including the term “County Commissioners” as referenced in this Code and those persons authorized to act on their behalf.

Boarded Horse

A horse that is kept for a fee, and/or an exchange of goods or services, and/or cared for by a party or entity other than its owner or lessee. A horse owned by the equestrian operation that is leased to another party but kept and/or cared for by the equestrian operation is considered to be a boarded horse.

Buffer

A combination of physical space and vertical elements such as plants, berms, fences, or walls, the purpose of which is to separate and/or screen incompatible land uses from each other.

Building

Any structure having a roof supported by columns or walls for the shelter or enclosure of persons, animals, or personal property of any kind.

Building, Principal

The primary structure located on a lot and designed for a permitted principal use in the zoning district applicable to the lot.

Building Frontage

The side of the building which is parallel to or most nearly parallel to a public street.

Building Permit

A development permit issued by the Larimer County Building Department or any other county office before any building or construction activity can be initiated on a land parcel.

Building Massing

The three-dimensional bulk of a building: height, width, and depth.

Business

An activity concerned with the supplying and distribution of goods and services. For purposes of this section, the term "business" shall not include an activity which is accessory to a residential use, such as a home occupation. The term "business" shall include principal agricultural uses. See also "Multi-tenant center" regarding two or more businesses located on a single property.

Caliper

The diameter of a tree measured six inches above the ground if up to a four-inch caliper. For a larger tree, the measurement is made 12 inches above the ground.

Canine Hobby Breeder Facility

Any facility which transfers no more than 18 dogs per year or breeds no more than two litters per year, whichever is greater.

Capacity

The maximum number of vehicles that have a reasonable expectation of passing over a given section of a non-regional road during a given time period, under prevailing traffic conditions, expressed in terms of vehicles per day. Capacity is measured in this regulation and in the TCEF during the week day.

Capital Improvement, Non-Regional Road

Transportation planning, preliminary engineering, engineering design studies, land surveys, alignment studies, engineering, permitting, and construction of all necessary features for any road construction project on non-regional road, undertaken to accommodate traffic resulting from new traffic-generating development. Non-regional road capital improvements may include but are not limited to any of the following in connection with the non-regional road system:

- 1) Construction of new through lanes;
- 2) Construction of new bridges;
- 3) Construction of new drainage facilities in conjunction with new road construction;
- 4) Purchase and installation of traffic signals, including new and upgraded signalization;
- 5) Construction of curbs, gutters, sidewalks, medians, and shoulders;
- 6) Relocating utilities to accommodate new road construction;
- 7) Construction and reconstruction of intersections;

- 8) Widening of existing roads;
- 9) Constructing bus turnouts;
- 10) Adding acceleration and deceleration lanes;
- 11) Adding interchanges; and
- 12) Purchasing and installing traffic control devices.

Capital Improvement, Regional Road

The transportation planning, preliminary engineering, engineering design studies, land surveys, alignment studies, engineering, permitting, and construction of all necessary features for any road on the regional system undertaken to accommodate additional traffic resulting from new traffic-generating development. Regional road capital improvement may include but are not limited to any of the following in connection with the regional road system:

- 1) Construction of new through lanes;
- 2) Construction of new bridges;
- 3) Construction of new drainage facilities in conjunction with new road construction;
- 4) Purchase and installation of traffic signals, including new and upgraded signalization;
- 5) Construction of curbs, gutters, sidewalks, medians, and shoulders;
- 6) Relocating utilities to accommodate new road construction;
- 7) Construction and reconstruction of intersections;
- 8) Widening of existing roads;
- 9) Constructing bus turnouts;
- 10) Adding acceleration and deceleration lanes;
- 11) Adding interchanges; and
- 12) Purchasing and installing traffic control devices.

Change of Use

Any use that substantially differs from the previous use of a building or land, including a change from a public use to a private use, in which the new use requires additional parking, landscaping, screening, buffering, drainage facilities or other changes to the site addressed in Article 4.0, *Development Standards*.

Character Area, Conservation and Agriculture

The area is intended to support conservation and agricultural uses of land outside growth management areas (GMAs) and furthers the Comprehensive Plan goals for the Rural, Agricultural and Ranching, Mountains and Foothills, and Natural Resources framework categories. The area consists of the Conservation and Agriculture districts as defined in this Code.

Character Area, Mixed Center

The area is intended to support small- to medium-scaled mixed-use development outside growth management areas (GMAs) and furthers the Comprehensive Plan goals for the Urban and Rural Interface, Rural Center, and Retail Services framework categories. The area consists of the Mixed Center districts as defined in this Code.

Character Area, Rural

The area is intended to support low-density residential and small-scale agricultural uses of land outside growth management areas (GMAs) and furthers the Comprehensive Plan goals for the Rural, Agricultural and Ranching, and Mountains and Foothills framework categories. The area consists of the Rural districts as defined in this Code.

Character Area, Urban

The area is intended to support appropriate-sized structures and uses adjacent to and within growth management areas (GMAs) and furthers the Comprehensive Plan goals for the Urban Expansion, Urban and Rural Interface, and Industrial framework categories. This area consists of the Urban districts and GMAs as defined in this Code.

Cluster

That portion of a conservation development which includes areas for the construction of dwellings, utilities, and roads.

Collector Highway

A major thoroughfare serving as a corridor or link between cities, towns, or unincorporated centers and constructed under guidelines and standards established by, or under the supervision of, the Colorado Department of Transportation. This term does not refer to a street constructed under the supervision of a local government and any other publicly or privately financed highway which collects or serves traffic from local streets or roads, whether or not designed to County standards, owned, or maintained by the County, or tolled.

Common Area

Land within a development, which may or may not be individually owned or dedicated for public use, that is designed and intended for common use or enjoyment of the residents of the development and their guests and may include such complementary structures and improvements as are necessary and appropriate.

Community Development Director

The person employed by the County to head the Community Development Department, including the term Director and Rural Land Use Center Director as referenced in this Code and those persons designated to act in their stead.

Community Sewer System

A wastewater system that collects sewage from more than one parcel and provides treatment at a centralized location and is not owned by a sanitation district or municipality. Examples include aerated lagoon systems; manufactured treatment plants; shared or clustered septic tank/soil-absorption systems; and individual absorption systems where all or part of the systems are located on common open space or residual land.

Compatible

Having consistency in design and appearance, use, or function with natural systems and/or existing land uses in an area.

Comprehensive Plan

The adopted Larimer County Comprehensive Plan, sometimes referred to as the County “Master Plan.” This plan fulfills the statutory requirements of C.R.S. §30-28-106.

Coniferous

Trees and shrubs that generally have needles rather than leaves, bear cones, and typically remain green throughout the year.

Contiguous

Touching at two points along a common boundary. Contiguity is not broken by a road or alley, a public or private right-of-way or easement, a natural or artificial water course or intersecting mining claim. Contiguity is broken by an interstate highway right-of-way.

Cooperative Planning Area

An area beyond a municipality's immediate urban planning area (growth management area) where urban level development is not appropriate within the municipal plan's time frame but where development may have an impact on present and future municipal growth patterns. Cooperative planning areas will be defined in intergovernmental agreements and development standards will be based on jointly-developed plans.

Cornice

A horizontal member, structural or nonstructural, of any building, projecting outward from the exterior walls at the roof line, including eaves and other roof overhang.

County

Larimer County, Colorado.

Deciduous

Trees and shrubs that lose their leaves at the end of each growing season and develop new leaves the following season.

Defensible Space

An area around a building where vegetation, debris, and other types of combustible fuels have been treated, cleared, or reduced to slow the spread of fire to and from the building.

Designation

That legal procedure specified by C.R.S. §§ 24-65.1-401 et seq., 24-65.1-402 et seq., and 24-65.1-406 et seq., for designating Matters of State Interest. It also includes the revocation and amendment of such designations.

Developable Land

The land area in a development exclusive of land in the floodway zoning district and land below the highwater mark of existing bodies of water.

Development

The division of any parcel of land into two or more parcels; the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure; any mining, drilling, excavation, clearing of roadways or building sites, land filling or other land disturbance. This definition excludes activities associated with normal agricultural practices, the drilling of water wells on individual lots and the construction of individual single-unit or duplex residential dwellings.

Development Agreement

The agreement between the applicant and the county that specifies the terms and conditions of approval of a development proposal.

Development Area

That portion of a conservation development that includes areas for the construction of dwellings, roads, utilities, and other facilities for the benefit of the development.

Director

The Community Development Director who heads the Community Development Department, including those persons designated to act in their stead.

Districts, Conservation and Agriculture

The Natural Resources (NR), Agriculture (A), Forestry (FO), and Agricultural Commercial Enterprise (ACE) base zoning districts as described in §2.2, *Conservation and Agriculture Districts*.

Districts, Mixed Center

The Interface Residential (IR), Rural Commercial (RC), and Community Facilities (CF) base zoning districts as described in §2.4, *Mixed Center Districts*.

Districts, Rural

The Rural Residential districts (RR-1 and RR-2) and the Open (O) district as described in 2.3, *Rural Districts*.

Districts, Urban

The Urban Residential (UR-1, UR-2, and UR-3), Multi-Unit Residential (MR), Manufactured Housing Park (MHP), [Manufactured Housing Park Preservation \(MHP-P\)](#), Mixed-Use Neighborhood (MU-N), Mixed-Use Commercial (MU-C), Commercial Corridor (CC), Commercial Neighborhood (CN), Commercial Destination (CD), Industrial Light (IL), Industrial Heavy (IH) and Airport (AP) districts as described in §2.5, *Urban Districts*.

Domestic Wastewater Treatment Works

A publicly owned, centralized wastewater collection and treatment system.

Domestic Water and Sewage Treatment System

A wastewater treatment facility, water distribution system, or water treatment facility, as defined in section 25-9-102(5), (6), and (7), C.R.S., and any system of pipes, structures, and facilities through which wastewater is collected for treatment.

Drip Line

An area around the tree trunk that generally includes the spread of the tree branches. Also that area around a structure that is beneath the roof overhang.

Dwelling

A building or portion thereof used for residential occupancy, including cabin, single-unit, duplex, and multi-unit dwellings. Dwelling includes approved Bed and Breakfast Inns and Short-Term Rentals (including Hosted), but does not include hotels, motels, boarding or rooming houses, resort cottages, lodges or manufactured homes that comply with the “National Manufactured Standards of 1974,” 42 U.S.C. 5401 et seq., as amended.

Emergency/Secondary Access

An all-weather surface access way that is intended only for emergency use; shall have a travel surface of at least 20 feet in width capable of supporting fire apparatus up to 80,000 pounds (the weight standard may be altered on the approval of the fire service provider).

Entrance and Exit

When used in the context of the Parking and Loading regulations in §4.6, an Entrance and Exit shall be considered a place of ingress and egress to a parking area used by the public. The terms ingress and egress shall be considered synonymous with entrance and exit.

Environmentally Sensitive Area

An area with one or more of the following environmental characteristics: floodplains; geologic hazards; drainage areas; topographical conditions that may affect development; wildfire hazards; special places of Larimer County; wetlands; mineral resources; habitat for plants and animals identified by the federal government as threatened or endangered or proposed for threatened or endangered status; habitat for plants and animals identified as important species by the Colorado Parks and Wildlife; and habitat for plants and animals identified by the Colorado Natural Heritage Program as ranking G1 and G2.

Equestrian Trainee Visit

Each visit of an individual trainee to an equestrian operation to receive training such as a riding lesson or to attend an educational class that is offered for a fee and/or for an exchange of goods or services. If the trainee is participating in a non-profit organization event or boards his/her horse at the equestrian operation, his/her visits for lessons do not constitute an equestrian trainee visit.

Equestrian Pasture Boarding

Leasing or use of pasture for a fee and/or for an exchange of goods or services for the purposes of horse grazing, recreation, and turn-out where the same pasture area is made available to two or more horse owners.

EV-Capable

The installation of electrical panel capacity with a dedicated branch circuit and continuous raceway from the panel to future electric vehicle parking spaces. The term is distinguished from and does not include EV-Installed or EV-Ready.

EV-Installed

The installation of a Level 2 EV charging station capable of charging at 30 amperes or higher at 208 or 240 VAC.

EV-Ready

The installation of electrical panel capacity and raceway with conduit to terminate in a junction box or 240-volt charging outlet.

Expansion of the Capacity of a Non-Regional Road

Any widening, intersection improvement, signalization, or other capital improvement designed to increase an existing non-regional road's capacity to carry vehicles.

Expansion of the Capacity of a Regional Road

Any widening, intersection improvement, signalization, or other capital improvement designed to increase an existing regional road's capacity to carry vehicles.

Expansive Soil

Soil which contains clay and which expands to a significant degree upon wetting and shrinks upon drying.

Façade

The exterior wall on the front, side, or rear elevation of the building regardless of whether the building side faces a street.

Family

Any number of persons who are related by blood, marriage, adoption, guardianship or other duly authorized custodial relationship.

Farm

A type of agricultural operation that is used for the cultivation of agricultural or horticultural crops, composting, aquaponics, aquaculture, or hydroponics.

Farmstead

That portion of an agricultural operation, commercial feedlot or dairy, poultry and egg production, or equestrian operation designated for accessory dwellings and other buildings necessary to the operation.

Fee Administrator

The person designated by the county administrator to be the primary person responsible for the administration of this regulation.

Fee Payer

A person commencing traffic-generating development who is obligated to pay a non-regional road capital expansion fee in accordance with this regulation.

Feline Hobby Breeder Facility

Any facility that produces or transfers no more than 18 cats per year or breeds no more than three litters per year.

FFHA

The federal Fair Housing Amendments Act of 1988.

Fire-Prone Vegetation

Plants and vegetation that is highly flammable including but not limited to ornamental juniper, Leyland cypress, Italian cypress, rosemary, arborvitae, and eucalyptus.

Fire Protection Plan

A site/development specific plan for fire suppression and safety that addresses the following components.

Fire Season

The time of year when wildfires are most likely to ignite, spread, and affect resources, typically between the months of May and October.

Fire Sprinkler Systems

All fire sprinkler systems, whether required by the applicable fire district or chosen by the applicant for a development as part of a fire protection plan, shall be designed and installed to meet National Fire Protection Association (NFPA) standards.

Flag, Commercial

A flag displaying the name, insignia, emblem, or logo of a for-profit entity.

Flag, Noncommercial

A flag displaying the name, insignia, emblem or log of any nation, state, county, municipality, or nonprofit organization.

Floodplain

The land adjacent to a body of water that has been or may in the future be covered by flood water.

Foster Home for Pet Animals

A foster home for pet animals is a site which, through a written agreement with a Pet Animal Care Facilities Act (PACFA) licensed rescue facility, provides a temporary home for the care and/or rehabilitation of pet animals.

Geologic Hazard

A geologic phenomenon which is so adverse to past, current, or foreseeable construction of land use as to constitute a significant hazard to public health and safety or to property. It includes but is not limited to potentially unstable slopes, landslide areas, avalanche and mudflow areas, seismic effect areas, and ground subsidence. See also “Hazard Area.”

Glare

Direct light emitted from a luminaire in which the light source (i.e. bulb) is visible from an adjacent property.

Grade, Finished

The final elevation of the ground level after development.

Gross Floor Area

The floor area within the inside perimeter of the exterior walls of the building under consideration, exclusive of vent shafts and courts, without deduction for corridors, stairways, closets, the thickness of interior walls, columns, or other features. The floor area of a building, or portion thereof, not provided with surrounding exterior walls, shall be the usable area under the horizontal projection of the roof or floor above. The gross floor area shall not include shafts with no openings or interior courts.

Ground Cover

Low growing plant materials intended to spread over the ground. Also includes mulches used to fill in around plantings and grass.

Ground Floor

The level of a building that is situated at or most nearly at street grade.

Growth Management Area (GMA)

The unincorporated area around a municipality that is identified in an intergovernmental agreement between the municipality and Larimer County as an area that will eventually become part of the municipality.

Hardscape Elements

Any non-living elements that are incorporated into a landscaping plan such as sidewalks, paths, driveways, required light fixtures, seating areas, or structures like gazebos that do not serve as a principal use.

Hazardous Material

Any material, including any substance, waste, combination thereof, that by reason of its toxic, corrosive, caustic, abrasive, or otherwise injurious properties that may be detrimental or deleterious to the health of anyone coming into contact with such material or substance.

Height, Building

The vertical measurement from average finished grade to the highest top of a flat roof or parapet, the deck line of a mansard roof, or to the top of the ridgeline of the highest gable of a pitched roof or hip roof.

Historic or Archaeological Resources of Statewide Importance

Those resources officially included in the national register of historic places, designated by statute or included in an established list of places compiled by the state historical society, including but not limited to those designated by the County Commissioners in accordance with C.R.S. 30-11-107(1)(bb) as amended.

Hive

A structure containing bees and designed to receive movable frames of comb.

Honey Super

Any hive body, or smaller box, used for the storage of surplus honey.

Horse

Any domesticated, equine mammal, including mules and burros.

Improvements, Non-Site-Related

Regional road capital improvements for regional roads that are not site-related improvements.

Improvements, Site Related

Road capital improvements that provide direct access to the development. Direct access improvements are typically located within or adjacent to a development site and include but are not limited to the following:

- 1) Driveways and streets leading to and from the development;
- 2) Right- and left-turn lanes leading to those driveways and streets;
- 3) Traffic control measures for those driveways and streets; and
- 4) Internal streets and driveways. Credit is not provided for site-related improvements under the terms of this regulation.

Indirect Lighting

A source of external illumination of any sign.

Interchange

A system of interconnecting roadways in conjunction with one or more grade separations that provide for the movement of traffic between one or more roadways or highways on different levels.

Junk Vehicle

A vehicle that is inoperable (unable to move under its own power), or is partially or totally dismantled or has all or portions of its body work missing or substantially damaged or is not registered with the State of Colorado as required by C.R.S. § 42-3-103 or by C.R.S. §§ 42-12-401 and 42-12-402, and/or the number plate assigned to it is not permanently attached to the vehicle as required by C.R.S. § 42-3-202 or is lacking proper equipment to the extent that would be unsafe or illegal to use on public road rights-of-way or otherwise not equipped with lamps and other equipment as required by C.R.S. §§ 42-4-202—42-4-227. This definition does not include implements of husbandry, tractors, agricultural equipment or vehicles customarily operated in an agricultural operation or ranch.

Legal Lot

A lot, parcel or tract of land created by a legal conveyance of said lot, parcel or tract prior to May 5, 1972; a lot, parcel or tract shown on a subdivision plat which was approved and recorded prior to May 5, 1972, according to the subdivision regulations in effect at the time of approval; a lot, parcel or tract created by approval of the County Commissioners in conformance with the subdivision regulations in

effect at the time of approval; or any parcel of 35 acres or more, which, when created, did not cause a parcel of less than 35 acres to remain.

Level of Service (LOS)

Applied to roads, a qualitative measure describing operational conditions, from A (best) to F (worst), within a traffic stream or at intersections, which is quantified for road segments by determination of a volume-to-capacity ratio (V/C), which is a measurement of the amount of capacity of a road that is being utilized by traffic. The LOS and corresponding V/C ratios are defined in the highway capacity manual.

Light Trespass

Light spill falling over property lines that illuminates adjacent grounds or buildings in a manner that exceeds the minimum standards of §4.10, Exterior Lighting.

Livestock

Cattle, horses, mules, burros, sheep, swine, llamas, and goats, regardless of use, and any animals, except dogs and cats, that are used for working purposes on agricultural land and any other animal designated by the state agricultural commissioner, which animal is raised for food or fiber production.

Living Unit

A group of individuals residing together in a dwelling with access to and common use of all living and eating areas, including all areas for the preparation and serving of food within the dwelling unit. The number of persons constituting a living unit for a particular dwelling may be limited by building and health codes to ensure the health, safety, and welfare of the occupants.

Lot

A designated parcel, tract, or area of land established by plat, subdivision, or as otherwise permitted by law, to be separately owned, used, developed, or built upon.

Lot, Corner

A lot abutting two or more streets at their intersection or on two parts of the same street forming an interior angle of less than 135 degrees.

Lot, Double Frontage

A lot having street frontage on two streets that do not intersect. Also called a reverse frontage lot or a through lot.

Lot Area

The total area included within the lot lines of a lot, exclusive of adjacent dedicated street rights-of-way. The total of the area measured in a horizontal plane, within the lot lines bounding the lot, exclusive of the access strip required to serve a flag lot.

Lot Depth

The average distance measured from the front lot line to the rear lot line.

Lot Line

A line of record bounding a lot that divides one lot from another lot or from a public or private street or road.

Lot Line, Front

The shortest lot line separating a lot from a street or road. The front lot line designation is for the purpose of identifying the side and rear lot lines and it is not based on the orientation of the house and/or buildings on the lot.

Lot Line, Rear

The lot line opposite the front lot line.

Lot Line, Side

All lot lines other than front or rear lot lines.

Lumen

A unit used to measure the actual amount of visible light that is produced by a lamp as specified by the manufacturer.

Manufactured Home Space

A plot of ground within a manufactured housing park designed for the accommodation of one manufactured home, its accessory structures, parking spaces and required yard areas.

Matter of State Interest

An area of state interest or an activity of state interest or both.

Mature Crown

The width of the area occupied by the branches of a healthy, full-grown tree that has not been pruned and has been grown in a constructed landscape below 6,000 feet elevation.

Maximum Extent Feasible

When no prudent or feasible alternative exists and all possible efforts to comply with regulations and minimize potential harm or adverse impacts have been undertaken.

Maximum Extent Practicable

When, under the circumstances, reasonable efforts have been taken to comply with the regulation or requirement and the costs of compliance clearly outweigh the potential benefits to the public or would unreasonably burden the proposed project and reasonable steps have been taken to minimize any potential harm or adverse impacts resulting from the noncompliance.

Medical Marijuana

Marijuana that is grown and sold in accordance with Section 14, Article XVIII of the Colorado Constitution.

Medical Marijuana Patient

The term medical marijuana patient has the meaning set forth for the term 'patient' in Section 14, Article XVIII of the Colorado Constitution.

Medical Marijuana Primary Caregiver

The term medical marijuana primary caregiver has the meaning set forth for the term "primary caregiver" in Section 14, Article XVIII of the Colorado Constitution.

Minor Modification

The ability of the Director or County Commissioners to modify, adjust, or otherwise relax certain standards of this Code pursuant to §6.7.1.

Modular Home

A factory-built residential structure constructed to the building codes adopted by the Colorado Division of Housing and designed to be installed on a permanent foundation.

Mulch

Non-living material used for covering bare ground between plant materials in a landscaped area to retain water, prevent erosion, lessen weeds, and generally make a healthier, aesthetic environment for the plant materials. Mulch is composed of loose, non-living materials including wood chips, shredded wood, pine needles or other materials that do not reflect heat onto adjacent plants or structures.

Multi-Tenant Center

One or more buildings, located on a single property, containing two or more separate and distinct businesses or activities which occupy separate portions of the building with separate points of entrance, and which are physically separated from each other by walls, partitions, floors, or ceilings. For purposes of Article 7.0, the term "multi-tenant center" shall include buildings containing condominium units. See also "property."

Municipal and Industrial Water Project or Project

A system and all components thereof through which a municipality or industry derives its water supply from either surface or subsurface sources, or which otherwise serves municipal or industrial users.

Natural Resources of Statewide Importance

Shorelands of major, publicly owned reservoirs and significant wildlife habitats in which the wildlife species, as identified by the division of parks and wildlife of the department of natural resources, in a proposed area could be endangered.

New Development

Development of a site with no existing principal structure(s) or use(s) or has been or will be cleared of structures.

Nightclub

A facility used primarily for the sale and dispensing of liquor or nonalcoholic beverages by the drink; where food may be available for on-site consumption; and where live entertainment and/or dancing is provided. A nightclub does not include any adult use.

Nonconforming Lot

A lot or parcel of land that does not meet one or more of the requirements of this Code but is considered a legal lot because: 1) The lot was created by deed or other instrument of property transfer executed before May 5, 1972; or, 2) The lot was approved by the County Commissioners on or after May 5, 1972; or, 3) The lot appears on a final plat of record approved by the appropriate approval authority at the time the plat was recorded.

Nonconforming Site Feature

Site development features such as buffers, landscaping, screening elements, fences and walls, and exterior lighting that does not conform to the requirements of this Code but did conform to applicable zoning requirements at the time of adoption, revision, or amendment of this Code.

Nonconforming Structure

A structure that, by reason of its height, size, distance from a lot line, encroachment on a setback, or other dimensional or bulk requirement, does not conform to the requirements of this Code but did conform to all applicable zoning requirements at the time of its construction.

Nonconforming Use

A use that does not conform to the requirements of this Code but did conform to all applicable zoning requirements at the time of adoption, revision, or amendment of this Code.

Non-Site-Related Improvements

Non-regional road capital improvements for roads on non-regional road system that are not site-related improvements.

Obsolete Advertising Material

Advertising material that has gone out of date; for example, the name of a business that no longer exists.

On-Site Processing

The treatment of crude ores and mineral products in order to separate the valuable minerals from their ores. This process occurs on the same property as the associated mining operation.

On-Site Wastewater Treatment

A wastewater system installed on a lot or parcel and designed to treat the wastewater generated from the uses on that parcel or lot.

On Center

A landscaping term that refers to the spacing of plant materials by locating the trunk or center of the plant a specified distance from the center of the next plant.

Opaque

Unable to be seen through.

Ornamental Tree

A small deciduous tree that will be no more than 30 feet tall at maturity with no more than a 30 foot wide mature crown.

Overlay District

A zoning district that encompasses one or more underlying base zoning districts and that imposes additional or alternate requirements to that required by the underlying zone(s).

Parapet

The extension of the main walls of a building above the roof level.

Parcel

Contiguous property in common ownership, whether or not it is platted into one or more lots developed for a single use. Platted lots held in common ownership but developed as separate uses shall be deemed separate parcels.

Park-and-ride

A parking lot designed for drivers to leave their cars and use mass transit or carpools that begin, terminate, or stop at the park-and-ride facility.

Park, Community

Land owned or operated by or on behalf of Larimer County or the participating local governments and dedicated or used for the purpose of neighborhood or community parks. Neighborhood or community parks are parcels of land used for active recreation activities, ranging in size up to about 120 acres and serving up to several neighborhoods but typically not serving an entire community or region with specialized facilities.

Park, Regional

Land owned or operated by or on behalf of Larimer County or the participating local governments and dedicated or used for the purpose of regional parks. Regional parks are typically more than 250 acres in size, provide recreation opportunities associated with experiencing the natural environment and may include unique historic, archaeologic or paleontologic features.

Parkway

An area of grass or other living landscape material between the road and the sidewalk and may be in the right-of-way.

Participating Local Governments

Any municipality within Larimer County that has entered into an intergovernmental agreement between the governing body and Larimer County.

Perennial

A plant that, under typical condition, will live a minimum of three years.

Permanent Easement

An easement that lasts in perpetuity.

Person

An individual, corporation, governmental agency, business trust, estate, trust, partnership, association, two or more people having a joint or common interest or any other entity.

Personal Event

A gathering for social activities such as family celebrations (including but not limited to wakes, funerals, anniversaries, graduations, and weddings), parties (including but not limited to dinner parties, barbecues, house warming parties) and/or gatherings (including but not limited to demonstration parties, study groups, club meetings) of family members and friends of the owner/resident of the property. Personal events shall be hosted by an individual that resides on the property. A personal event shall be accessory and incidental to use of the property as a residence.

Planned Development

A land area under unified control designed and planned to be developed in a single phase or a series of phases according to an approved development plan.

Plot Plan

An accurate, scaled drawing illustrating a property's dimensions and shape, the location of roads and man-made features on the property (buildings, structures driveways), natural water features (creeks, streams, rivers, lakes), and architectural features (cornices, canopies, eaves, awnings, bay windows, window wells, cantilevered walls, chimneys). The plot plan shows both what currently exists on the site and the physical changes proposed.

Poultry

Any domesticated bird, such as chickens, turkeys, ducks, and geese, raised commercially or domestically for eggs, meat, or other byproducts.

Primary Heat Source

A heating system capable of maintaining room temperatures at 68 degrees Fahrenheit at a point three feet above the floor and two feet from exterior walls in all habitable rooms during cold, inclement weather at all times, even when the structure is not occupied.

Principal Use

The primary or predominate use of a lot.

Property or Premises

A lot, tract, or parcel of land together with the buildings or structures thereon. For purposes of Article 7.0, individual condominium ownerships in a structure shall not be considered separate property. See also "multi-tenant center."

Public Facilities and Services

Required infrastructure, structures, or locations for the provision of facilities such as domestic water, wastewater disposal, fire protection, transportation, schools, or drainage.

Ranch/Ranching

A type of agricultural operation that is used for grazing livestock.

Regenerative Farming

Farming practices that (i) contribute to generating/building soils and soil fertility and health; (ii) increase water percolation, water retention, and clean and safe water runoff; (iii) increase biodiversity and ecosystem health and resiliency; and (iv) increase carbon sequestration and reduce levels of CO₂.

Remodeling

A change in any aspect or character of a sign including addition or change in the type of lighting, increase in height or size, addition of sign faces or change from wood posts and frame to metal posts and frame, but not including a change in the content or message of the sign face.

Renter

The primary occupant (non-owner) of a dwelling for 31 consecutive days or more.

Replacement Pole

A newly constructed and permitted traffic signal, utility pole, street light, flagpole, electric distribution, or street light poles or other similar structure of proportions and of equal height or such other height that would not constitute a substantial change to a pre-existing pole or structure in order to support a WCF or small cell facility or to accommodate collocation and remove the pre-existing pole or structure.

Residual Land

An area designated and protected from any activity that would significantly alter its ecological integrity, balance, or character including environmentally sensitive areas and areas in agricultural uses. That portion of residual land under separate ownership and/or devoted solely to the common use and enjoyment of residents and their guests may include areas that are landscaped and/or left with natural vegetative cover; or areas containing recreation or leisure facilities such as playgrounds, swimming pools, playfields, riding or bicycle trails, stables, or arenas. Residual land cannot include land area devoted to public or private streets and sidewalks or parking areas, except as noted in §5.8.4.A.2.

Retail Marijuana

Marijuana or marihuana as defined in Section 16(2)(f) of Article XVIII of the Colorado Constitution that is cultivated, manufactured, distributed, or sold by a licensed retail marijuana establishment.

Retail Marijuana Establishment

A retail marijuana store, retail marijuana cultivation facility, retail marijuana manufacturer, or retail marijuana testing facility.

Right-of-Way

Any public street, way, alley, sidewalk, median, parkway, or boulevard that is dedicated to public use.

RLUIPA

The Religious Land Use and Institutionalized Persons Act of 2000.

Road

An access that serves two or more lots.

Road System, Non-Regional

That system of non-regional roads defined in the TCEF, which is shown on Exhibit A to this regulation.

Road System, Regional

That system of regional roads defined in the TMP and shown in Exhibit A.

Roof Form

The type, arrangement of ridges or parapet walls, or materials used on a roof.

Rural Area Road Standards

The Larimer County Rural Area Road Standards as adopted in §4.14, *Supplementary Engineering Regulations*.

Sanitary Facility

For the purpose of campground and recreational vehicle park regulations, toilets, privies, lavatories, showers, and drinking fountains, and the service building containing these units.

Sanitary Waste Station

For the purpose of campground and recreational vehicle park regulations, a facility used for removing and disposing of wastes from self-contained camping vehicle sewage holding tanks.

Seismic Effects

Direct and indirect effects caused by an earthquake or an underground nuclear detonation.

Semi-Opaque

Severely limiting vision by planting trees and shrubs in multiple rows or with reduced spacing between plants.

Setback

The minimum required distance, measured at the shortest distance perpendicular or radial from, a lot line, waterway, street, or road, between a building and the lot line, waterway, street, or road.

Setback, Side

A setback extending from the front setback to the rear setback between the side lot line and the closest projection of a building or structure along a line at right angles to the side lot line.

Setback, Rear

A setback extending across the full width of the lot between the rear lot line and the closest projection of a building or structure along a line at right angles to the lot line.

Setback, Front

The setback extending across the full width of the lot between the front lot line and the closest projection of a building or structure along a line at right angles to the lot line.

Shade Tree

A large tree that will be at least 30 feet tall when mature with at least a 30 foot wide mature crown.

Sign

Any object, device or structure, or part thereof, which is visible beyond the boundaries of the property upon which it is located, and which advertises, identifies, directs, or attracts the attention of the public to a business, institution, product, organization, event, or location by any means, including, but not limited to, words, letters, graphics, fixtures, symbols, colors, motion, illumination, and projected images. The term "sign" shall not include the following:

1. Works of fine art which in no way identify a product or business and which are not displayed in conjunction with a commercial enterprise, which enterprise may benefit or realize direct commercial gain from such display;
2. Temporary decorations or displays clearly incidental and customary and commonly associated with national, local, or religious holiday celebrations;
3. Products, merchandise, materials, or equipment which are offered for sale or used in conducting a business, along with any incidental and customary product labels on such items, when such items are kept or stored in a location which is designed and commonly used for the storage of such products, merchandise, materials, or equipment; and
4. Flags of the United States of America, provided that such flags are sized and displayed in such a manner that they do not extend beyond the property lines of the property upon which they are located, and that they do not interfere with utility lines.

Sign, Agricultural Product

A sign advertising agricultural products that are produced and available for sale on the property.

Sign, Awning

A sign which is mounted on a temporary shelter supported entirely from the exterior wall of the building.

Sign, Bus Stop

Signs located on benches or shelters placed in the public rights-of-way or in private property adjacent to public rights-of-way at a bus stop.

Sign, Business Vehicle Identification

A sign which is painted on, affixed to, or otherwise mounted on any vehicle or on any object which is placed on, in, or attached to a vehicle. For purposes of this definition, the term "vehicle" shall include trucks, buses, vans, railroad cars, automobiles, tractors, trailers, hot air balloons, motor homes, semi-tractors or any other motorized or nonmotorized transformational device, whether or not such vehicle is in operating condition.

Sign, Cabinet

A sign that contains all the text, artwork, logos and/or other information displayed within an enclosed cabinet.

Sign, Canopy

A wall sign which is mounted on a permanently-roofed shelter covering a sidewalk, driveway or other similar area, which shelter may be wholly supported by a building or may be wholly or partially supported by columns, poles or braces extended from the ground.

Sign, Commemorative or Memorial

A sign, table or plaque commemorating or memorializing a person, event, structure, or site.

Sign, Construction

A temporary sign erected on the property on which construction, alteration or repair is taking place, during the time of active continuous construction, displaying only the names of the architects, engineers, landscape architects, contractors or similar artisans, and the owners, financial supporters, sponsors and similar individuals or firms having a role or interest with respect to the structure or project.

Sign, Election

A sign relating to a candidate, issue, proposition, or other matter to be voted upon by the electors of the County.

Sign, Freestanding

A nonmoveable sign that is anchored directly to the ground or supported by one or more posts, columns, or other vertical structures or supports, and not attached to or dependent for support from any building.

Sign, Identification

A sign giving only the name, logo or other identifying symbol, address, or any combination of name, symbol and address of a building, business or residential development, establishment, or rural property.

Sign, Ideological

A sign conveying a philosophical, religious, political, charitable, or other similar noncommercial message.

Sign, Menu Board

A wall or freestanding sign which lists the foods or other products available at drive-through facilities.

Sign, Monument

A freestanding sign where the base of the sign structure is on the ground or a maximum of 12 inches above the adjacent grade. The width of the top of the sign structure can be no more than 120 percent of the width of the base.

Sign, Nameplate

A sign, located on the property, giving only the name or address or both, of the owner or occupant of a building or property.

Sign, Neon

An illuminated sign consisting of a neon or gas tube that is bent to form letter, symbols or other shapes that advertise or identify a product, business, organization, or location. For purposes of Article 7.0, neon tubing that is used as an architectural decoration is not considered to be a sign.

Sign, Noncommercial Event

A temporary sign announcing a noncommercial event such as a community or neighborhood event or nonprofit fundraising campaign and containing no commercial content.

Sign, Nonconforming

A sign that does not meet one or more of the requirements of Article 7.0, but which was erected in conformance with any adopted standards and procedures in existence at that time.

Sign, Off-Premise

A sign which is used or intended for use to advertise, identify, direct, or attract the attention to a business, institution, product, organization, event, or location offered or existing elsewhere than upon the same property where such sign is displayed.

Sign, On-Site Traffic Directional

A sign intended solely for the purpose of guiding or directing pedestrian or vehicular traffic within an establishment and not including promotional advertising unnecessary to such directional purpose. Examples of such signs include "entrance", "exit", "no parking", "loading only" and other similar directives.

Sign, Permanent

A sign that is permanently affixed or attached to the ground or to a structure.

Sign, Portable

A sign that is not permanently affixed or attached to the ground or to a structure and that is designed to be easily transportable from one location to another, including but not limited to a sign designed to be displayed while mounted or affixed to the trailer by which it is transported.

Sign, Private Sale

A sign advertising a private sale of personal property such as a house sale, garage sale, rummage sale and the like.

Sign, Project Marketing

A sign that is placed at one or more locations within a project, which identifies the project and offers for sale or lease, as part of the original marketing of the project, the lots, tracts, structures, or units within the project.

Sign, Real Estate

A sign indicating the availability for sale, rent or lease of a specific parcel, building or portion of a building, and the name, address and telephone number of the owner or listing of the real estate broker.

Sign, Regulatory

A sign having the primary purpose of conveying information concerning rules, ordinances, or laws.

Sign, Rooftop

A sign erected upon or above a roof or above a parapet wall of a building.

Sign, Rural Property Identification

A sign intended to identify the entrance to a rural property. For purposes of Article 7.0, the term rural property shall be limited to properties that are located outside a growth management area (GMA) overlay zoning district of Larimer County.

Sign, Temporary

A sign which, due to the materials used or the method, manner or location of display; is suited only for brief display, including but not limited to those signs regulated under §

Sign, Wall

A sign attached to, painted on, or erected against the wall of a building or structure in such a manner that the wall is the supporting structure for, or forms the background surface of, the sign.

Sign, Warning

A sign limited to a message of warning, danger, or caution such as underground utility location signs, no trespassing, no hunting, and similar warning messages.

Sign, Wind-Driven

Any sign consisting of one or a series of banners, pennants, ribbons, spinners, streamers, captive balloons or other objects or material fastened in such a manner as to move, upon being subjected to pressure by wind or breeze.

Sign, Window

A sign that is applied to or attached to the exterior or interior of a window or located in such a manner within a building that it is visible from the exterior of the building through a window.

Sign Face

The area of a sign upon or through which the message is displayed.

Sign Plan

A graphic representation showing a comprehensive detailed presentation of all signage proposed for a particular property.

Single-Unit Equivalent (SUE)

The demand for community park lands represented by a single-unit dwelling. A single-unit dwelling represents one SUE, while the number of SUEs for other housing types is the ratio of the average household size of the housing type to the average household size of single-unit detached dwellings.

Site Plan

The development plan for one or more lots showing the existing and proposed conditions of the lot. This includes topography; vegetation; drainage; floodplains; wetlands and waterways; landscaping and open spaces; walkways; means of ingress and egress; circulation; utility services; structures and buildings; signs and lighting; berms, buffers, and screening devices; surrounding development; and other information that may be reasonably required for the Director to make a decision.

Site-Specific Development Plan

A final plat for a subdivision, conservation development, planned development, TDU exemption plat or rural land plan or a special review site plan.

Slope

For the purpose of Article 10.0, *Areas and Activities of State Interest*, the gradient of the ground surface which is definable by degree or percent.

Small Animal Hobby Breeder Facility

Any facility that transfers a number of animals less than the maximum number established by the Colorado Commissioner of Agriculture by rule for each particular species.

Soil Amendment

Organic material added to soil to improve its physical properties, such as water retention, permeability, water infiltration, drainage, aeration and structure.

Solar Garden

A community solar garden as defined in section 40-2-127 (2) of the Colorado Revised Statutes.

Special Places of Larimer County

Sites and structures listed on the state and National Register of Historic Places, identified in the Larimer County Open Lands Master Plan, or designated by the County Commissioners through the process specified in the appendix E of the Open Lands Master Plan.

Specified Anatomical Areas

Human genitals, pubic hair, vulva, and female breasts below a point immediately above the areola if less than completely or opaquely covered; and human male genitals in a discernibly turgid state even if completely and opaquely covered.

Specified Sexual Activity

Human genitals in a state of sexual arousal; acts of human masturbation; sexual intercourse or sodomy; and fondling or other erotic touching of human genitals, pubic regions, buttocks, vulva, or female breasts.

Steep Slope

Land having average slopes over 15%, as measured over horizontal distances of 50 ft. or more.

Stream, Creek, and River

Any water course having a source and terminus, banks and channel through which water flows and is identified on a 7.5-minute quadrangle map prepared by the United States Geological Survey as a perennial or intermittent stream.

Street or Road

A general term denoting a public or private way for purposes of vehicular travel to two or more lots, including the entire area within the right-of-way (includes alleyways) and/or access easement.

Street Frontage

A property line that abuts a public right-of-way that provides public access to or visibility to the property.

Structure

Anything constructed or erected and that requires a permanent location on or in the ground or attachment to something having a permanent location on or in the ground, but not including fences, retaining walls four feet or less in height, irrigation facilities, poles, lines, cables, or other transmission or distribution facilities of public utilities. Landscape and associated nonliving ornamental landscape features or materials, such as rocks and edging, are excluded from this definition.

Sufficient

Having the information necessary to demonstrate compliance with this Code.

System

A wastewater system installed on a lot or parcel and designed to collect and treat wastewater generated from uses on that parcel.

Temporary

Existing for a fixed or limited time period but not exceeding 30 days in any 12-month period unless otherwise specified by this Code.

Tiny Home on Wheels

A single-unit dwelling built on a chassis, with no attached motor as the means of propulsion that is no more than 400 square feet in area and has been approved either by the State of Colorado or by the Larimer County Building Division's as-built process as a potential dwelling unit.

Traffic-Generating Development

Land development, building construction, or activity designed or intended to permit a use of the land that will increase the generation of vehicular traffic over the existing traffic-generating development.

Traffic-Generating Development, Commencement of

Occurs upon the issuance of a final plat for land division, a special review approval, or the issuance of a building permit, whichever occurs first after the effective date of this regulation.

Traffic-Generating Development, Existing

The most intense use of land within the past ten years prior to the time of commencement of new traffic-generating development.

Transient

Lasting only for a short time; impermanent.

Trip

A one-way movement of vehicular travel from an origin (one trip end) to a destination (the other trip end).

Trip Generation

The attraction or production of trips caused by a certain type of land development.

Understory Landscaping

A grouping of noninvasive low-level shrubs, herbaceous plants, or other ground covers.

Unshielded

For the purposes of §4.10, *Exterior Lighting*, any fixture that allows light to be emitted above the horizontal directly from the lamp or indirectly from the fixture or a reflector.

Unstable or Potentially Unstable Slope

An area susceptible to a landslide, a mudflow, a rock fall, or accelerated creep of slope-forming materials.

Urban Area Road Standards

The Larimer County Urban Area Road Standards as adopted in §4.14, *Supplementary Engineering Regulations*.

View Corridor

A continuous, undisturbed area often terminating in a significant visual landmark, such as public open space or parks, mountain ranges or peaks, ridgelines, or bodies of water.

Vehicle-Miles of Travel (VMT)

The product of the number of vehicles traveling during a given time period and the distance (in miles) that they travel.

Wastewater Treatment Plant

The facility or group of units used for the treatment of industrial or domestic wastewater from sewer systems and for the reduction and handling of solids and gases removed from such wastes, whether or not such facility or group of units is discharging into state waters. "Wastewater treatment plant" specifically excludes any facility or group of units used for pretreatment, treatment, or handling of industrial water, wastewaters, reuse waters, and wastes which are not discharged into state waters.

Water Transmission Line

A water supply system's pipe, conduit, ditch, natural water course, or combination thereof which is designed to transport water of a potable or non-potable quality, commonly referred to as treated or raw water, including applicable transmission lines as noted. Sec. 10.3.1.I.

Xeriscape

The term “Xeriscape” is a registered trademark by Denver Water and used here by permission. Xeric design includes seven concepts that describe an established landscape with minimal, supplemental water needs. Site-specific conditions determine which plants are appropriate for use within the parameters established by the seven concepts. Xeric design and xeric plants are not synonymous, and the use of the xeric design techniques does not necessarily require the use of xeric plants.

Xeric Plants

A distinct group of plants that generally require less to remain healthy. The word Xeric is derived from the Greek word Xerox, meaning dry.