

CHAPTER 2: ZONING

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CHAPTER 2: ZONING

Section 2.1

**Section 2.1
GENERAL PROVISIONS**

A. Zoning Districts. Provisions of these Regulations apply within the unincorporated territory of Teller County as now or hereafter fixed. For the purposes of these Regulations, Teller County is divided into land use zones as follows:

Agricultural (A-1) Airport Overlay Zone (A-2) Business Center (BC) Commercial One (C-1) Commercial Overlay Zone (C-2) Cripple Creek Mining Overlay District (CCMOD) Environmental Health Overlay Zone (EHO) Historic Preservation Overlay Zone (HP) Light Industrial (LI) Industrial/Heavy Manufacturing (M-1)	National Monument Protection Overlay Zone (NP) Planned Unit Development (PUD) Residential: General (R-1) Residential: Mobile Home (R-1M) Multi-Family Residential (R-2) Rural Residential (RR) <p style="text-align: center;">OBSOLETE ZONE DISTRICTS</p> Campground (CG) Mobile Home Park (MHP) Planned Business Center (PBC) Planned Industrial Center (PIC)
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B. Obsolete Zone Districts. The CG (Campground), MHP (Mobile Home Park), PBC (Planned Business Center) and PIC (Planned Industrial Center) zone districts are Obsolete Zone Districts. No further land in unincorporated Teller County will be zoned or rezoned to these districts on or after the effective date of these Regulations. Land located within one of the foregoing Obsolete Zone Districts on the effective date of these Regulations is permitted to be developed in accordance with the standards for that zone district in existence prior to that date, repeated herein, until such time as said land is rezoned to another valid zone district. (See also *Section 2.10 Obsolete Zone Districts*).

- 1. Existing PBC or PIC Ownership Change.** Should ownership or control become diversified these Regulations continue to apply to the entire PBC or PIC as a unit.
- 2. Amendments to Existing PBC or PIC Zoning.** A change to an approved PBC or PIC development plan must be requested in writing, and approval obtained, pursuant to the procedures of *Section 10.3 Amendment of a PUD Preliminary Plan*, as if it were a PUD.

C. Uses Allowed. Uses allowed in each zone district are of the following kinds:

**Section
2.1.C.1**

1. **Permitted Uses.** Uses allowed by right (“use-by-right”), subject to compliance with all applicable provisions of these Regulations. The definitions for Permitted Uses in one zone district which are uses by Administrative Review Permit, Conditional Use Permit or Special Use Permit in another zone district are set forth in these Regulations in *Chapter 8 Special Review Uses*.
2. **Administrative Review Uses.** A use subject to review and final determination by the Planning Director. Such uses are subject to the requirements and standards of *Chapter 8 Special Review Uses*.
 - a. **Temporary Use.** A use that is limited to no more than six months in any twelve month period unless otherwise established by these Regulations. Unless otherwise provided in these Regulations, Temporary Uses are subject to Administrative Review Permit.
3. **Conditional Uses.** A use subject to review and final determination by the Teller County Planning Commission. Such uses are subject to the requirements and standards of *Chapter 8 Special Review Uses*.
4. **Special Use.** A use subject to review by the Teller County Planning Commission, with recommendation to the Board of County Commissioners which will make the final determination. Such uses are subject to the requirements and standards of *Chapter 8 Special Review Uses*.
5. **Uses Not Allowed.** A use that is not allowed by right, Administrative Review, or by any *Chapter 8 Special Review Uses* permit.
6. **Uses Not Listed.** Uses not listed are considered to be uses that are not allowed unless one of the following occurs:
 - a. **Amendment to these Regulations.** An amendment to the text and/or map(s) of these Regulations is adopted by the Board of County Commissioners pursuant to *Section 2.11 Amendments to the Text of these Regulations or the Official Zone District Map*. In addition to the specific standards of *Section 2.11.E*, the following must also be found to exist:
 - (1) **Purpose of the Zone District.** The purpose/s for which the zone district has been created are sustained.
 - (2) **Public Goals.** The proposed use does not sacrifice legitimate public goals, including the protection of adjacent or adjoining landowners, or require undue limitation on the ability of landowners to use their land in a manner consistent with the goals, objectives and policies of all applicable legislatively adopted Teller County master plan(s) or map(s).

**Section
2.1.C.6.b**

b. **Determination of Similar Use.** The Planning Director determines according to *Section 2.1.D Determination of Similar Use* that the proposed use is substantially similar to another use listed in these Regulations. A use that is determined to be substantially similar another use is subject to the same requirements and standards as that use.

D. **Determination of Similar Use.** The Planning Director shall determine, in writing and subject to Appeal to the Board of Adjustment, whether a proposed use not listed in these Regulations shall be allowed by right, not be allowed, or be allowed subject to an Administrative Review Use Permit, Conditional Use Permit, or Special Use Permit in one or more zone districts. In making this determination, the Planning Director shall consider the following:

1. **Nature of the Primary and Any Secondary Use**

a. **Sales.** Whether the use is retail or wholesale, for general or specific goods. Whether the goods are “soft” (by way of example **only**: general household goods, clothes, computers, books, small appliances) or “hard” (by way of example **only**: lumber or stone, major appliances and furniture, heating or plumbing systems).

b. **Service.** Whether the use is office-oriented (by way of example **only**: legal, accounting, consulting, medical, real estate, and government offices), or not office-oriented (by way of example **only**: excavating, hauling, installation contractors, storage services, repair services, home care giving services). If a use is not office-oriented:

- (1) Whether the use requires extensive on-site storage of goods or materials and special heavy equipment; or
- (2) Whether the use may require on-site storage of goods or materials and special heavy equipment; or
- (3) Whether the use may require on-site storage of goods or materials but not special heavy equipment; or
- (4) Whether the use requires no special on-site storage of goods or materials and no special heavy equipment.

c. **Manufacturing.** Whether the proposed use produces small objects or large objects; whether full assembly or value-added product is proposed; whether hazardous materials are used; the number of employees required; and input/output shipment procedures.

d. **Resource Consumption or Use.** Whether the proposed use is, by way of example **only**, logging, mining, or farm or

**Section
2.1.D.1.d**

ranch animal in nature; and whether the use is seasonal or year-around.

- e. **Recreation.** Whether the use is passive enclosed (by way of example **only**: movie theater, arcade); passive open (by way of example **only**: picnicing, walking, snowshoeing); active enclosed (by way of example **only**: bowling, climbing gyms, karate); or active open (by way of example **only**: outdoor soccer, golf, rodeo).
2. **Scale of Use.** Whether the use is:
 - a. **Regional Scale.** (By way of example **only**: super discount store; ±150,000 to ±400,000 sq.ft.; serving a population base of ±150,000; 30 minutes driving time to the use from home).
 - b. **Community Scale.** (By way of example **only**: large supermarket; ±55,000 sq.ft.; serving a population base of <40,000 to ±150,000; 10 to 15 minutes driving time to the use from home).
 - c. **Neighborhood Scale.** (By way of example **only**: “mom & pop”, ±400 to ±6,000 sq.ft.; serving a population base of ±3,000 to <40,000; five minutes driving time to the use from home).
 - d. **Scale Varies.** Scale is dependent on amount of resource availability (by way of example **only**: timber, mining, farm or ranch product) or nature of the use (by way of example **only**: golf course as opposed to climbing gym).
 3. **Location.** Whether the use stands alone, is adjacent to or adjoining other existing or compatible uses, or is part of a proposed residential, shopping, industrial, or manufacturing complex; and whether the use is compatible with the intent of its zone district.
 4. **Parking Required and Traffic Generated.** Whether the parking requirement and traffic generation is little to none, small, moderate (by way of example **only**: small retail store), or extensive (by way of example **only**: supermarket).
 5. **Duration of Use.** Whether the use is temporary (less than six months) or long-term (longer than six months).
 6. **Special Requirements.** Whether the use involves hazardous materials, has the potential for pollution, creates visual impacts, may not be compatible with adjoining or adjacent or potentially adjoining or adjacent uses, may require special licensing, or otherwise has requirements needing special consideration.
 7. **Purpose and Goals.** Whether the use proposed meets the following criteria:

**Section
2.1.D.7(1)**

- (1) **Purpose of the Zone District.** The proposed use sustains the purpose/s for which the zone district has been created.
- (2) **Public Goals.** The proposed use does not sacrifice legitimate public goals, including the protection of adjoining or adjacent landowners, or require undue limitation on the ability of landowners to use their land in a manner consistent with the goals, objectives and policies of all applicable legislatively adopted Teller County master plan(s) or map(s).

E. New Community (1041) Permit. Outside specified boundaries a New Community (1041) Permit is required prior to any new subdivision of land into five lots or more and any related rezoning, if any. (See *Chapter 11 Permit for New Community (1041)* of these Regulations.)

Section 2.2

**Section 2.2
ZONING STANDARDS**

A. Density and Parcel Size. **Gross density** is the hypothetical number of dwelling units or amount of nonresidential floor area (in square feet) per acre for the total acreage of the site found inside its boundaries without consideration of its developable area. **Maximum allowable density or net density** is the maximum allowable number of dwelling units or amount of nonresidential floor area (in square feet) per acre of developable area. **Developable area** excludes any public or private open space or facilities; infrastructure, including roadways and drainageways; and hazardous areas, including floodplains, geological hazard areas, areas exceeding 30% slope, and wildfire hazard areas. (See: *Table 2.2 Summary of Zone District Standards.*)

1. **Legally Pre-Existing Lots.** Lots, parcels or tracts of land exempt from the definition of Subdivision pursuant to *Section 9.2 Definition of Subdivision* of these Regulations that do not comply with the area requirement of the district in which they are located may be used, provided that all setback requirements are met. The recognition by these Regulations of the legal pre-existence of any lot, parcel, tract, mining claim, acreage, or exemption for a portion thereof, in no way implies or guarantees the granting of water well, septic system, building, or other required permits, or the existence of legal access. Each such lot, parcel, tract, mining claim, acreage, or exemption plat for a portion thereof, must still comply with all setback and other requirements of these Regulations, and other applicable State and County laws, statutes, codes, resolutions, ordinances, and regulations.
2. **New Subdivisions.** Unless these Regulations specify otherwise for the zone district, when a proposed subdivision lot or parcel is not served by both central water and central sewer, the minimum size for the lot or parcel is 10 acres. (See *Chapter 4, Section 4.8 Sanitary Sewage Disposal* and *Chapter 4, Section 4.9 Water Supply.*)

3. **Dual Zoning**

- a. **Parcels Created Prior to May 22, 2003.** For a lot, parcel, or tract of land with dual R-1 (or other residential zone district) and A-1 zoning created prior to May 22, 2003, the number of dwellings permitted on the portion zoned A-1 determines the number of dwellings permitted on the entire property. By way of example **only**:

With central water and central sewer: 25 acres zoned A-1, 10 acres zoned R-1 permits two dwellings as a permitted use and one as a conditional use

Without central water and central sewer: 15 acres zoned A-1, 40 acres zoned R-1 permits one dwelling as a permitted use.

In any case, when more than one dwelling may be constructed, only one dwelling may be constructed on the portion of the land zoned R-1 (or other residential zone district). The limit on the number of dwellings applies to the entire property, *i.e.* if one dwelling is constructed on the portion zoned R-1, in the first example, only one additional dwelling is permitted as a permitted use and may only be constructed on the portion of the land zoned A-1.

- b. **Parcels Created on or After May 22, 2003.** For a lot, parcel, or tract of land with dual R-1 (or other residential zone district) and A-1 zoning created on or after May 22, 2003, with or without central water and central sewer, the maximum number of dwelling units permitted on the entire property is one dwelling unit.

- B. Setbacks.** A setback is the area prescribed by an imaginary line extending across a lot, parcel, or tract of land, parallel with its property line, and measured at right angles to the property line within which no building or structure is allowed to be constructed and which is open and unobstructed from the ground upward. Setbacks are not considered as parking areas, except as specifically permitted by these Regulations. [*am.* BOCC 07-22-10(36)]

Notwithstanding the foregoing, setbacks may contain the following structures provided these structures do not obstruct the clear vision area to or from a public or private road; do not interfere with the maintenance of any public road or public improvement; do not in any way endanger motorists, the safe movement of traffic, or the public; and are designed, constructed, and have obtained required permits in compliance with these Regulations, the Teller County Roadway Design and Construction Standards and the Teller County Building Code: [*am.* BOCC 07-22-10(36)]

**Section
2.2.B(1)**

- (1) on-premise signs (including Works of Public Art, Works of Private Art, and Entry Features as provided in *Section 5.8.D.1*);
- (2) fences not over ten (10) feet high in the Agricultural (A-1) zone district and not over six (6) feet high in all other zone districts;
- (3) retaining walls;
- (4) roof overhangs, soffits, and/or eaves; and
- (5) public or private improvements as required, including landscaping, pedestrian walkways, sidewalks, utility lines and associated utility structures, curbs, driveways, and/or bikeways.

No lot, parcel, or tract of land shall be so used or diminished that the setbacks are smaller than prescribed by these Regulations (See *Table 2.2 Summary of Zone District Standards*). In these Regulations, setbacks for specific uses may be greater than those established for the zone district in general. [*am. BOCC 07-22-10(36)*]

1. **Front Property Line and Setback.** The front property line is that property line abutting a road or road right-of-way. If the property abuts more than one road or road right-of-way, the point on the property line used to address of the property demarcates the front property line for the purposes of establishing front setback. Any remaining front property lines shall conform to the requirements of the side setback. For a lot, parcel, or tract of land that does not abut a road or road right-of-way, the side used for the address of the property is considered the front of the property for the purposes of establishing front setback.
2. **Side Property Line and Setback.** For the purposes of determining side setback, a side property line is conventionally any property line that intersects a front property line. Where more than one property line may be considered a side property line, the selection of the side property line(s) for the purpose of establishing side setback shall follow the pattern already established for adjoining and adjacent properties, if any.
3. **Rear Property Line and Setback.** For the purposes of determining rear setback, the rear property line is conventionally the property line opposite the front property line. Where more than one property line may be considered a rear property line, the selection of the rear property line(s) for the purpose of establishing rear setback shall follow the pattern already established for adjoining and adjacent properties, if any. In certain cases there may be no rear setback.
4. **Setbacks for Properties with Dual Zoning.** For properties with

Section 2.2.B.4

dual zoning, setbacks for a structure are determined by the zone district of the portion of the property where the structure will be constructed.

- C. **Height or Building Height.** Stacks, vents, cooling towers, elevator structures and similar mechanical building appurtenances and spires, domes, cupolas, towers, antennas intended as an accessory use, and similar non-inhabitable building appurtenances may exceed the maximum height limitations of the underlying zone district by not more than 25%

- 1. **Lots Having an Average Slope of Less than 30%.** Height is the distance measured vertically on all sides of a structure, from the natural or finished grade (whichever is more restrictive) at any given point to a point directly above that location that is (1) the top of a flat roof, or mansard roof; or (b) the midpoint between the eave line and the peak of a gable, gambrel, hip, shed, or similar pitched roof; or (c) the peak of any roof that exceeds a slope of 12:12. (See *Figure 2-1* following.)

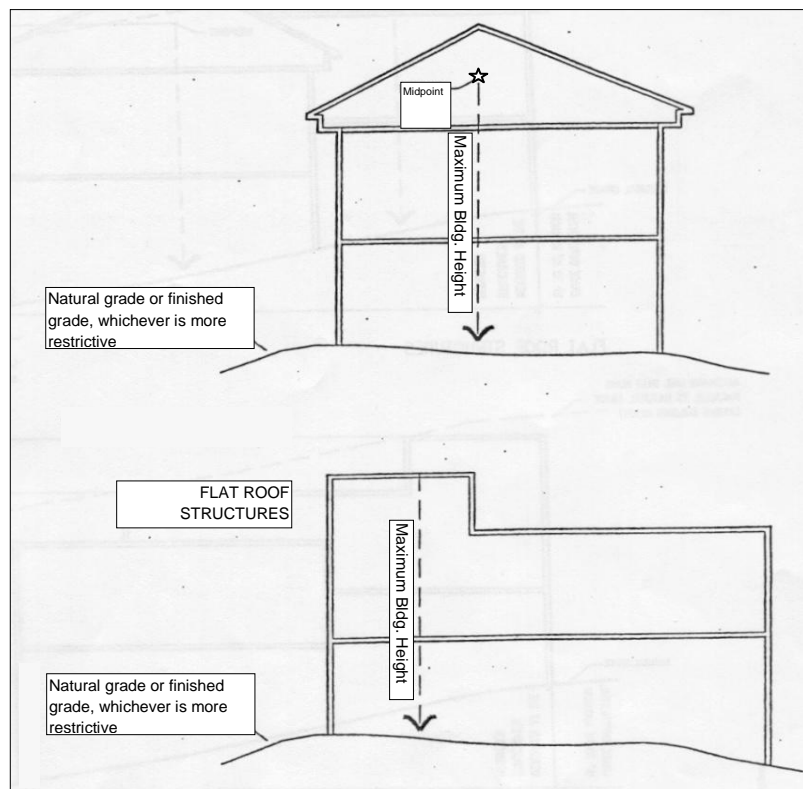


Figure 2-1: Lots Having Average Slope of < 30%

- 2. **Lots Having an Average Slope of 30% or Greater.** Height is the distance measured vertically on all sides of a structure, from the natural or finished grade (whichever is more restrictive) at any given point to a point directly above that location that is: (a) the top of a flat roof, or mansard roof; or (b) the midpoint between the

**Section
2.2.C.2**

eave line and the peak of a gable, gambrel, hip, shed, or similar pitched roof; or (c) the peak of any roof that exceeds a slope of 12:12. The measurement of each of three (3) sides may exceed the maximum building height allowable for the zone district in which the building is located by a maximum of 25%. (See Figure 2-2 following.)

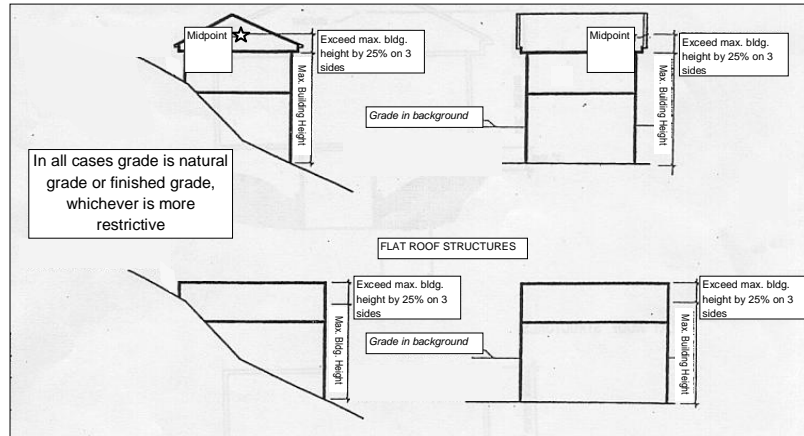


Figure 2-2: Lots Having Average Slope > 30%

- 3. Buildings Incorporating Underground Parking.** Height shall be measured using the applicable Average Slope definition above provided that, for portions of the structure where the vertical distance between the top of the foundation wall and grade is more than 24 inches and this portion of the structure has an opening exclusively for vehicle access, the grade within six feet of that opening shall be used to determine building height. The opening for vehicular access shall not exceed a maximum width of sixteen feet for multi-family residential uses, 20 feet for commercial uses and 25 feet for industrial uses. There shall be a maximum of two such openings per building. (See Figure 2-3 following.)

**Section
2.2.C.3**

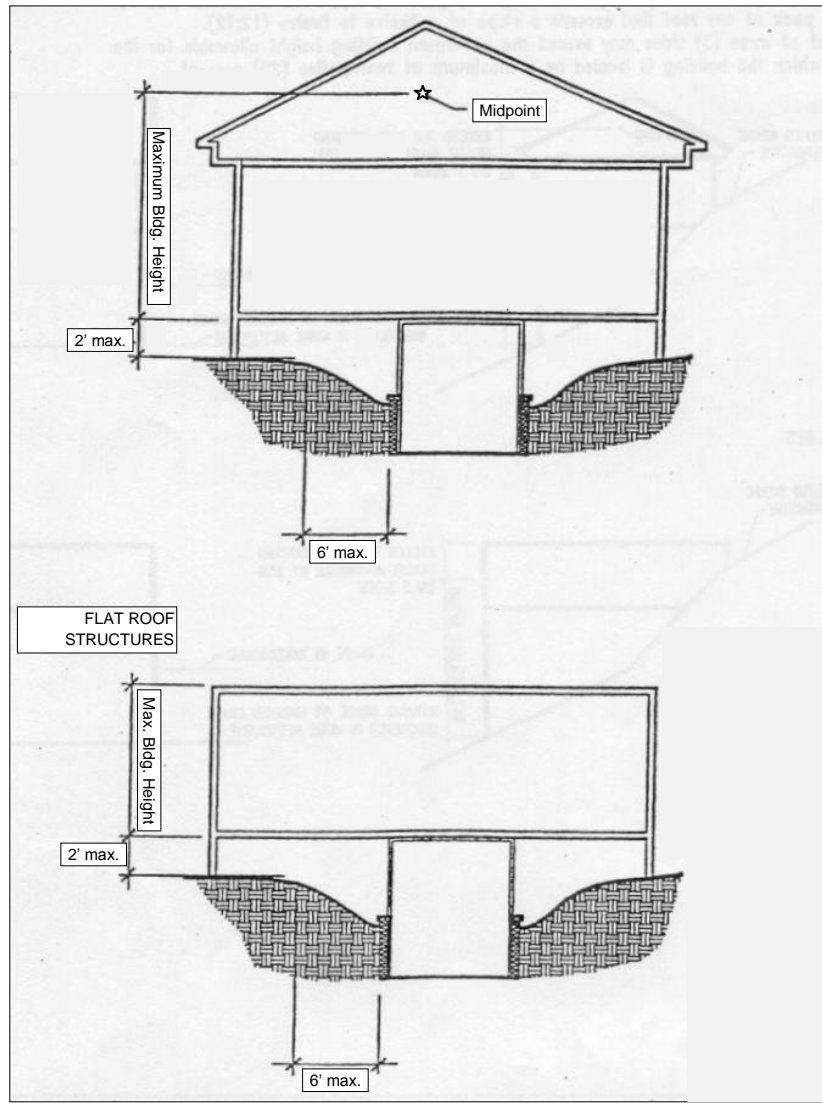


Figure 2-3: Buildings Incorporating Underground Parking

4. **Stepped or Terraced Buildings.** On a lot with an average slope between 15% and 30%, height is the maximum height of any building “segment” measured from the natural or finished grade (whichever is more restrictive) to a point directly above that grade location. A building “segment” is a portion of the building containing one-third of the building elevation being measured. A stepped or terraced structure shall not exceed the maximum height of the underlying zone district plus either (a) the maximum grade differential to the lowest point of grade within five feet of the structure; or (b) 10 feet, whichever is less. (See Figure 2-4 following.)

**Section
2.2.C.4**

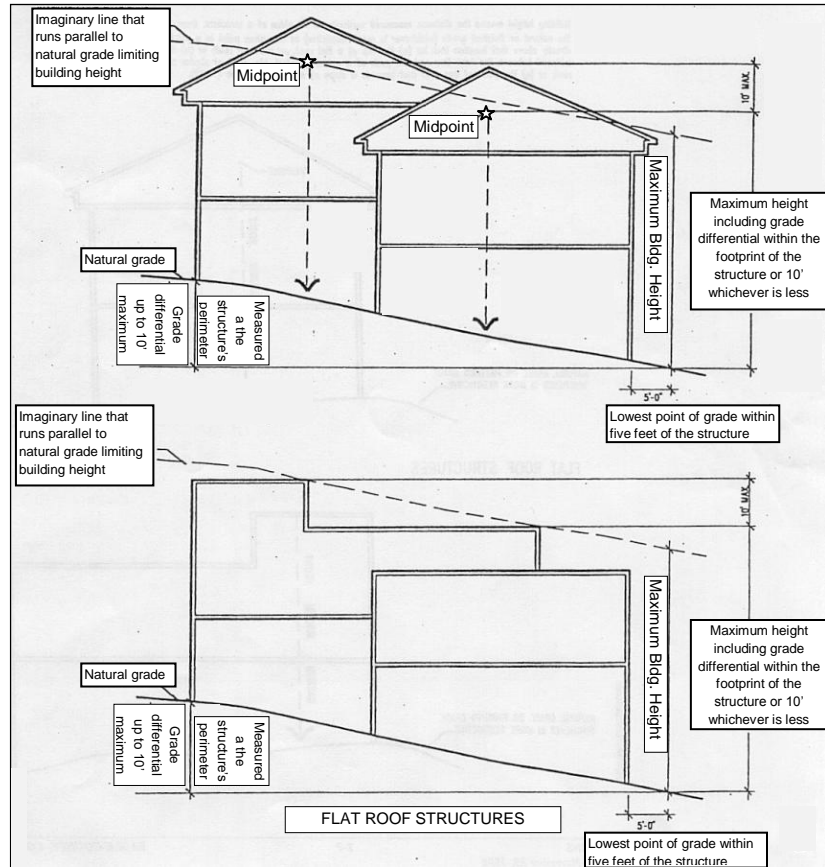


Figure 2-4: Stepped or Terraced Buildings

D. Lot Coverage

1. **Building Coverage.** Building coverage is that portion of the lot covered by a building or buildings, including roof overhangs, covered porches, covered walkways, and similar covered areas. (See *Figure 2-5 Building Coverage* following.)

**Section
2.2.D.1**

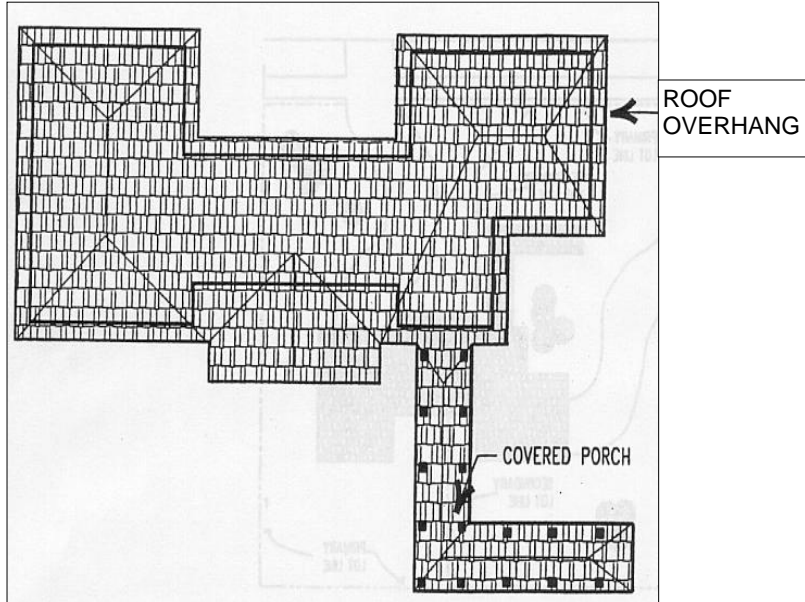


Figure 2-5 Building Coverage

2. **Impervious Coverage.** Impervious coverage includes Building Coverage as defined above **and** any surface that does not readily allow water to infiltrate into the ground (impervious surface) such as concrete or asphalt pavement surfaces, and compacted gravel and similar surfaces. (See *Figure 2-6: Impervious Coverage* following.)

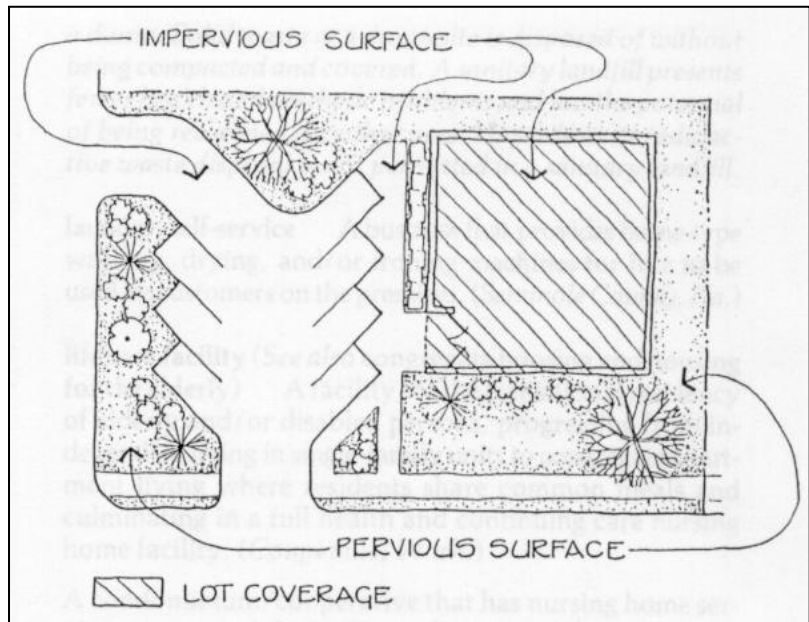


Figure 2-6: Impervious Coverage

Section 2.3

Section 2.3

ANIMALS IN RESIDENTIAL ZONE DISTRICTS

Unless otherwise regulated under a Special Review Use Permit for Kennel (*Section 8.3.S Kennel*), the following applies:

- A. **Animals Excluded from the Intent of These Restrictions.** Pet animals, as may be limited in number, including dogs, cats, birds, rabbits, guinea pigs, hamsters, mice, snakes, iguanas, turtles, or any other species of animal customarily sold for the purpose of being kept as a household pet.
- B. **Animals in the R-2 Zone District.** Only pet animals as described above are allowed.
- C. **Domestic Hoofed Livestock**
 1. **Definition.** The term “domestic hoofed livestock” includes horses, cattle, mules, sheep, goats, llamas, and swine kept for non-commercial purposes.
 2. **Standards**
 - a. **Minimum Lot Size in the R-1 and R-1M Zone Districts.** Domestic hoofed livestock are **prohibited** on residential properties of less than one acre.
 - b. **Maximum Density in the RR, R-1 and R-1M Zone Districts.** The maximum allowable density on lots one acre or greater is one animal per one-half acre. Animals under six months of age may be kept until weaned without counting toward the allowable limit.
 - c. **Shelter.** When there are two or more animals on a parcel of land, a barn or shelter for their use is required to be constructed.
 - d. **Containment Area in the RR, R-1 and R-1M Zone Districts.** Although the entire lot may be fenced, a containment area (corral) must be provided where the animals will normally be penned and supplementarily fed. All corrals, stalls, and barns shall be at least 50 feet from any property line.
 - (1) **Containment area size in RR Zone District.** The containment area (corral) shall be adequate in size for the number of animals but in no event exceed 10% of the gross lot acreage or one-half (.) acre whichever is least.
 - e. **Animal Waste in RR, R-1 and R-1M Zone Districts.** Regular removal or spreading of manure is required so that it

**Section
2.3.C.2.e**

does not become unsightly or emit odor beyond the property boundary, or become a public nuisance. The possession of animals will not be allowed to create health hazards to the surrounding properties.

- f. **Drainage in RR, R-1 and R-1M Zone Districts.** Adequate drainage facilities or improvements shall be provided by the property owner and constructed so as to protect any adjoining and adjacent properties from runoff containing contaminants, including sediment or organic wastes.

D. Domestic Small Livestock, Poultry, and Fowl

- 1. **Definition.** The term “domestic small livestock, poultry, and fowl” includes rabbits, chinchillas or similar animals; chickens, turkeys, pigeons, and small birds and ducks kept for non-commercial purposes. The following fowl are not allowed in the RR, R-1, and R-1M zone districts: roosters, peafowl and any other fowl whose calls are audible over similar distances.

- 2. **Standards**

- a. **Number allowed in RR Zone District.** None are allowed if the lot size is smaller than two acres.

On lots from two to 5.99 acres in size, a total of no more than 15 poultry, and/or fowl, and/or domestic small livestock are permitted.

On lots that are greater than 5.99 acres in size, there is no limit on the number of non-commercial poultry, and/or fowl, and/or domestic small livestock allowed.

- b. **Number allowed in R-1 and R-1M Zone Districts.** On lots less than one acre in size, a total of no more than four poultry, and/or fowl, and/or domestic small livestock are permitted.

On lots from 1.1 to two acres in size, a total of no more than 10 poultry, and/or fowl, and/or domestic small livestock are permitted.

On lots from 2.01 to 5.99 acres in size, a total of no more than 15 poultry, and/or fowl, and/or domestic small livestock are permitted.

On lots that are greater than 5.99 acres in size, there is no limit on the number of non-commercial poultry, and/or fowl, and/or domestic small livestock allowed.

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2.3.D.2.c**

- c. **Containment area in R-1 and R-1M Zone Districts.** A containment area for the poultry, fowl and domestic small livestock, is required. The containment area for poultry and fowl shall be not closer than 50 feet to any property line. Domestic small livestock must be properly housed (by way of example only: rabbits in rabbit hutches) and shall not be located closer to any property line than the zone district setback allows.

Section 2.4

Section 2.4

CAMPING AND TEMPORARY HOUSING IN RESIDENTIAL ZONE DISTRICTS

- A. **Camping.** Camping on a residential lot is permitted only when the following requirements are met:
1. Sewage shall be disposed of either at an off-site facility or by means of an on-site disposal system. In either case, the facility or system must be one currently permitted and approved by Teller County.
 2. Compliance with all minimum setbacks for the zone district.
 3. Camping on any property over 60 days in any continuous 12-month period will be considered a permanent residence and will be in violation of these Regulations.
 4. No more than two camping units, per lot, are allowed.
- B. **Temporary Housing.** The property owner may live on his or her property during the construction of a permanent dwelling on the same property, with a valid Temporary Housing Permit.
1. **Standards and Duration.** Upon payment of the required inspection fee and review of the proposed temporary housing permit application, the Planning Director may approve a permit for temporary housing so long as the property owner has demonstrated that the following conditions are, and continue to be, met:
 - a. An approved water supply, sewage disposal system and electrical service are installed on the property and connected to the temporary housing.
 - b. The permanent dwelling Building Permit has been issued by the Building Department and remains active, and no more than 180 days has elapsed between inspections required by the Building Department in accordance with the Teller County Building Code.
 - c. The temporary housing is a currently Colorado-licensed trailer, motor home, RV, or similar unit. On-site constructed

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2.4.B.1.c**

units as defined by the Teller County Building Code for a Dwelling or Efficiency Dwelling Unit (as defined by the Teller County Building Code), are not considered temporary housing. Mobile Homes that meet the standards for a Manufactured Home or Factory Built Housing as defined in *Chapter 12 Definitions: Dwelling* will not be considered temporary housing. These Regulations do not permit the use of campers, trailers, lean-tos, tents, motor homes, recreational vehicles, or any other such property as a permanent residence or allowable dwelling unit.

d. All minimum setbacks for the zone district are met.

2. **Vacation of Temporary Housing**. The temporary housing unit must be vacated within 30 days of the issuance of the Certificate of Occupancy for the permanent dwelling unit

Section 2.5

Section 2.5

ACCESSORY USES, STRUCTURES, OR DWELLING UNITS

A. Accessory Use or Structure. An accessory use or structure is a use or detached structure subordinate to the principal use or structure located on the same lot, parcel, or tract and serving a purpose that is customarily incidental to the primary use, or the primary structure. An accessory use or structure may precede the primary use or structure. Examples include a garage or Guest House as defined in these Regulations appurtenant to a single-family dwelling unit; the barn, stable or shed appurtenant to a ranch. Except as otherwise provided in these Regulations, accessory uses and structures are considered Permitted Uses. An Accessory Dwelling Unit is not considered an Accessory Use or Structure.

B. Accessory Dwelling Unit. A complete and separate dwelling constructed as an integral part of a primary single-family dwelling unit; as part of a structure accessory to a single-family dwelling unit, ranch, or farm (“accessory structure”); or as a free-standing building. (See also *Section 8.3.M Guest House*.)

1. **Measurement of Attached Units**. For the purposes of determining the habitable square footage of an attached Accessory Dwelling Unit, the area to be measured shall be the area within the exterior walls of the structure excluding decks and porches which are not enclosed and also excluding garages. All floor space on basement floors capable of being habitable space without structural changes shall be included. The fire separation wall between the Accessory Dwelling Unit and the primary dwelling unit or accessory structure shall be considered an exterior wall.

2. **Access**. Both detached and attached Accessory Dwelling Units must use the same entry point on to the public road system or the road system in the subdivision in which the primary dwelling unit lot, parcel or tract is located.

Section 2.5.B.3

3. **Visual Unity of Attached Units.** No separate entrances or utility connections visible from a public road may be added to the structure containing an Accessory Dwelling Unit. The entire structure should appear as a one whole and not as separate units.
4. **Parking.** At least two off-street parking spaces must be provided for each Accessory Dwelling Unit, in addition to the two off-street parking spaces required for the primary dwelling unit.
5. **Water and Wastewater Disposal.** No Accessory Dwelling Unit may be constructed on a lot, parcel, or tract with well and septic system without adequate evidence of a legal and dependable source of potable water, and without adequate evidence from the Teller County Environmental Health Department that an adequately sized septic system exists.
6. **Other Uses.** An Accessory Dwelling Unit shall only be used for single-family occupancy, with or without a No-Impact Home Business. (See *Chapter 12 General Definitions: Home Business - No Impact.*)
7. **A-1 Zone District Restrictions.** (1) For lots, parcels, or tracts of 35 acres or greater created on or after May 22, 2003 for which an agricultural tax assessment status **can be** demonstrated: One Accessory Dwelling Unit or Guest House, but not both, plus one additional Accessory Dwelling Unit per each 35 acres (but not a fraction thereof) in excess of 35 acres, is permitted as a use-by-right. (2) For lots, parcels, or tracts of 35 acres or greater created on or after May 22, 2003 for which an agricultural tax assessment status **can not** be demonstrated: One Accessory Dwelling Unit or Guest House, but not both, is permitted as a use-by-right regardless of the size of the lot, parcel, or tract.
 - a. **Legal Non-conforming A-1 Zoned Properties.** For the purposes of these Regulations, the date that the lot, parcel or tract was first created in its specifics shall determine the lot, parcel or tract's status under *Section 2.6.1.B Density and Minimum Lot Size.*
 - b. **Expiration and Exemptions.** For a lot, parcel or tract created prior to May 22, 2003, the provisions of *Section 2.6.1.B Density and Minimum Lot Size* shall remain in effect until May 22, 2008 unless otherwise amended pursuant to the provisions of the Teller County Land Use Regulations for amending the Regulations. On or after May 22, 2008 no lot, parcel or tract less than 35 acres, with or without central water and central sewer, shall be permitted more than one dwelling unit; and all lots, parcels or tracts of 35 acres or greater, with or without central water and central sewer, shall be permitted one dwelling unit as a permitted use and one Guest House or one or more Accessory Dwelling Units

Section 2.5.B.7.b

according to the provisions of *Section 2.5.B.7 A-1 Zone District Restrictions* as if the lot, parcel or tract was created on or after May 22, 2003.

The provisions of *Section 1.13.B Discontinuance* of these Regulations shall not apply to any legal non-conforming Accessory Dwelling Unit in existence prior to May 22, 2008.

The provisions of *Section 1.13.D Replacement* of these Regulations shall not apply to any legal non-conforming Accessory Dwelling Unit in existence prior to May 22, 2008.

- 8. **Not Severable.** No Accessory Dwelling Unit or Guest House may be divided or any interest therein conveyed separately from the primary dwelling unit and the entire lot, parcel, or tract of which it is a part.

Section 2.6

**Section 2.6
AGRICULTURAL AND RESIDENTIAL ZONE DISTRICTS AND STANDARDS**

**Section 2.6.1
A-1**

**Section 2.6.1
AGRICULTURAL ZONE DISTRICT (A-1)**

That portion of Teller County primarily devoted to the purposes of general farming, forestry, ranching, and other such agricultural and residential uses not otherwise zoned.

- A. **Uses.** (For Rural Land Preservation Subdivision Exemption uses see *Chapter 9, Section 9.11.*)

- 1. **Permitted Uses**

PERMITTED USE	CROSS-REFERENCE
Accessory Dwelling Unit (as restricted)	<i>Section 2.5</i>
Agricultural uses including general farming, forestry, and ranching	
Animal Hospital / Veterinary Clinic: ≥ 35 -acres only. See Use Restrictions below.	<i>Section 8.3.A</i>
Animals - pet animals	
Animals - commercial and noncommercial domestic hoofed livestock; commercial and noncommercial small livestock, poultry, fowl	
Camping on property less than 60 days/year	<i>Section 2.4</i>
Child Care Center - 4 or fewer	<i>Section 8.3.Q</i>
Communication facility - roof or wall mounted	<i>Section 8.3.I</i>
Communication facility - "stealth"	<i>Section 8.3.I</i>
Dwelling - up to 3 single-family residential units (as restricted) (includes mobile home)	<i>Section 2.5;</i> <i>Section 2.6.1.B</i>

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A-1**

Emergency services facilities (subject to Location and Extent review)	<i>Section 8.4</i>
Essential services (subject to Location and Extent review)	<i>Section 8.4</i>
Family Child Care Home: 5 or fewer	<i>Section 8.3.Q</i>
Foster Care Home: 5 or fewer	<i>Section 8.3.Q</i>
Guest House (as restricted)	<i>Section 8.3.M</i>
Home Business - No Impact	<i>Section 8.3.N; Chapter 12</i>
Home Health Services/Home Health Care (peripatetic)	<i>Section 8.3.Q</i>
Homemaker Agency/Services (peripatetic)	<i>Section 8.3.Q</i>
Hospice care - (peripatetic)	<i>Section 8.3.Q</i>
Independent Residential Support Services (peripatetic)	<i>Section 8.3.Q</i>
Livestock Boarding facility: ≥35-acres only. See Use Restrictions below.	<i>Section 8.3.D</i>
Personal Care Agency/Services (peripatetic)	<i>Section 8.3.Q</i>
Public uses and facilities (subject to Location and Extent review)	<i>Section 8.4</i>
Respite Care Provider/Services (peripatetic)	<i>Section 8.3.Q</i>

2. Administrative Review Uses

ADMINISTRATIVE REVIEW USE	CROSS-REFERENCE
Assisted Living Residence: 8 or fewer	<i>Section 8.3.Q</i>
Communication facility - co-location only	
Community Residential Home: 8 or fewer	<i>Section 8.3.Q</i>
Family Child Care Home: Between 6 and 12	<i>Section 8.3.Q</i>
Foster Care Home: Between 6 and 12	<i>Section 8.3.Q</i>
Group Home for the Aged: 8 or fewer	<i>Section 8.3.Q</i>
Group Home for the Mentally Ill: 8 or fewer	<i>Section 8.3.Q</i>
Temporary Construction Office Trailer	<i>Section 8.3.BB</i>
Temporary Housing	<i>Section 2.4</i>

3. Conditional Uses

CONDITIONAL USE	CROSS-REFERENCE
Adult Day Care Facility	<i>Section 8.3.Q</i>
Alternative Care Facility	<i>Section 8.3.Q</i>
Animal Hospital / Veterinary Clinic. See Use Restrictions below.	<i>Section 8.3.A</i>
Assisted Living Residence: 9 or more	<i>Section 8.3.Q</i>
Bed and breakfast operations	<i>Section 8.3.C</i>
Cemetery	<i>Section 8.3.G</i>
Child care center - 5 or more	<i>Section 8.3.Q</i>
Church, temple, synagogue, or other religious worship facility	<i>Section 8.2</i>

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A-1**

Communication facility - free standing	<i>Section 8.3.I</i>
Communication facility - public safety	<i>Section 8.3.I</i>
Community Residential Home: 9 or more	<i>Section 8.3.Q</i>
Educational Institution- public or private	<i>Section 8.2</i>
Family Child Care Home: 13 or more	<i>Section 8.3.Q</i>
Foster Care Home: 13 or more	<i>Section 8.3.Q</i>
Fuel storage and bulk sales	<i>Section 8.3.L</i>
Group Home for the Aged: 9 or more	<i>Section 8.3.Q</i>
Group Home for the Mentally Ill: 9 or more	<i>Section 8.3.Q</i>
Group Meeting Facility (except those uses otherwise specifically described in this table)	<i>Section 8.2; Chapter 12</i>
Home occupation	<i>Section 8.3.O</i>
Intermediate Nursing Facility: Mentally Retarded	<i>Section 8.3.Q</i>
Kennel: <30 animals. See Use Restrictions below.	<i>Section 8.3.S</i>
Life Care Institution	<i>Section 8.3.Q</i>
Livestock Boarding Facility. See Use Restrictions below	<i>Section 8.3.D</i>
Nursing Facility	<i>Section 8.3.Q</i>
Parking - commercial or public	<i>Section 8.3.W</i>
Respite Care Provider/Services (facility)	<i>Section 8.3.Q</i>
Sawmill	<i>Section 8.3.Z</i>
Storage Yard: (1) Construction [Contractor's] or Construction Equipment; (2) Rental Storage Yard; and (3) Vehicle Towing and Storage Yard only	<i>Section 8.3.AA</i>
Wild Game Packaging	<i>Section 8.3.DD</i>

4. Special Uses

SPECIAL USE	CROSS-REFERENCE
Batch Plant - Concrete or asphalt	<i>Section 8.3.B</i>
Campgrounds or Recreational Vehicle Park	<i>Section 8.3.F</i>
Day Treatment Center: any number	<i>Section 8.3.Q</i>
Elderly or Disabled Low-Income Residential Facility	<i>Section 8.3.Q</i>
Family Service Facility	<i>Section 8.3.Q</i>
Homeless Youth Shelter/Homeless Shelter	<i>Section 8.3.Q</i>
Kennel: ≥30 animals. See Use Restrictions below.	<i>Section 8.3.S</i>
Low-Income Household Residential Facility	<i>Section 8.3.Q</i>
Mining - Including aggregate mining (gravel pits)	<i>Section 8.3.U</i>
Mobile Home Park	<i>Section 8.3.V</i>
Recreational facilities (Public/Private)	<i>Section 8.3.X</i>
Regional Center: Developmentally Disabled	<i>Section 8.3.Q</i>
Residential [Child] Care Facility: any number	<i>Section 8.3.Q</i>
Resorts	<i>Section 8.3.Y</i>

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A-1**

Secure Residential Treatment Center: any number	<i>Section 8.3.Q</i>
Specialized Group Facility [Child]: any number	<i>Section 8.3.Q</i>
Transitional Housing Facility	<i>Section 8.3.Q</i>
Waste-related uses	<i>Section 8.3.CC</i>

5. Accessory Uses

- a. Agricultural out-buildings and structures such as corrals, chutes, hay sheds, and pole barns.
- b. Seasonal agricultural employee housing such as bunk houses and “Gypsy Wagons.”
- c. Playgrounds associated with child care or personal use.

6. Use Restrictions

- a. All structures shall meet Teller County Building Code requirements.
- b. The following are considered Permitted Uses (uses-by-right) on lots or parcels of 35 acres or more, and uses by Conditional Use Permit pursuant to the requirements of *Chapter 8 Special Review Uses* on lots or parcels less than 35 acres:
 - 1. Animal Hospital/Veterinary Clinic (*Section 8.3.A*).
 - 2. Livestock Boarding Facility (*Section 8.3.D*).
- c. Kennels for 30 or more animals require a Special Use Permit.
- d. Specific Use Restrictions apply to A-1 zoned land in a Rural Land Preservation Subdivision Exemption. See *Chapter 9, Section 9.11.F.5 Modification of Allowed Uses*.

B. Density and Minimum Lot Size

Any parcel of land less than 35 acres is subject to the provisions of *Section 9.2 Definition of Subdivision* and *Section 9.4.B Special Exemption Plat* of these Regulations.

- 1. **Density:** For a lot, parcel or tract created prior to May 22, 2003 and served by both central water and central sewer:

10 Acres or Less	1 dwelling as a Permitted Use, plus 1 as a Conditional Use.
10.01 to 20 Acres	1 dwelling as a Permitted Use, plus 2 as Conditional Use.

**Section 2.6.1
A-1**

20.01 to 35 Acres 2 dwellings as a Permitted Use,
plus 1 as a Conditional Use.

35 Acres or More 3 dwellings as a Permitted Use.

Accessory Dwelling Unit (s) in addition to the above Permitted Use and Conditional Use dwellings are not permitted. On or after May 22, 2008, no lot, parcel or tract less than 35 acres served by central water and central sewer shall be permitted more than one dwelling unit; and all lots, parcels or tracts of 35 acres or greater shall be permitted one dwelling as a Permitted Use and one or more Accessory Dwelling Units according to the provisions of *Section 2.5.B.7 A-1 Zone District Restrictions* as if the lot, parcel or tract was created on or after May 22, 2003.

For a lot, parcel or tract created prior to May 22, 2003 and **not served by both central water and central sewer**:

Less than 20 acres: 1 dwelling as a
Permitted Use

20 acres to less than 35 acres: 2 dwellings as a
Permitted Use

35 or more acres: 3 dwellings as a
Permitted Use

Accessory Dwelling Unit (s) in addition to the above Permitted Use dwellings are not permitted. On or after May 22, 2008, no lot, parcel or tract less than 35 acres not served by central water and central sewer shall be permitted more than one dwelling unit; and all lots, parcels or tracts of 35 acres or greater not served by central water and central sewer shall be permitted one dwelling as a Permitted Use and one or more Accessory Dwelling Units according to the provisions of *Section 2.5.B.7 A-1 Zone District Restrictions* as if the lot, parcel or tract was created on or after May 22, 2003.

For a lot, parcel or tract of 35 acres or more created on or after May 22, 2003 whether or not served by both central water and central sewer: One dwelling as a Permitted Use and one or more Accessory Dwelling Units according to the provisions of *Section 2.5.B.7 A-1 Zone District Restrictions* , as if the lot, parcel or tract was created on or after May 22, 2003.

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A-1**

- 2. **Minimum lot size:** 35 acres

C. Dimensional Limitations

- 1. **Minimum Setbacks:** 50 feet on all sides
- 2. **Minimum Road Frontage:** 40 feet
- 3. **Maximum Height:** Residential structure: 35 feet
Non-residential structures: 50 feet
- 4. **Maximum Impervious Coverage:** 25%

**Section 2.6.2
RR**

**Section 2.6.2
RURAL RESIDENTIAL ZONE DISTRICT (RR)**

The intent of the Rural Residential Zone District is to provide single-family residential lots of sufficient size to accommodate a limited number of non-commercial domestic hoofed livestock, domestic small livestock, poultry, and fowl for personal use without causing environmental degradation or a hazard to public health and safety.

A. Uses

1. Permitted Uses

PERMITTED USE	CROSS-REFERENCE
Animals - pet animals	<i>Section 2.3</i>
Animals - noncommercial domestic hoofed livestock; noncommercial small livestock, poultry, fowl	<i>Section 2.3</i>
Camping less than 60 days/year	<i>Section 2.4</i>
Child care center - 4 or fewer	<i>Section 8.3.Q</i>
Communication facility - “stealth”	<i>Section 8.3.I</i>
Dwelling - one single-family (excluding mobile homes)	
Essential services (subject to Location and Extent review)	<i>Section 8.4</i>
Family Child Care Home: 5 or fewer	<i>Section 8.3.Q</i>
Foster Care Home: 5 or fewer	<i>Section 8.3.Q</i>
Home Business - No Impact	<i>Section 8.3.N;</i> <i>Chapter 12</i>
Home Health Services/Home Health Care (peripatetic)	<i>Section 8.3.Q</i>
Homemaker Agency/Services (peripatetic)	<i>Section 8.3.Q</i>
Hospice care - (peripatetic)	<i>Section 8.3.Q</i>
Independent Residential support Services (peripatetic)	<i>Section 8.3.Q</i>

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RR**

Personal Care Agency/Services (peripatetic)	<i>Section 8.3.Q</i>
Public uses and facilities (subject to Location and Extent review)	<i>Section 8.4</i>
Respite Care Provider/Services (peripatetic)	<i>Section 8.3.Q</i>

2. Administrative Review Uses

ADMINISTRATIVE REVIEW USE	CROSS-REFERENCE
Assisted Living Residence: 8 or fewer	<i>Section 8.3.Q</i>
Communication facility - co-location only	<i>Section 8.3.I</i>
Community Residential Home: 8 or fewer	<i>Section 8.3.Q</i>
Family Child Care Home: Between 6 and 12	<i>Section 8.3.Q</i>
Foster Care Home: Between 6 and 12	<i>Section 8.3.Q</i>
Group Home for the Aged: 8 or fewer	<i>Section 8.3.Q</i>
Group Home for the Mentally Ill: 8 or fewer	<i>Section 8.3.Q</i>
Temporary Construction Office Trailer	<i>Section 8.3.BB</i>
Temporary Housing	<i>Section 2.4</i>

3. Conditional Uses

CONDITIONAL USE	CROSS-REFERENCE
Assisted Living Residence: 9 or more	<i>Section 8.3.Q</i>
Bed and breakfast operations	<i>Section 8.3.C</i>
Child care center - 5 or more	<i>Section 8.3.Q</i>
Church, temple, synagogue, or other religious worship facility	<i>Section 8.2</i>
Communication facility - public safety	<i>Section 8.3.I</i>
Communication facility - wall mounted	<i>Section 8.3.I</i>
Community Residential Home: 9 or more	<i>Section 8.3.Q</i>
Educational Institution - public or private	<i>Section 8.2</i>
Emergency services facilities (subject to Location and Extent review)	<i>Section 8.2</i> <i>Section 8.4</i>
Family Child Care Home: 13 or more	<i>Section 8.3.Q</i>
Foster Care Home: 13 or more	<i>Section 8.3.Q</i>
Group Home for the Aged: 9 or more	<i>Section 8.3.Q</i>
Group Home for the Mentally Ill: 9 or more	<i>Section 8.3.Q</i>
Group Meeting Facility (except those uses otherwise specifically described in this table)	<i>Section 8.2;</i> <i>Chapter 12</i>
Guest house	<i>Section 8.3.M</i>
Home occupation	<i>Section 8.3.O</i>
Kennel: < 30 animals only	<i>Section 8.3.S</i>
Recreational facilities (Public/Private)	<i>Section 8.3.X</i>

4. Special Uses. None

5. Accessory Uses. Accessory Uses are those specified for the R-1 Zone District.

**Section 2.6.2
RR**

6. Use Restrictions. Use Restrictions are those specified for the R-1 Zone District.

B. Density and Minimum Lot Size: New Subdivision

1. Density: 1 dwelling unit per 2 acres if the slope is less than 30%
1 dwelling unit per 5 acres, if the slope is equal to or greater than 30%
2. Minimum Lot Size:
Without central water and central sewer: 10 acres
With central water and central sewer: 2 acres

C. Dimensional Limitations

1. Minimum Setbacks: Front: 50 feet
Side: 25 feet
Rear: 30 feet
2. Minimum Road Frontage: 40 feet
3. Maximum Height: 35 feet
4. Maximum Impervious Coverage: 25%

**Section 2.6.3
R-1**

**Section 2.6.3
RESIDENTIAL ONE ZONE DISTRICT (R-1)**

The purpose of the Residential One Zone District (R-1) is to provide for non-rural, non-agricultural single-family or duplex residential uses.

A. Uses

1. Permitted Uses

PERMITTED USE	CROSS-REFERENCE
Animals - pet animals	<i>Section 2.3</i>
Animals - noncommercial domestic hoofed livestock; noncommercial small livestock, poultry, fowl	<i>Section 2.3</i>
Camping less than 60 days/year	<i>Section 2.4</i>
Child care center - 4 or fewer	<i>Section 8.3.Q</i>
Communication facility - "stealth"	<i>Section 8.3.I</i>
Dwelling - one single-family (excluding mobile homes)	
Essential services (subject to Location and Extent review)	<i>Section 8.4</i>
Family Child Care Home: 5 or fewer	<i>Section 8.3.Q</i>
Foster Care Home: 5 or fewer	<i>Section 8.3.Q</i>

**Section 2.6.3
R-1**

Home Business - No Impact	<i>Section 8.3.N; Chapter 12</i>
Home Health Services/Home Health Care (peripatetic)	<i>Section 8.3.Q</i>
Homemaker Agency/Services (peripatetic)	<i>Section 8.3.Q</i>
Hospice care - (peripatetic)	<i>Section 8.3.Q</i>
Independent Residential support Services (peripatetic)	<i>Section 8.3.Q</i>
Personal Care Agency/Services (peripatetic)	<i>Section 8.3.Q</i>
Public uses and facilities (subject to Location and Extent review)	<i>Section 8.4</i>
Respite Care Provider/Services (peripatetic)	<i>Section 8.3.Q</i>

2. Administrative Review Uses

ADMINISTRATIVE REVIEW USE	CROSS-REFERENCE
Assisted Living Residence: 8 or fewer	<i>Section 8.3.Q</i>
Communication facility - co-location only	<i>Section 8.3.I</i>
Community Residential Home: 8 or fewer	<i>Section 8.3.Q</i>
Family Child Care Home: Between 6 and 12	<i>Section 8.3.Q</i>
Foster Care Home: Between 6 and 12	<i>Section 8.3.Q</i>
Group Home for the Aged: 8 or fewer	<i>Section 8.3.Q</i>
Group Home for the Mentally Ill: 8 or fewer	<i>Section 8.3.Q</i>
Temporary Construction Office Trailer	<i>Section 8.3.BB</i>
Temporary Housing	<i>Section 2.4</i>

3. Conditional Uses

CONDITIONAL USE	CROSS-REFERENCE
Adult Day Care Facility	<i>Section 8.3.Q</i>
Alternative Care Facility	<i>Section 8.3.Q</i>
Assisted Living Residence: 9 or more	<i>Section 8.3.Q</i>
Bed and breakfast operations	<i>Section 8.3.C</i>
Child care center - 5 or more	<i>Section 8.3.Q</i>
Church, temple, synagogue, or other religious worship facility	<i>Section 8.2</i>
Communication facility -public safety	<i>Section 8.3.I</i>
Communication facility - wall mounted	<i>Section 8.3.I</i>
Community Residential Home: 9 or more	<i>Section 8.3.Q</i>
Dwelling - two family (duplex)	<i>Section 8.2</i>
Educational Institution - public or private	<i>Section 8.2</i>
Emergency services facilities (subject to Location and Extent review)	<i>Section 8.2 Section 8.4</i>
Family Child Care Home: 13 or more	<i>Section 8.3.Q</i>
Foster Care Home: 13 or more	<i>Section 8.3.Q</i>
Group Home for the Aged: 9 or more	<i>Section 8.3.Q</i>
Group Home for the Mentally Ill: 9 or more	<i>Section 8.3.Q</i>

**Section 2.6.3
R-1**

Group Meeting Facility (except those uses otherwise specifically described in this table)	<i>Section 8.2; Chapter 12</i>
Guest house	<i>Section 8.3.M</i>
Home occupation	<i>Section 8.3.O</i>
Intermediate Nursing Facility: Mentally Retarded	<i>Section 8.3.Q</i>
Kennel: < 30 animals only	<i>Section 8.3.S</i>
Life Care Institution	<i>Section 8.3.Q</i>
Nursing Facility	<i>Section 8.3.Q</i>
Recreational facilities (Public/Private)	<i>Section 8.3.X</i>
Respite Care Provider/Services (facility)	<i>Section 8.3.Q</i>

4. Special Uses

SPECIAL USE	CROSS-REFERENCE
Elderly or Disabled Low-Income Residential Facility	<i>Section 8.3.Q</i>
Family Service Facility	<i>Section 8.3.Q</i>
Homeless Youth Shelter/Homeless Shelter	<i>Section 8.3.Q</i>
Low-Income Household Residential Facility	<i>Section 8.3.Q</i>
Regional Center: Developmentally Disabled	<i>Section 8.3.Q</i>
Residential [Child] Care Facility: any number	<i>Section 8.3.Q</i>
Transitional Housing Facility	<i>Section 8.3.Q</i>

5. Accessory Uses

- a. Garages for personal vehicle storage, attached or detached.
- b. Other uses and structures normally associated with residential uses, including small movable storage sheds of 120 square feet or less and pet shelters.
- c. Child playground equipment.

6. Use Restrictions. Kennels for 30 or more animals are not allowed.

B. Density and Minimum Lot Size: New Subdivision

- 1. Density: 1 single-family residential unit per lot OR
1 two-family (duplex) residential unit per lot
- 2. Minimum Lot Size:
Without central water and central sewer: 10 acres
With central water and central sewer (single-family and duplex)
2 acres - if the slope is 25.1% to 30%
1 acre - if the slope is 20.1% to 25%
½ acre - if the slope is 20% or less

**Section 2.6.3
R-1**

C. Dimensional Limitations

1. Minimum Setbacks: Front: 25 feet
Rear: 30 feet
Side: 15 feet
2. Minimum Road Frontage: 40 feet
3. Maximum Height: 35 feet
4. Maximum Impervious Coverage:
45% on lots less than 15,000 square feet
35% on lots 15,000 square feet or greater

**Section 2.6.4
R-1M**

**Section 2.6.4
RESIDENTIAL/MOBILE ZONE DISTRICT (R-1M)**

The purpose of the Residential/Mobile Zone District (R-1M) is to provide for single-family non-rural, non-agricultural, residential uses wherein a mobile home as defined in these Regulations is a permitted Dwelling Unit.

A. Uses. All uses, accessory uses, and Use Restrictions are those specified for the R-1 Zone District with the addition of a mobile home as a Permitted Dwelling Unit and except the following which are **not** allowed:

1. Adult Day Care Facility
2. Alternative Care Facility
3. Assisted Living Residence: 9 or more
4. Child Care Center: 5 or More
5. Community Residential Home: 9 or more
6. Elderly or Disabled Low-Income Housing
7. Family Child Care Home: 13 or more
8. Family Service Facility
9. Foster Care Home: 13 or more
10. Group Home for the Aged: 9 or more
11. Group Home for the Mentally Ill: 9 or more
12. Homeless Youth Shelter/Homeless Shelter
13. Intermediate Nursing Facility: Mentally Retarded
14. Life Care Institution
15. Low-Income Household Residential Facility
16. Nursing Facility
17. Regional Center: Developmentally Disabled
18. Residential [Child] Care Facility: any number
19. Respite Care Provider/Services (facility)
20. Transitional Housing Facility

B. Density and Minimum Lot Size: New Subdivision. Density and lot size are those specified for the R-1 Zone District.

C. Dimensional Limitations. Dimensional limitations are those specified for the R-1 Zone District.

**Section 2.6.5
R-2**

**Section 2.6.5
MULTI-FAMILY RESIDENTIAL ZONE DISTRICT (R-2)**

The purpose of the Multi-Family Residential (R-2) Zone District is to provide for higher density residential uses than duplexes as allowed in the R-1 Residential Zone District.

A. Uses

1. Permitted Uses

PERMITTED USE	CROSS-REFERENCE
Animals - pet animals	<i>Section 2.3</i>
Boarding house	
Child care center - 4 or fewer	<i>Section 8.3.Q</i>
Communication facility - “stealth”	<i>Section 8.3.I</i>
Dwelling - multi-family (including apartments and duplexes). See Use Restrictions below.	
Dwelling - one single-family (excluding mobile homes)	
Essential services (subject to Location and Extent review)	<i>Section 8.4</i>
Family Child Care Home: 5 or fewer	<i>Section 8.3.Q</i>
Foster Care Home: 5 or fewer	<i>Section 8.3.Q</i>
Home business - no impact	<i>Section 8.3.N; Chapter 12</i>
Home Health Services/Home Health Care (peripatetic)	<i>Section 8.3.Q</i>
Homemaker Agency/Services (peripatetic)	<i>Section 8.3.Q</i>
Hospice care - (peripatetic)	<i>Section 8.3.Q</i>
Independent Residential support Services (peripatetic)	<i>Section 8.3.Q</i>
Personal Care Agency/Services (peripatetic)	<i>Section 8.3.Q</i>
Public uses and facilities (subject to Location and Extent review)	<i>Section 8.4</i>
Recreational facilities as part of a housing complex	
Respite Care Provider/Services (peripatetic)	<i>Section 8.3.Q</i>
Rooming House	

2. Administrative Review Uses

ADMINISTRATIVE REVIEW USE	CROSS-REFERENCE
Assisted Living Residence: 8 or fewer	<i>Section 8.3.Q</i>
Communication facility - co-location only	<i>Section 8.3.I</i>
Community Residential Home: 8 or fewer	<i>Section 8.3.Q</i>
Family Child Care Home: Between 6 and 12	<i>Section 8.3.Q</i>
Foster Care Home: Between 6 and 12	<i>Section 8.3.Q</i>

**Section 2.6.5
R-2**

Group Home for the Aged: 8 or fewer	<i>Section 8.3.Q</i>
Group Home for the Mentally Ill: 8 or fewer	<i>Section 8.3.Q</i>
Temporary Construction Office Trailer	<i>Section 8.3.BB</i>
Temporary Housing	<i>Section 2.4</i>

3. Conditional Uses

CONDITIONAL USE	CROSS-REFERENCE
Assisted Living Residence: 9 or more	<i>Section 8.3.Q</i>
Church, temple, synagogue, or other religious worship facility	<i>Section 8.2</i>
Communication facility - public safety	<i>Section 8.3.I</i>
Communication facility - wall mounted	<i>Section 8.3.I</i>
Community Residential Home: 9 or more	<i>Section 8.3.Q</i>
Educational Institution - public or private	<i>Section 8.2</i>
Emergency services facilities (subject to Location and Extent review)	<i>Section 8.2</i> <i>Section 8.4</i>
Group Home for the Aged: 9 or more	<i>Section 8.3.Q</i>
Group Home for the Mentally Ill: 9 or more	<i>Section 8.3.Q</i>
Group Meeting Facility (except those uses otherwise specifically described in this table)	<i>Section 8.2;</i> <i>Chapter 12</i>

4. **Special Uses.** None

5. **Accessory Uses.** Accessory Uses are those specified for the R-1 Zone District.

6. **Use Restrictions**

- a. Development of multi-family structures is subject to *Chapter 7 Site Plan and Site Plan Review.*

B. Density and Minimum Lot Size: New Subdivision

1. **Density:** Maximum of 15 dwelling units per acre

2. **Minimum Lot Size:**

Without central water and central sewer: Not allowed
 With central water and central sewer:
 2 acres - if the slope is 25.1 % to 30%
 1 acre - if the slope is 20.1% to 25%
 ½ acre - if the slope is 20% or less

C. Dimensional Limitations

1. **Minimum Setbacks:** Front: 25 feet
 Side: 15 feet
 Rear: 30 feet
 Minimum separation between structures on a lot: 15 feet

**Section 2.6.5
R-2**

2. Minimum Road Frontage: 40 feet
3. Maximum Height: 45 feet
4. Maximum Impervious Coverage: 60%

Section 2.7

**Section 2.7
COMMERCIAL, INDUSTRIAL AND MANUFACTURING ZONE DISTRICTS AND
STANDARDS**

**Section 2.7.1
BC**

**Section 2.7.1
BUSINESS CENTER ZONE DISTRICT (BC)**

The purpose of the Business Center (BC) Zone District is to provide for appropriately located multi-structure retail/wholesale/commercial uses that may be of greater size, bulk or intensity than otherwise appropriate in the Commercial One (C-1) Zone District. The BC Zone District may include uses listed under the Commercial One (C-1) and Manufacturing/ Industrial (M-1) Zone District, and, as a Conditional or Special Review Use, uses listed under the Light Industrial (LI) Zone District.

A. Uses

1. Permitted Uses

PERMITTED USE	CROSS-REFERENCE
Animal Hospital / Veterinary Clinic: ≥ 35 acres See Use Restrictions below.	<i>Section 8.3.A</i>
Bar, restaurant, lounge, other food & beverage service - includes take-ou	
Brew Pub and Cr ft (cro) Brewery	<i>Section 8.3.E</i>
Car wash, with or without related Gasoline fueling station	
Clinic - Medical or dental	
Commercial: General retail goods and business services: NEIGHBORHOOD, COMMUNITY or REGIONAL Scale	<i>Section 2.1.D.2</i>
Communication facility - roof or wall mounted	<i>Section 8.3.1</i>
Communication facility - “stealth”	<i>Section 8.3.I</i>
Dry cleaning and laundry establishment	
Dwellings (excluding mobile homes) associated with commercial or business use (“Mixed use”)	
Entertainment places and facilities - Indoors	
Essential services (subject to Location and Extent review)	<i>Section 8.4</i>

**Section 2.7.1
BC**

Financial institution (bank, S&L, credit union, etc.)	
Gasoline fueling station - with or without related motor vehicle body repair shop, motor vehicle operating systems maintenance and repair shop, or convenience store	
Hospitals	<i>Section 8.3.P</i>
Hotels and motels	
Laboratories - medical, dental, research, experimental and testing	
Manufacturing: small scale (non-hazardous materials use)	
Motor vehicle body repair shop - independent of Gasoline fueling station	
Motor vehicle operating systems maintenance and repair - independent of Gasoline fueling station	
Offices	
Offices with attached storage room not over 3,000 square feet per unit in size	
Parking - commercial or public	<i>Section 8.3.W</i>
Printing, newspaper publishing and binding, including engraving and photoengraving'	
Public uses and facilities (subject to Location and Extent review)	<i>Section 8.4</i>
Recreational facilities - indoors	
Stone and monument works	
Utility transfer stations (subject to Location and Extent review)	<i>Section 8.4</i>
Warehouses	
Wholesale activities	

2. Administrative Review Uses

ADMINISTRATIVE REVIEW USE	CROSS-REFERENCE
Communication facility - co-location only	<i>Section 8.3.I</i>
Temporary Construction Office Trailer	<i>Section 8.3.BB</i>

3. Conditional Uses

CONDITIONAL USE	CROSS-REFERENCE
Animal Hospital / Veterinary Clinic. See Use Restrictions below.	<i>Section 8.3.A</i>
Auto, RV, truck sales	<i>Section 8.2</i>
Communication facility - free standing	<i>Section 8.3.I</i>
Communication facility - public safety	<i>Section 8.3.I</i>
Convention facilities: Auditoriums, arenas	<i>Section 8.2</i>
Educational Institution - public or private	<i>Section 8.2</i>

**Section 2.7.1
BC**

Kennel: < 30 animals. See Use Restrictions below.	<i>Section 8.3.S</i>
Manufacturing: small scale (hazardous materials use)	<i>Section 8.3.T</i>
Recycling stations (public drop-off only)	<i>Section 8.3.CC</i>
Storage Yard: (1) Construction [Contractor's] or Construction Equipment Storage Yard; and (2) Rental Storage Yard only	<i>Section 8.3.AA</i>

4. Special Uses

SPECIAL USE	CROSS-REFERENCE
Kennel: ≥30 animals. See Use Restrictions below.	<i>Section 8.3.S</i>

5. Accessory Uses

- a. Motor vehicle towing of up to eight customer vehicles to a **motor vehicle body repair shop, motor vehicle operating systems maintenance and repair shop, or gasoline fueling station** when solely for the purposes of repair. The location of customer vehicles retained on-site shall be no less than 200 feet from any adjoining residential zone district. No single vehicle may be retained on-site for longer than one week.

6. Use Restrictions

- a. All uses are subject to *Chapter 7 Site Plan and Site Plan Review*
- b. The following are considered Permitted Uses (uses-by-right) on lots or parcels of 35 acres or more, and uses by Conditional Use Permit pursuant to the requirements of *Chapter 8 Special Review Uses* on lots or parcels less than 35 acres:
 - 1. Animal Hospital/Veterinary Clinic (*Section 8.3.A*)
- c. Kennels for 30 or more animals require a Special Use Permit.

B. Minimum Lot Size: New Subdivision

- 10 acres without central water and central sewer
- ½ acre with central water and central sewer

C. Dimensional Limitations

- 1. Minimum Setbacks:
 - Outside** the Growth Area boundaries depicted on legislatively adopted Teller County map(s):
 - Front: 50 feet
 - Side: 15 feet
 - Rear: 35 feet

**Section 2.7.1
BC**

Within the Growth Area boundaries depicted on legislatively adopted Teller County map(s):

Front: 25 feet

Side: None provided that the requirements of the Teller County Building Code are met

Rear: 15 feet

Minimum distance of structures from an existing residential zone district: 100 feet.

2. Minimum Road Frontage: 40 feet
3. Maximum Height: 45 feet
4. Maximum Impervious Coverage: 80%

**Section 2.7.2
C-1**

**Section 2.7.2
COMMERCIAL ONE ZONE DISTRICT (C-1)**

The purpose of the Commercial One (C-1) Zone District is to provide for a general zone district devoted to a range of commercial services needed to meet the daily shopping needs of area residents, including retail sales, restaurants, personal and commercial services, offices, and small wholesale activities. The C-1 Zone District generally excludes those uses listed under the Manufacturing/Industrial (M-1) category of the use schedule.

A. Uses

1. Permitted Uses

PERMITTED USE	CROSS-REFERENCE
Adult or sexually oriented business. See Use Restrictions below.	<i>Chapter 12</i>
Animal Hospital / Veterinary Clinic: ≥ 35 acres. See Use Restrictions below.	<i>Section 8.3.A</i>
Bar, restaurant, lounge, other food & beverage service, take-out included	
Building materials - sales (including Home Improvement centers)	
Car wash, with or without related Gasoline fueling station	
Child care center - 4 or fewer	<i>Section 8.3.Q</i>
Church, temple, synagogue, or other religious worship facility	
Clinic - Medical or dental	
Commercial: general retail goods and business services: COMMUNITY scale	<i>Section 2.1.D.2</i>
Commercial: general retail goods and business services: NEIGHBORHOOD scale	<i>Section 2.1.D.2</i>

**Section 2.7.2
C-1**

Communication facility - roof or wall mounted	<i>Section 8.3.I</i>
Communication facility - “stealth”	<i>Section 8.3.I</i>
Dry cleaning and laundry establishment	
Dwellings (excluding mobile homes) within the same structure as a commercial or business use (“Mixed use”)	
Educational Institution - public or private	
Emergency services facilities (subject to Location and Extent review)	<i>Section 8.4</i>
Entertainment places and facilities: indoors	
Essential services (subject to Location and Extent review)	<i>Section 8.4</i>
Financial institution (bank, S&L, credit union, etc.)	
Funeral homes	
Gasoline fueling station - with or without related motor vehicle body repair shop, motor vehicle operating systems maintenance and repair shop, or convenience store	
Group Meeting Facility (except those uses otherwise specifically described in this table)	<i>Chapter 12</i>
Home Health Services/Home Health Care (peripatetic)	<i>Section 8.3.Q</i>
Homemaker Agency/Services (peripatetic)	<i>Section 8.3.Q</i>
Hotels and motels	
Livestock Boarding Facility: ≥35 acres. See Use Restrictions below.	<i>Section 8.3.D</i>
Manufacturing - small scale (non-hazardous materials use)	
Mobile/manufactured/factory-built home sales	
Motor vehicle body repair shop - independent of Gasoline service station	
Motor vehicle operating systems maintenance and repair - independent of Gasoline service station	
Offices	
Offices with attached storage room not over 3,000 square feet per unit in size	
Personal Care Agency/Services (peripatetic)	<i>Section 8.3.Q</i>
Printing, newspaper publishing and binding, including engraving and photoengraving	
Public uses and facilities (subject to Location and Extent review)	<i>Section 8.4</i>
Recreational facilities - indoors	

2. Administrative Review Uses

ADMINISTRATIVE REVIEW USE	CROSS-REFERENCE
Communication facility - co-location only	<i>Section 8.3.I</i>

**Section 2.7.2
C-1**

Temporary Construction Office Trailer	<i>Section 8.3.CC</i>
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3. Conditional Uses

CONDITIONAL USE	CROSS-REFERENCE
Adult Day Care Facility	<i>Section 8.3.Q</i>
Alternative Care Facility	<i>Section 8.3.Q</i>
Animal Hospital / Veterinary Clinic: < 35 acres. See Use Restrictions below.	<i>Section 8.3.A</i>
Auto, RV, truck sales and/or service	<i>Section 8.2</i>
Brew Pub and Craft (Micro) Brewery	<i>Section 8.3.E</i>
Child care center - 5 or more	<i>Section 8.3.Q</i>
Commercial: general retail goods and business services: REGIONAL scale	<i>Section 2.1.D.2</i>
Communication facility - free standing	<i>Section 8.3.I</i>
Communication facility - public safety	<i>Section 8.3.I</i>
Community Residential Home: 9 or more	<i>Section 8.3.Q</i>
Construction equipment business (inc. sales and repair)	<i>Section 8.3.J</i>
Convention facilities, auditoriums, arenas	<i>Section 8.2</i>
Intermediate Nursing Facility: Mentally Retarded	<i>Section 8.3.Q</i>
Kennel: <30 animals. See Use Restrictions below.	<i>Section 8.3.S</i>
Laboratories - medical, dental, research, experimental and testing	<i>Section 8.2</i>
Life Care Institution	<i>Section 8.3.Q</i>
Livestock Boarding Facility: <35 acres. See Use Restrictions below.	<i>Section 8.3.D</i>
Mini-warehouses	<i>Section 8.2</i>
Nursing Facility	<i>Section 8.3.Q</i>
Recycling stations (public drop-off only)	<i>Section 8.3.CC</i>
Respite Care Provider/Services (facility)	<i>Section 8.3.Q</i>

4. Special Uses

SPECIAL USE	CROSS-REFERENCE
Day Treatment Center: any number	<i>Section 8.3.Q</i>
Elderly or Disabled Low-Income Residential Facility	<i>Section 8.3.Q</i>
Family Service Facility	<i>Section 8.3.Q</i>
Homeless Youth Shelter/Homeless Shelter	<i>Section 8.3.Q</i>
Kennel: ≥30 animals. See Use Restrictions below.	<i>Section 8.3.S</i>
Low-Income Household Residential Facility	<i>Section 8.3.Q</i>
Regional Center: Developmentally Disabled	<i>Section 8.3.Q</i>
Residential [Child] Care Facility: any number	<i>Section 8.3.Q</i>

**Section 2.7.2
C-1**

Secure Residential Treatment Center: any number	<i>Section 8.3.Q</i>
Specialized Group Facility [Child]: any number	<i>Section 8.3.Q</i>
Transitional Housing Facility	<i>Section 8.3.Q</i>

5. Accessory Uses

- a. Motor vehicle towing of up to eight customer vehicles to a **motor vehicle body repair shop, motor vehicle operating systems maintenance and repair shop, or gasoline fueling station** when solely for the purposes of repair. The location of customer vehicles retained on-site shall be no less than 200 feet from any adjoining residential zone district. No single vehicle may be retained on-site for longer than one week.

6. Use Restrictions

- a. All uses are subject to *Chapter 7 Site Plan and Site Plan Review*.
- b. Adult Uses. No sexually oriented business shall be located within 500 feet of another sexually oriented business, or any of the following legal conforming uses: residential, church, day care center, park or educational institution (whether within or without the County), or residentially zoned property. The 500-foot separation measurement shall be made in a straight line between the respective property lines, without regard to intervening structures or objects.
- c. The following are considered Permitted Uses (uses-by-right) on lots or parcels of 35 acres or more, and uses by Conditional Use Permit pursuant to the requirements of *Chapter 8 Special Review Uses* on lots or parcels less than 35 acres:
 - 1. Animal Hospital/Veterinary Clinic (*Section 8.3.A*)
 - 2. Livestock Boarding Facility (*Section 8.3.D*)
- d. Kennels for 30 or more animals require a Special Use Permit.

B. Minimum Lot Size: New Subdivision

- 10 acres without central water and central sewer
- 10,000 square feet with central water and central sewer

C. Dimensional Limitations

- 1. Minimum Setbacks:
Outside the Growth Area boundaries depicted on legislatively adopted Teller County map(s):

**Section 2.7.2
C-1**

Front: 50 feet
Side: None, provided that the requirements of the Teller County Building Code are met
Rear: 20 feet

Within the Growth Area boundaries depicted on legislatively adopted Teller County map(s):

Front: 10 feet
Side: None, provided that the requirements of the Teller County Building Code are met
Rear: 20 feet

2. Minimum Road Frontage: 40 feet
3. Maximum Height: 35 feet
4. Maximum Impervious Coverage: 80%

**Section 2.7.3
LI**

**Section 2.7.3
LIGHT INDUSTRIAL ZONE DISTRICT (LI)**

The purpose of the Light Industrial (LI) Zone District is to provide for moderate scale multi-structure light industrial/manufacturing activities in designated areas. The LI Zone District may include certain uses listed under the Manufacturing/Industrial (M-1) Zone District and the Commercial One (C-1) Zone District. For the purposes of these Regulations, “light industrial/manufacturing activities” means any limited manufacturing or industrial processing which by nature of the materials, equipment and process utilized is to a considerable degree quiet, clean and free from any objectionable or hazardous element. Examples of light manufacturing (or industry) include the production of finished products or parts from previously prepared materials; and/or the fabrication, assembly, treatment, packaging, incidental storage, sales and distribution of such products. Depending on the intensity of the use, light manufacturing may be allowed in other zone districts as a Home Business - No Impact or by Conditional Use Permit for a Home Occupation.

A Light Industrial Zone District may be established on any tract of land which:

1. Is less than one-half mile from the boundaries of any incorporated city;
2. Is within the business area of the Divide Town Center as defined in the Divide Regional Plan;
3. Is less than three-quarters of a mile from the center of the intersection of U.S. Highway 24 and Teller County Road 1 and in substantial compliance with the policies contained in the Teller County Action Plan, Section VIII of the Teller County Growth Management Plan.

**Section 2.7.3
LI**

A. Uses

1. Permitted Uses

PERMITTED USE	CROSS-REFERENCE
Auto, RV, truck sales and/or service	
Blacksmith shop	
Building materials - sales (including Home Improvement centers)	
Car wash, with or without related Gasoline fueling station	
Communication facility - roof or wall mounted	<i>Section 8.3.I</i>
Communication facility - “stealth”	<i>Section 8.3.I</i>
Construction equipment business (inc. sales and repair)	<i>Section 8.3.J</i>
Dry cleaning and laundry establishment	
Emergency services facilities (subject to Location and Extent review)	<i>Section 8.4</i>
Essential services (subject to Location and Extent review)	<i>Section 8.4</i>
Feed and seed processing and bulk storage	
Food processing, wholesale	
Gasoline fueling station - with or without related motor vehicle body repair shop, motor vehicle operating systems maintenance and repair shop, or convenience store	
Laboratories - medical, dental, research, experimental and testing	
Machine shop	
Manufacturing: Small scale (non-hazardous materials use)	
Meat processing (excluding slaughter, curing & smoking)	
Meat processing, packing, slaughter	
Mini-warehouses	
Motor vehicle body repair shop - independent of Gasoline service station	
Motor vehicle operating systems maintenance and repair - independent of Gasoline service station	
Offices	
Offices with attached storage room not over 3,000 square feet per unit in size	
Printing, newspaper publishing and binding, including engraving and photoengraving	
Public uses and facilities (subject to Location and Extent review)	<i>Section 8.4</i>
Recycling station (public drop-off only)	<i>Section 8.3.CC</i>
Stone and monument works	

**Section 2.7.3
LI**

Utility transfer stations (subject to Location and Extent review)	<i>Section 8.4</i>
Warehouses	
Wholesale Activities	

2. Administrative Review Uses

ADMINISTRATIVE REVIEW USE	CROSS-REFERENCE
Communication facility - co-location only	<i>Section 8.3.I</i>
Temporary Construction Office Trailer	<i>Section 8.3.BB</i>

3. Conditional Uses

CONDITIONAL USE	CROSS-REFERENCE
Brew Pub and Craft (Micro) Brewery	<i>Section 8.3.E</i>
Communication facility - free standing	<i>Section 8.3.I</i>
Communication facility - public safety	<i>Section 8.3.I</i>
Kennel: <30 animals. See Use Restrictions below.	<i>Section 8.3.S</i>
Manufacturing: Small scale - (hazardous materials use)	<i>Section 8.3.T</i>
Storage yard: (1) Construction [Contractor's] or Construction Equipment Storage Yard; (2) Rental Storage Yard; (3) Vehicle Towing and Storage Yard only	<i>Section 8.3.AA</i>

4. Special Uses

SPECIAL USE	CROSS-REFERENCE
Batch plant - Concrete or asphalt	<i>Section 8.3.B</i>
Kennel: ≥30 animals. See Use Restrictions below.	<i>Section 8.3.S</i>
Waste related uses other than Recycling stations for public drop-off only	<i>Section 8.3.CC</i>

5. Accessory Uses

- a. Retail sales incidental to the use.
- b. Motor vehicle towing of up to eight customer vehicles to a **motor vehicle body repair shop, motor vehicle operating systems maintenance and repair shop, or gasoline fueling station** when solely for the purposes of repair. The location of customer vehicles retained on-site shall be no less than 200 feet from any adjoining residential zone district. No single vehicle may be retained on-site for longer than one week.

**Section 2.7.3
LI**

6. Use Restrictions

- a. All uses are subject to *Chapter 7 Site Plan and Site Plan Review*
- b. Kennels for 30 or more animals require a Special Use Permit.

B. Minimum Lot Size: New Subdivision

- 10 acres without central water and central sewer
- ½ acre with central water and central sewer

C. Dimensional Limitations

- 1. Minimum Setbacks: Front: 25 feet
Side: 15 feet
Rear: 30 feet

Minimum distance of structures from an existing residential zone district: 100 feet

- 2. Minimum Road Frontage: 40 feet
- 3. Maximum Height: Building: 35 feet
Equipment or equipment housing: 45 feet
- 4. Maximum Impervious Coverage: 90%

**Section 2.7.4
M-1**

**Section 2.7.4
INDUSTRIAL/HEAVY MANUFACTURING ZONE DISTRICT (M-1)**

The purpose of this District is to provide appropriate areas for heavy industrial/manufacturing or heavy service businesses in locations where conflicts with residential, commercial and other land uses can be minimized. Such businesses are characterized by materials, equipment, or operations that produce levels of external effects which may or may not be hazardous, and that may be detected on an adjoining property without the aid of instruments.

A. Definitions

- 1. **Industrial/Manufacturing** means, for the purposes of this definition, the following categories of activities that characterize the dominant feature of the operation:
 - a. **Extraction:** The drawing forth or removal of physical matter in a solid, liquid or gaseous state from its naturally occurring location; the initial step in use of a natural resource. Examples include gold mines, gravel pits, timber cutting. Extraction also includes the exploration activities that take place prior to extraction.

**Section 2.7.4
M-1**

- b. **Processing**: The subjection to some special process or treatment in the course of manufacturing that changes the physical state or chemical composition of matter; the second step in the use of a natural resource. Examples include ore smelting, gravel crushing and cleaning, saw mills, alfalfa pellet mills, food canning or packing, creation of glass, ceramic, or plastic materials, cement manufacture.
 - c. **Fabrication**: To form by art and labor; to manufacture; to change the physical shape of matter; the final step in use of a natural resource. Examples include manufacture of equipment, vehicles and consumer goods from processed materials, wood and metal working operations, concrete and asphalt batch plants.
 - d. **Storage**: The act of storing or state of being stored, specifically the safekeeping of goods in a warehouse or other depository. Examples include bulk storage of freight, petroleum products, agricultural products, forestry products, household goods; dismantling yards.
 - e. **Re-manufacturing/Refurbishing**: To restore to a sound or good state after decay, injury, etc; restoration of a damaged object to its original physical shape. Examples include complete automotive engine rebuilding, complete restoration, refinishing, and upholstering of large household furnishings.
2. **Heavy Manufacturing (or Industry)** means any manufacturing or industrial processing which by nature of the material, equipment and process utilized produces objectionable levels of noise, fumes, light or smoke which may, or may not have hazardous effects. Mining is considered a heavy industry.
 3. **Heavy Service (or Industry)** means any other service that, by nature of its materials, equipment, or operations, produces levels of external effects which may or may not be hazardous and that may be detected on an adjoining property without the aid of instruments. Examples include sanitary landfills, and construction and demolition debris facilities.

B. Uses

1. Permitted Uses

PERMITTED USE	CROSS-REFERENCE
Auto, RV, truck service	
Blacksmith Shop	
Breweries and distilleries	<i>Section 8.3.E</i>
Building materials - sales (including Home Improvement centers)	

**Section 2.7.4
M-1**

Car wash, with or without related Gasoline fueling station	
Communication facility - roof or wall mounted	<i>Section 8.3.I</i>
Communication facility - “stealth”	<i>Section 8.3.I</i>
Construction equipment business (inc. sales and repair)	<i>Section 8.3.J</i>
Emergency services facilities (subject to Location and Extent review)	<i>Section 8.4</i>
Essential services (subject to Location and Extent review)	<i>Section 8.4</i>
Feed and seed processing and bulk storage	
Food processing, wholesale	
Freight yard	<i>Section 8.3.K</i>
Gasoline fueling station - with or without related motor vehicle body repair shop, motor vehicle operating systems maintenance and repair shop, or convenience store	
Manufacturing: small scale (non-hazardous materials use)	
Manufacturing: large scale (non-hazardous materials use)	
Meat processing, packing, slaughter	
Mini-warehouses	
Motor vehicle body repair shop - independent of Gasoline service station	
Motor vehicle operating systems maintenance and repair - independent of Gasoline service station	
Public uses and facilities (subject to Location and Extent review)	<i>Section 8.4</i>
Recycling station (public drop-off only)	<i>Section 8.3.CC</i>
Research and testing facilities	
Tanning, curing, or storing of hides	
Transportation terminal	
Utility transfer station (subject to Location and Extent requirements)	<i>Section 8.4</i>
Vehicle storage yard for up to 8 customer vehicles. See Use Restrictions below.	
Warehouse	
Wholesale activities	

2. Administrative Review Uses

ADMINISTRATIVE REVIEW USE	CROSS-REFERENCE
Communication facility - co-location only	<i>Section 8.3.I</i>
Temporary Construction Office Trailer	<i>Section 8.3.BB</i>

3. Conditional Uses

CONDITIONAL USE	CROSS-REFERENCE
Chemical manufacturing and storage	<i>Section 8.3.H</i>
Communication facility - free standing	<i>Section 8.3.I</i>
Communication facility - public safety	<i>Section 8.3.I</i>
Fuel storage and bulk sales	<i>Section 8.3.L</i>
Junkyards	<i>Section 8.3.R</i>
Kennel: <30 animals. See Use Restrictions below.	<i>Section 8.3.S</i>
Manufacturing: small or large scale (hazardous materials use)	<i>Section 8.3.T</i>
Storage Yard: All	<i>Section 8.3.AA</i>

4. Special Uses

SPECIAL USE	CROSS-REFERENCE
Batch Plant - Concrete or asphalt	<i>Section 8.3.B</i>
Kennel: ≥30 animals. See Use Restrictions below.	<i>Section 8.3.S</i>
Mining - Including aggregate mining (gravel pits)	<i>Section 8.3.U</i>
Waste-related uses other than Recycling stations for public drop-off only	<i>Section 8.3.CC</i>

5. Accessory Uses

- a. Retail sales incidental to the use.
- b. Motor vehicle towing of up to eight customer vehicles to a **Motor vehicle body repair shop, Motor vehicle operating systems maintenance and repair shop, or Gasoline fueling station** when solely for the purposes of repair. The location of customer vehicles retained on-site shall be no less than 200 feet from any adjoining residential zone district. No single vehicle may be retained on-site for longer than one week.

6. Use Restrictions

- a. All uses are subject to *Chapter 7 Site Plan and Site Plan Review*.
- b. Vehicle Storage yards for up to 8 customer vehicles (Permitted Use). No part of the operation, other than the access drive, shall be less than 200 feet from any adjoining residential property.
- c. Kennels for 30 or more animals require a Special Use Permit.

**Section 2.7.4
M-1**

- C. Minimum Lot Size: New Subdivision**
 - Without central water and central sewer: 10 acres
 - With central water and central sewer: 15,000 square feet

- D. Dimensional Limitations**
 - 1. Minimum Setbacks: Front: 35 feet
Side: 20 feet
Rear: 20 feet

 - 2. Minimum Road Frontage: 40 feet

 - 3. Maximum Height: Building: 35 feet
Equipment or equipment housing: 45 feet

 - 4. Maximum Impervious Coverage: 90%

**Section 2.8
PUD**

**Section 2.8
PLANNED UNIT DEVELOPMENT (PUD)**

“Planned Unit Development” (PUD) means an area of land, controlled by one or more land owners, to be developed under unified control or unified plan of development for a number of dwelling units, commercial, educational, recreational, or industrial uses, or any combination of the foregoing, the plan for which does not correspond in lot size, bulk, or type or use, density, lot coverage, open space, or other restriction in the applicable Sections of these Regulations. The explicit purpose of the PUD Zone District is to permit variations from the standards of the County’s other zone districts in order to allow flexibility for landowners to creatively plan for the overall development of their land, thereby achieving a more desirable environment than would be possible through the strict application of these Regulations. *See Chapter 10 Planned Unit Development (PUD)*, of these Regulations.

- A. Uses and Use Restrictions** . All uses, accessory uses, and Use Restrictions are those specified by the original zone district of the land for which the PUD rezoning is requested unless explicitly changed by approval of the Board of County Commissioners pursuant to *Chapter 10 Planned Unit Development (PUD)* and the specific standards therein, and as set forth in the PUD Control Document (PUD Guide).

- B. Density and Minimum Lot Size** . Density and minimum lot size are those specified by the original zone district of the land for which the PUD rezoning is requested unless explicitly changed by approval of the Board of County Commissioners pursuant to *Chapter 10 Planned Unit Development (PUD)* and the specific standards therein, and as set forth in the PUD Control Document (PUD Guide) except that residential density shall not exceed 15 units per gross acre.

- C. Dimensional Limitations** . The dimensional limitations are those specified by the original zone district of the land for which the PUD

**Section 2.8
PUD**

rezoning is requested unless explicitly changed by approval of the Board of County Commissioners pursuant to *Chapter 10 Planned Unit Development (PUD)* and the specific standards therein, and as set forth in the PUD Control Document (PUD Guide).

**Section 2.9
OVERLAY
ZONES**

**Section 2.9
OVERLAY ZONES**

Like a bedspread over a blanket, an “overlay zone ” is a special purpose zone district that is superimposed over one or more zone districts, or parts of one or more zone districts, that imposes specified requirements in addition to, or in place of, those that are otherwise applicable to the underlying (original) zone/s. Overlay zone district boundaries do not necessarily correspond perfectly with the boundaries of the original underlying zone/s, and may include only part of the underlying zone district or parts of several underlying zone districts. The provisions and requirements of the underlying zone district/s not affected by the overlay remain the same.

**Section 2.9.1
A-2**

**Section 2.9.1
AIRPORT OVERLAY ZONE (A-2)**

The purpose of the A-2 Airport Overlay Zone is to provide for commercial and Aero Club airfields, landing strips and/or non-instrument runways less than 7,000 feet in length, together with related airport terminals and support facilities, hangars and tie-down facilities, navigation instruments and aids, aviation control towers and aircraft maintenance facilities. This zone does not apply to those individuals having FAA sanction, who own, operate and maintain a landing strip for the **sole** purpose of their own personal convenience and use.

A. Uses

- 1. Permitted Uses.** Permitted Uses within the Airport Overlay Zone are solely those listed below, which replace the Permitted Uses of the original zone district of the land for which the Overlay Zone is granted.

PERMITTED USE	CROSS-REFERENCE
Agricultural uses including general farming, forestry, and ranching	
Airfields and related facilities including landing strips; airport terminals, related sporting facilities; hangars and tie-down facilities; navigation instruments and aids; aviation control towers; aircraft maintenance facilities; aero club facilities	
Animals - pet animals	<i>Section 2.3</i>
Animals - noncommercial domestic hoofed livestock; noncommercial small livestock,	<i>Section 2.3</i>

**Section 2.9.1
A-2**

poultry, fowl	
Communication facility - roof or wall mounted	<i>Section 8.3.I</i>
Communication facility - “stealth”	<i>Section 8.3.I</i>
Essential services (subject to Location and Extent review)	<i>Section 8.4</i>
Public uses and facilities (subject to Location and Extent review)	<i>Section 8.4</i>

2. Administrative Review Uses

ADMINISTRATIVE REVIEW USE	CROSS-REFERENCE
Communication facility - co-location only	<i>Section 8.3.I</i>
Temporary Construction Office Trailer	<i>Section 8.3.BB</i>

3. Conditional Uses. Conditional Uses within the Airport Overlay Zone are solely those listed below, which replace the Conditional Uses of the original zone district of the land for which the Overlay Zone is granted.

CONDITIONAL USE	CROSS-REFERENCE
Communication facility - free standing	<i>Section 8.3.I</i>
Communication facility - public safety	<i>Section 8.3.I</i>
Kennel: < 30 animals. See Use Restrictions below.	<i>Section 8.3.S</i>

4. Special Uses

SPECIAL USE	CROSS-REFERENCE
Kennel: ≥30 animals. See Use Restrictions below.	<i>Section 8.3.S</i>

5. Accessory Uses

- a. Uses accessory to farming and ranching in the A-1 Zone District

6. Use Restrictions

- a. All uses are subject to *Chapter 7 Site Plan and Site Plan Review*.
- b. Kennels for 30 or more animals require a Special Use Permit.

B. Density and Minimum Lot Size

- 1. Density. As defined by the original zone district, **subject to** the requirements of the airport use.

**Section 2.9.1
A-2**

2. Minimum Lot Size. As defined by the original zone district, **subject to** the requirements of the airport use.

C. Dimensional Limitations . Pursuant to FAA Regulations and as otherwise defined by the requirements of the original zone district.

**Section 2.9.2
C-2**

**Section 2.9.2
COMMERCIAL OVERLAY ZONE (C-2)**

The Commercial Overlay Zone (C-2) is intended to provide for non-intensive commercial land uses which do not need a water supply or a means of sewage disposal due to the nature of the activity. This Overlay is intended to allow a commercial use of land without the human activities normally associated with a commercial land use, while still allowing a review of the activity to determine the potential impact, and the mitigation measures needed to reduce the potential impact on surrounding properties and the natural landscape. It may only be applied within the following areas:

1. Is within one-quarter mile from the boundaries of any incorporated city, including Woodland Park, Cripple Creek, Victor.
2. Is within the business area of the Divide Town Center as defined in the Divide Regional Plan.
3. Is within three-quarters of a mile from the center of the intersection of U.S. Highway 24 and Teller County Highway 1.

**Section 2.9.2
C-2**

A. Uses

1. Permitted Uses

PERMITTED USE	CROSS-REFERENCE
Storage units - commercial	
Utility transfer station (subject to Location and Extent requirements)	<i>Section 8.4</i>
Underlying zone district Permitted Uses when water and wastewater disposal are not necessary for the use.	

2. Administrative Review Uses

ADMINISTRATIVE REVIEW USE	CROSS-REFERENCE
Underlying zone district Administrative Review Uses when water and wastewater disposal are not necessary for the use.	

3. Conditional Uses

CONDITIONAL USE	CROSS-REFERENCE
Storage Yard: (1) Construction [Contractor's]	<i>Section 8.3.AA</i>

**Section 2.9.2
C-2**

or Construction Equipment Storage Yard; (2) Vehicle Towing and Storage Yard only	
Underlying zone district Conditional Uses when water and wastewater disposal are not necessary for the use.	

4. Special Uses

SPECIAL USE	CROSS-REFERENCE
Underlying zoning zone district Special Uses when water and wastewater disposal are not necessary for the use.	

5. Accessory Uses. Accessory uses are those specified by the original zone district of the land for which the Overlay Zone is granted when water and wastewater disposal are not necessary for the use.

6. Use Restrictions. Use restrictions are those specified by the original zone district of the land for which the Overlay Zone is granted and the following:

a. All uses are subject to *Chapter 7 Site Plan and Site Plan Review*.

B. Density and Minimum Lot Size. Density and minimum lot size are those specified by the original zone district of the land for which the Overlay Zone is granted, subject to the requirements of the use.

C. Dimensional Limitations. Dimensional limitations are those specified by the original zone district of the land for which the Overlay Zone is granted.

**Section 2.9.3
CCMOD**

**Section 2.9.3
CRIPPLE CREEK MINING OVERLAY DISTRICT (CCMOD)**

It is the intent of the Cripple Creek Mining Overlay District to identify and regulate a special area (the “District”) of significance where mining has historically occurred and will most likely continue to occur. A map depicting the boundaries of this District, together with specific regulations governing the permitting of mining activities within this District, are provided in *Appendix A Cripple Creek Mining Overlay District* of these Regulations. Where *Appendix A* is silent, the provisions of the Teller County Land Use Regulations, or other applicable Federal, State, or local statutes, laws, codes, resolutions, ordinances, and regulations apply.

A. Uses. All uses, accessory uses, and Use Restrictions are **subject to** the requirements of *Appendix A Cripple Creek Mining Overlay District*.

**Section 2.9.3
CCMOD**

B. Density and Minimum Lot Size

1. Density. Density is that specified in *Appendix A Cripple Creek Mining Overlay District*.
2. Minimum Lot Size. The lands to which this Overlay Zone District applies are specified in *Appendix A Cripple Creek Mining Overlay District*.

C. Dimensional Limitations. Dimensional limitations are those specified in *Appendix A. Cripple Creek Mining Overlay District*.

**Section 2.9.4
EHO**

**Section 2.9.4
ENVIRONMENTAL HEALTH OVERLAY ZONE (EHO)**

For the purpose of addressing an area-wide environmental health problem, the Teller County Environmental Health Officer (or Health Officer) may from time to time request approval of an Environmental Health Overlay Zone District (EHO). The specific uses, Use Restrictions, density, parcel size, and dimensional limitation of each District may vary, depending on the nature of the environmental health concern sought to be addressed. Implementation of an Environmental Health Overlay Zone District does not waive other requirements of the Teller County Building Code, these Regulations, or other applicable Federal, State, or local statutes, laws, codes, resolutions, ordinances, and regulations.

- A. Uses**. All uses, accessory uses, and use restrictions are those specified by the original zone district of the land for which the Environmental Health Overlay Zone is granted, **subject to** the requirements of *Section 6.9 Environmental Health (EH) Overlay Zone District* for the specific Overlay.
- B. Density and Minimum Lot Size**. The density and minimum lot size are those specified by the original zone district of the land for which the Environmental Health Overlay Zone is granted, **subject to** the requirements of *Section 6.9 Environmental Health (EH) Overlay Zone District* for the specific Overlay.
- C. Dimensional Limitations**. Dimensional limitations are those specified by the original zone district of the land for which the Environmental Health Overlay Zone is granted, **subject to** the requirements of *Section 6.9 Environmental Health (EH) Overlay Zone District* for the specific Overlay.

**Section 2.9.5
HP**

**Section 2.9.5
HISTORIC PRESERVATION OVERLAY ZONE (HP)**

It is the intent of the Historic Preservation Overlay Zone (HP) to help protect those existing land uses which constitute, when concentrated, parts of the historical background of Teller County.

**Section 2.9.5
HP**

- A. **Uses.** All uses, accessory uses, and use restrictions are those specified by the original zone district of the land for which the Historic Preservation Overlay Zone is granted, **subject to** the requirements of *Section 6.8 Historic Preservation (HP) Overlay Zone District.*
- B. **Density and Minimum Lot Size.** The density and minimum lot or parcel size are those specified by the original zone district of the land for which the Historic Preservation Overlay Zone is granted, **subject to** the requirements of *Section 6.8 Historic Preservation (HP) Overlay Zone District.*
- C. **Dimensional Limitations.** Dimensional limitations are those specified by the original zone district of the land for which the Historic Preservation Overlay Zone is granted, **subject to** the requirements of *Section 6.8 Historic Preservation (HP) Overlay Zone District.*
- D. **Relation to the Cripple Creek Mining Overlay District.** The Cripple Creek Mining Overlay District as described in *Appendix A* of these Regulations takes precedence over any Historic Preservation Overlay Zone District.

**Section 2.9.6
NP**

**Section 2.9.6
NATIONAL MONUMENT PROTECTION OVERLAY ZONE (NP)**

It is the intent of the National Monument Protection Overlay Zone (NP) to help prevent encroachment on the Florissant Fossil Beds National Monument, to protect the views from and to the National Monument, and to create a visually pleasant environment. It applies to any road entering the Monument area for a distance of 1/4 mile along said roads from the National Monument boundary, and to a depth of 200 yards on either side of the road right-of-way line.

- A. **Uses.** All uses, accessory uses, and Use Restrictions are those specified by the original zone district of the land for which the National Monument Protection Overlay Zone is granted, **subject to** the requirements of *Section 6.7 National Monument Protection (NP) Overlay Zone District.*
- B. **Density and Minimum Lot Size.** The density and minimum lot or parcel size are those specified by the original zone district of the land for which the National Monument Protection Overlay Zone is granted, **subject to** the requirements of *Section 6.7 National Monument Protection (NP) Overlay Zone District.*
- C. **Dimensional Limitations.** Dimensional limitations are those specified by the original zone district of the land for which the National Monument Protection Overlay Zone is granted, **subject to** the requirements of *Section 6.7 National Monument Protection (NP) Overlay Zone District.*

**Section 2.10
OBSOLETE
ZONE
DISTRICTS**

**Section 2.10.1
CG**

**Section 2.10
OBSOLETE ZONE DISTRICTS**

**Section 2.10.1
CAMPGROUND ZONE DISTRICT (CG)**

The Campground Zone District (CG) is that zone district applied to those legally existing campgrounds in Teller County so zoned prior to the effective date of these Regulations, excluding mobile home parks, and including campgrounds intended for use by tents, primitive cabins (cabins that are permanent or nonpermanent, with or without electricity, water, heat), trailers, and recreation vehicles. No further land in the unincorporated portion of Teller County shall be rezoned to the Campground Zone District (CG) on or after the effective date of these Regulations, and new campgrounds shall be created solely by Special Use Permit. Legally existing CG-zoned campgrounds are permitted to continue until such time as said land is rezoned to another valid zone district. However, any legally existing CG-zoned campgrounds proposed to be modified after the effective date of these Regulations shall be modified solely by Special Use Permit pursuant to the requirements of *Section 8.3.F Campground / Recreational Vehicle Park*, and Teller County shall initiate a simultaneous rezoning to an appropriate valid zone district.

- A. Uses.** All uses are solely the following as a legal non-conforming Permitted (P) or Conditional Use Permit (C) use as indicated, if legally existing as of the effective date of these Regulations:

Campgrounds	P
Communication facility - free standing	C
Communication facility - public safety	C
Communication facility - roof or wall mounted	C
Travel trailer park	P

B. Density and Minimum Lot Size

1. Density. 20 campsites per gross acre
2. Minimum Lot Size. As established on the effective date of these Regulations

C. Dimensional Limitations

1. Minimum Setbacks: Each campsite shall have at least 15 feet of road frontage
2. Minimum Lot Width: Each campsite shall contain at least 900 square feet of space
3. Maximum Height: None established
4. Maximum Lot Coverage: None established

**Section 2.10.2
MHP**

**Section 2.10.2
MOBILE HOME PARK ZONE DISTRICT (MHP)**

The Mobile Home Park (MHP) Zone District is that zone district applied to those legally existing non-conforming mobile home parks, not campgrounds, in Teller County so zoned as of January 1, 1984 and more particularly described below. No further land in the unincorporated portion of Teller County shall be rezoned to the Mobile Home Park (MHP) Zone District on or after the effective date of these Regulations, and new mobile home parks shall be created solely by Special Use Permit. Legally existing non-conforming MHP-zoned parks are permitted to continue until such time as said land is rezoned to another valid zone district. However, any legally existing non-conforming MHP-zoned parks proposed to be modified after the effective date of these Regulations shall be modified solely by Special Use Permit pursuant to the requirements of *Section 8.3.V Mobile Home Park*, and Teller County shall initiate a simultaneous rezoning to an appropriate valid zone district.

The following mobile home parks, which were in existence as of January 1, 1984 whether under their original name or any subsequent name, are declared to be legally existing non-conforming and zoned uses:

MOBILE HOME PARK	LOCATION
Elk Park Mobile Home Park	Pt. NW1/4 NW1/4 NE1/4 Sec. 35, & Pt. NE 1/4 NE1/4 NW1/4 Sec. 35, T12S, R69W
Wishing Well Mobile Home Park	E1/2 NE1/4 SE1/4 Sec. 31, T12S, R68W
Pinehaven Mobile Home Park (formerly Moore's Mobile Home Park)	SW1/4 SE1/4 SE1/4 Sec. 2, T12S, R69W
Little Gem Mobile Home Park	Lot 4R Subdivision Exemption of Lots 4 and 5, Block 4, C.D. Weaver Subdivision
Coachlight Mobile Home Park	Pt. SE1/4 SW1/4 Section 30, T12S, R68W
Cripple Creek Hospitality House & RV Park (formerly Cripple Creek Travel Park; formerly Hospitality House)	Lots 1-12, Block 15, Lots 9-12, Block 18, Pikes Peak Addition to the City of Cripple Creek
Alpine Village Mobile Home Park (formerly Peak View Mobile Home Park)	S1/2 SW1/4 SE1/4 Section 2, T12S, R69W

Where these Regulations have reduced requirements for the above mobile home parks, these mobile home parks shall comply with the reduced requirements. However, the provisions of these Regulations pertaining to the health and safety of the public must be satisfied by each of these mobile home parks, conforming or legally non-conforming, without exception or exemption.

The following mobile home parks in existence as of January 1, 1984 have subsequently been annexed into the City of Woodland Park and are no longer governed by these Regulations:

MOBILE HOME PARK	LOCATION
Mountain Meadows Mobile Park	NE1/4 SW1/4 Sec. 30, T12S, R68 W
Whispering Pines Mobile Park	SW1/4 SW1/4 Section 19, T12S, R68W
Woodland Acres Mobile Home Park	NE1/4 SW1/4 Section 30, T12S, R68W

**Section 2.10.2
MHP**

A. Uses. All uses are solely the following as Permitted (P) or Conditional Use Permit (C) uses:

Communication facility - public safety	C
Essential services	P
Hospice center - small (8 or less patients)	P
Mobile home park	P

B. Density and Minimum Lot Size

1. Density: 15 mobile home spaces per net acre
2. Lot Size. Solely as permitted and zoned as of the effective date of these Regulations.

C. Dimensional Limitations

1. Minimum Setbacks. Each mobile home space in a pre-existing, legally non-conforming and MHP zoned mobile home park shall abut on a driveway or other clear area with unobstructed access to a public road. Such space shall be clearly defined. Mobile homes shall be parked in such spaces so that there will be a minimum of 10 feet between mobile homes and so that each mobile home will be at least 10 feet from the exterior boundary of the mobile home park. Mobile homes parked end-to-end shall have a clearance of not less than 10 feet. These minimum 10 foot clearances shall be open space and no temporary or permanent structures or obstructions in the open space are permitted. Awnings, porches, steps or any other attachments to the mobile home are considered a part of the mobile home in measuring minimum clearances. No mobile home shall be parked so that any part of it will obstruct any roadway or walkway in a mobile home park.
2. Other Dimensional Limitations. None except as set forth above.

**Section 2.10.3
PBC**

**Section 2.10.3
PLANNED BUSINESS CENTER ZONE DISTRICT (PBC)**

The Planned Business Center (PBC) Zone District had been designed to provide an overall planning approach with design standards for multi-structure commercial/light industrial projects in order to provide for clean industry and retail/wholesale sales activities in designated areas. The PBC Zone District has been replaced by the Business Center Zone District (BC) and the Planned Unit Development Zone District (PUD). No further land in the unincorporated portion of Teller County shall be rezoned to the Planned Business Center Zone District (PBC) on or after the effective date of these Regulations. Land located within a PBC Zone District on the effective date of these Regulations is permitted to be developed in accordance with the standards for the PBC Zone District in existence prior to that date, repeated herein, until such time as said land is rezoned to another valid zone district. Should the provisions of any approved and recorded concept plan, development plan, or Development Agreement for said

**Section 2.10.3
PBC**

lands conflict with the standards of the PBC zone district, the approved and recorded plan or Agreement shall supersede. However, any legally existing non-conforming PBC Zone District proposed to be modified in any way after the effective date of these Regulations shall be modified solely through rezoning to another valid zone district, pursuant to, and in compliance with, the requirements of *Section 2.11 Amendments to the Text of these Regulations or the Official Zone District Map and/or Chapter 10 Planned Unit Development.*

A. Uses

1. Permitted Uses

Clinic - Medical or dental
Communication facility - free standing
Communication facility - roof or wall mounted
Dwellings - apartments
Essential services
Homeless shelter
Hospice center - large (more than 8 patients)
Hospitals
Hotels and motels
Laboratories - medical, dental, research, experimental and testing
Manufacturing - cameras and other photographic equipment and supplies
Manufacturing - ceramic products such as pottery and small glazed tile
Manufacturing - dentures and drugs
Manufacturing (and assembly) - electrical and electronic products
Manufacturing - jewelry
Manufacturing - leather products, including shoes and machine belting (excluding tanning)
Manufacturing - luggage
Manufacturing - musical instruments
Manufacturing - orthopedic and medical appliances such as artificial limbs, braces, supports, stretchers
Manufacturing - plastic products, but not including the processing of raw materials
Manufacturing - precision instruments, such as optical, medical and drafting
Manufacturing - sporting and athletic equipment, such as balls, bats, baskets, gloves, racquets, rods
Manufacturing - toys
Manufacturing - wood products
Offices
Personal care boarding home - large
Printing, newspaper publishing and binding, including engraving and photoengraving'
Recreational buildings and membership clubs designed primarily to serve employees of other approved uses in the zoned lot in which the recreational buildings and membership clubs are located
Restaurants, but only those eating establishments where food and beverages are ordered, served, and consumed at a table or counter on the premises
Retail
Schools - college, institute, or trade school
Schools - K through 12
Storage facilities
Wholesale

**Section 2.10.3
PBC**

2. Administrative Review Uses

Communication facility - co-location only

3. Conditional Uses

Batch plant - accessory to the retail sale yard of building or landscape materials
Communication facility - public safety
Waste transfer facility

4. Special Uses. None

5. Accessory Uses

- a. Towing or storage yards for up to 8 customer vehicles when associated with an auto service station

6. Use Restrictions

- a. All uses are subject to *Chapter 7 Site Plan and Site Plan Review*.
- b. Towing Service as an Accessory Use. No more than 8 customer vehicles towed to the property on the property at any one time.
- c. Towing or storage yards for up to 8 customer vehicles (Accessory). Any part of the operation, other than the access drive, shall be no less than 200 feet from any adjoining Residential Property.

B. Minimum Lot Size . ½ acre lot with central water or sewer, 1 acre otherwise

C. Dimensional Limitations

- 1. Minimum Setbacks

District:	Front: 50 feet
	Side: 30 feet
	Rear: 50 feet
Lot:	Front: 25 feet
	Side: 15 feet
	Rear: 35 feet

Lot dimensions are assumed to be within the District and do not replace the overall District dimensions.

Minimum distance of structures from existing residential zone: 100 feet.

2. Minimum Lot Width: Per underlying zone district

3. Maximum Height: 45 feet

4. Maximum Lot Coverage: 25% minimum usable open space

**Section 2.10.4
PIC**

**Section 2.10.4
PLANNED INDUSTRIAL CENTER ZONE DISTRICT (PIC)**

The Planned Industrial Center (PIC) Zone District had been designed to provide an overall planning approach with design standards for multi-structure light and heavy industrial projects in designated areas of Teller County. The PIC Zone District is replaced by the Light Industrial (LI) Zone District and the Planned Unit Development Zone District (PUD). No further land in the unincorporated portion of Teller County shall be rezoned to the Planned Industrial Center Zone District (PIC) on or after the effective date of these Regulations. Land located within a PIC Zone District on the effective date of these Regulations is permitted to be developed in accordance with the standards for the PIC Zone District in existence prior to that date, repeated herein, until such time as said land is rezoned to another valid zone district. Should the provisions of any approved and recorded concept plan, development plan, or Development Agreement for said lands conflict with the standards of the PIC zone district, the approved and recorded plan or Agreement shall supersede. However, any legally existing non-conforming PIC Zone District proposed to be modified in any way after the effective date of these Regulations shall be modified solely through rezoning to another valid zone district, pursuant to, and in compliance with the requirements of *Section 2.11 Amendments to the Text of these Regulations or the Official Zone District Map* and/or *Chapter 10 Planned Unit Development*.

A. Uses

1. Permitted Uses

Any business or commercial establishment which provides supplies and/or services primarily to industrial and manufacturing customers
Batch plant
Blacksmith shop
Building materials - sales and storage
Casting, light weight and nonferrous (no noxious fumes)
Cleaning establishment - rag, bag and carpet
Communication facility - free standing
Communication facility - roof or wall mounted
Enamelling, plating, lacquering, galvanizing of metals
Essential services
Feed and seed processing and bulk storage
Food processing, wholesale (excludes meat, fish, vinegar, yeast, fat)
Garage, commercial - automobile, recreational vehicle or truck repair
Home Improvement center
Laboratories - medical, dental, research, experimental and testing
Machine shop
Manufacturing - cameras and other photographic equipment and supplies
Manufacturing - ceramic products such as pottery and small glazed tile
Manufacturing - dentures and drugs
Manufacturing - dry and natural ice
Manufacturing (and assembly) - electrical and electronic products
Manufacturing - glass
Manufacturing ink mixing and packaging, and inked ribbons
Manufacturing - jewelry
Manufacturing - leather products, including shoes and machine belting (excluding tanning)
Manufacturing - luggage

**Section 2.10.4
PIC**

Manufacturing - musical instruments
Manufacturing - orthopedic and medical appliances such as artificial limbs, braces, supports, stretchers
Manufacturing - plastic products, but not including the processing of raw materials
Manufacturing - precision instruments, such as optical, medical and drafting
Manufacturing - services/supplies: Any business establishment which provides supplies and/or services primarily to manufacturing customers
Manufacturing - sporting and athletic equipment, such as balls, bats, baskets, gloves, racquets, rods
Manufacturing - toys
Manufacturing - wood products
Meat processing (excluding slaughtering, curing and smoking)
Mill working establishments, if part of construction materials sale yard or Home Improvement center
Printing, newspaper publishing and binding, including engraving and photoengraving'
Recreational vehicle or truck sales and/or rental business
Retail
Stone and monument works
Storage facilities
Towing and/or vehicle storage yard for up to 8 customer vehicles
Warehouses
Waste transfer facility
Wholesale

2. Administrative Review Uses

Communication facility - co-location only

3. Conditional Uses

Breweries and distilleries
Chemical manufacturing and storage
Communication facility - public safety
Construction equipment business
Fuel storage and bulk sales
Garbage service companies
Manufacturing - brick, tile, terra cotta, cement block and cast stone
Manufacturing - pulp, paper, cardboard and building board manufacture
Meat packing, slaughter house
Metal fabrication, heavy (forging, casting, rolling, structural iron and steel, wire products, rod drawing, steel doors, sash pipes and boilers)
Storage, sorting, bailing and processing of metal, wood, glass, paper
Tanning, curing or storing of hides
Truck terminal and storage yard

4. Special Uses. None

5. Accessory Uses. None

6. Use Restrictions. None

B. Minimum Lot Size . ½ acre lot with central water or sewer, 1 acre otherwise

**Section 2.10.4
PIC**

C. Dimensional Limitations

1. Minimum Setbacks: District: Front: 50 feet
Side: none
Rear: none
Lot: Front: 25 feet
Side: 15 feet
Rear: 30 feet

Lot dimensions are assumed to be within the District and do not replace the overall District dimensions.

Minimum distance of structures and storage areas from existing residential zone shall be 100 feet, measured from the property line

2. Minimum Lot Width: None established
3. Maximum Height: 45 feet
4. Maximum Lot Coverage: None established

Section 2.11

Section 2.11

AMENDMENTS TO THE TEXT OF THESE REGULATIONS OR THE OFFICIAL ZONE DISTRICT MAP

A. Purpose. The purpose of *Section 2.11* is to provide a means for changing the boundaries of the Official Zone District Map (“rezoning”), and for changing the text of these Land Use Regulations. It is not intended to relieve particular hardships, or to confer special privileges or rights on any person, individual, firm, corporation, partnership, or other entity, but only to make necessary adjustments in light of (1) changed conditions, and (2) the purposes, goals, objectives and policies of all applicable legislatively adopted Teller County master plan(s) or map(s).

B. Who May Initiate a Change

1. **Rezoning.** An amendment to the Official Zone District Map may be initiated by the Board of County Commissioners, the Planning Commission, the Planning Director, or by a development permit application from the owner of the land or their authorized agent.

2. **Text Change.** An amendment to the text of these Land Use Regulations may be initiated by the Board of County Commissioners, the Planning Commission, the Planning Director, or by a development permit application from a property owner or other person, individual, firm, corporation, partnership, or other entity having a recognized interest in land in the unincorporated County or their authorized agent, or any citizen of the County.

Section 2.11.C

C. Submittal Requirements. The application for approval of an amendment to the Official Zone District Map or regulatory map incorporated into an appendix of these Regulations, or for an amendment to the text of these Regulations, shall contain the materials specified in *Section 3.2 Minimum Contents of Application*, and the following additional materials:

1. Text Change

a. Use Change. Where the change proposed is a change in use or addition of a new use in a particular zone district, Applicant shall submit a written analysis of the considerations set forth in *Section 2.1.D Determination of Similar Use*.

b. Specific Language. Where the change proposed amends the text of these Regulations, the precise wording of the proposed new text shall be provided.

2. Map Change. If the development permit application requests an amendment to the Official Zone District Map (“rezoning”) or a regulatory map incorporated into an appendix of these Regulations, it shall include a boundary survey of the subject property, prepared by a State of Colorado Licensed Professional Land Surveyor. The survey shall accurately describe the dimensions of the subject property, including its size in square feet or acres, and shall be accompanied by a written statement or map describing the present zone district and existing uses of the subject property and all adjoining and adjacent properties, together with a site plan prepared in accordance with *Section 7.4 Site Plan for Applications Other than Building Permit* showing the property's proposed zone district, land use, and density. The timing for the future development of the property shall be stated.

D. Procedure

1. Review of Applications. The submission of an application for approval of an amendment to the Official Zone District Map or regulatory map incorporated into an appendix of these Regulations, or the text of these Regulations, determination of its sufficiency, Staff review of, and notice and scheduling of a public hearing shall comply with the procedures established in *Section 3.4 Common Procedures for Review of Applications*.

2. Recommendation by Planning Commission. A recommendation of approval, approval with conditions, or disapproval of the amendment to the text of these Regulations or the Official Zone District Map shall be pursuant to *Section 3.4.F.1.b Planning Commission Recommendation* and the standards of *Section 2.11.E Standards*.

**Section
2.11.D.3**

3. **Action by Board of County Commissioners.** Approval, approval with modifications, or disapproval of the amendment to the text of these Regulations or the Official Zone District Map shall be pursuant to *Section 3.4.F.2.a Board of County Commissioners Decision* and the Standards of *Section 2.11.E Standards*.

- a. **Planning Commission Review.** The Board of County Commissioners may amend, supplement, change, or modify the recommendation(s) of the Planning Commission. However, if and as required by CRS § 30-28-112, the Board of County Commissioners shall allow the Planning Commission 30 days to review any substantive changes to the Planning Commission's recommendation on any matter pertaining to the Official Zone District Map or other regulatory map incorporated into these Regulations, or the text of any zoning provision of these Regulations.
- b. **Resolution Required.** Any rezoning or change in the text of these Regulations, or a regulatory map incorporated into an appendix of these Regulations approved by the Board of County Commissioners, shall be adopted by a Resolution of the Board.

E. **Standards.** The wisdom of amending the text of these Land Use Regulations or the Official Zone District Map or any other map incorporated in these Regulations is a matter committed to the legislative discretion of the Board of County Commissioners and is not controlled by any one factor. In determining whether to adopt, adopt with modifications, or disapprove the proposed amendment, the Planning Commission and Board of County Commissioners shall consider the following:

1. **For Text Amendment or Rezoning**

- a. **Consistent with Master Plan.** Whether the proposed amendment is consistent with the purposes, goals, objectives and policies of all applicable legislatively adopted Teller County master plan(s) or map(s).
- b. **Changed Conditions.** Whether the proposed amendment is necessitated by a change in economic, population, technological or other conditions requiring amendment to these Regulations or modification of zone district standards, and whether it is in the interest of the public health, safety, and welfare to amend the Land Use Regulations and/or encourage a new use or density in the area.
 - (1) **Planned Unit Development.** Changed conditions are not a prerequisite for adoption of a rezoning to PUD.
- c. **Effect on Natural Environment.** Whether the proposed amendment would result in adverse impacts to the natural

**Section
2.11.E.1.c**

environment, including water, air, noise, stormwater management, wildlife habitat, vegetation, and wetlands, that can not be substantially mitigated.

- d. **Community Need.** Whether the proposed amendment addresses a demonstrated community need.
2. **For Rezoning.** In addition to the Standards of *Section 2.11.E.1*, the following shall also apply in the case of an Official Zone District Map amendment:
- a. **Compatible with Surrounding Uses.** Whether the proposed rezoning is compatible with existing and other uses allowed in the zone districts surrounding the subject land, and is the appropriate zone district for the land, considering its consistency with the purpose and standards of the zone district proposed;
 - b. **Development Pattern.** Whether the proposed rezoning would result in a logical, orderly, economical, and efficient development pattern; and
 - c. **Infrastructure.** Whether the resulting development can logically be provided with the necessary infrastructure, public improvements, and services.

Section 2.12

**Section 2.12
ZONING VARIANCES**

Pursuant to CRS § 30-28-117 *et seq.*, the Board of Adjustment shall have the authority to, upon Appeal, approve, approve with conditions, or disapprove Variances from the standards set forth in this *Chapter 2 Zoning* of these Regulations. Such a Variance is not a variance from the development standards of *Chapter 4 Site Development*, *Chapter 5 Infrastructure*, or *Chapter 6 Critical Areas*. Zoning Variances are deviations from the terms of these *Chapter 2 Zoning* regulations that would not be contrary to the public interest if, when owing solely to special circumstances or conditions such as exceptional topographic conditions, narrowness, shallowness, or the shape of a specific piece of property, the literal enforcement of the provisions of these Regulations would result in peculiar and exceptional **practical difficulties** (see *Chapter 12 General Definitions: Practical Difficulties*) to, or exceptional and undue **hardship** (see *Chapter 12 General Definitions: Hardship*) upon, the owners of the property. The burden of proof rests with the Applicant to prove that such a Variance is necessary to avoid said unnecessary hardship or practical difficulties.

- A. **Who May Apply** . Development permit applications for a Zoning Variance may be submitted at any time to the Planning Director by the owner, or any other person, individual, firm, corporation, partnership, or other entity, having a recognizable interest in the land for which the Zoning Variance is proposed, or their authorized agent.

Section 2.12.B

B. Procedure

1. **Submittal Requirements.** The application for approval of a Zoning Variance shall contain the materials specified in *Section 3.2 Minimum Contents of Applications*, and shall also contain a boundary survey of the affected portion of the site, prepared by a State of Colorado Licensed Professional Land Surveyor showing existing and proposed features and those limitations of the underlying zone district, including its topography, that are relevant to the review of the proposed Zoning Variance.
2. **Review of Applications.** The submission of an application for approval of a Zoning Variance, determination of its sufficiency, Staff review of, and scheduling of a public hearing shall comply with the procedures established in *Section 3.4 Common Procedure for Review of Applications*.
3. **Decision of Board of Adjustment.** The Board of Adjustment shall conduct a public hearing on a development permit application for a Zoning Variance. After the close of the public hearing, the Board of Adjustment shall consider the application, the relevant support materials, the referral responses, the Staff Report, and the testimony of the public, or others, given at the public hearing, and the Board of Adjustment shall approve, approve with conditions, or disapprove the application based on the standards in *Section 2.12.G Zoning Variance Standards*. Written findings shall be made to support such approval or disapproval. In approving an application, the Board of Adjustment may impose such requirements and conditions as it deems necessary to enforce compliance with these Regulations, or for the protection of adjoining and adjacent properties, or the public interest, including the requirement that an adequately collateralized Improvements Agreement be provided. During the course of the public hearing, the Board of Adjustment may request that Applicant provide such additional information as is reasonable and necessary in order that it may properly make a decision on the application. During its deliberations the Board of Adjustment may also request, receive, and consider recommendations from the Planning Commission. Notice of the decision of the Board of Adjustment shall appear on the first published Teller County Planning Commission public hearing agenda for which publication requirements can be met.

C. Conditional Approval . All conditions of approval imposed upon any Zoning Variance, if any, shall be expressly set forth in the minutes and records of the Zoning Variance hearing.

D. Effect of Granting of a Zoning Variance

1. **General.** Granting of a Zoning Variance is deemed to authorize only the particular development for which it is issued, and shall run with the land.

**Section
2.12.D.2**

2. **Time Limitations.** All Zoning Variances expire three years from the date of granting if no Building Permit has been issued to establish the development authorized by the Zoning Variance; or, if the development does not require a Building Permit, if it has not been established, is not ongoing, or is not in operation. Permitted time frames do not change with successive owners. Upon written request, one extension of the expiration date may be granted by the Board of Adjustment for a period not to exceed six months for good cause shown. No request for an extension of the expiration date shall be considered unless a written application requesting the extension is submitted to the Planning Director no later than 30 days prior to the date the Zoning Variance is to expire. Failure to submit an application for an extension within the time limits established by this Section precludes such extension.
- E. **Subsequent Development Permits .** Development under the Zoning Variance shall not be carried out until the Applicant has secured all other development permits required by these Regulations and other applicable Federal, State and local statutes, laws, codes, resolutions, ordinances, and regulations. A Zoning Variance will not ensure that the development approved under a Zoning Variance shall receive subsequent approval for other applications for development unless the relevant and applicable portions of these and other applicable Regulations are met.
- F. **Amendment to Variance.** A Zoning Variance may be amended, extended, varied or altered only pursuant to the standards and procedures for an original approval pursuant to this *Section 2.12 Zoning Variances*
- G. **Zoning Variance Standards.** The Board of Adjustment must find that **ALL** of the following standards are met:
 1. **Special Circumstances Exist.** At least one of the following circumstances or conditions exists with respect to the specific piece of property:
 - a. Exceptional narrowness, shallowness or shape of the property at the time of the enactment of the affecting regulation in question.
 - b. Exceptional topographic conditions of the property.
 - c. Other extraordinary and exceptional situation or condition of the property.
 2. **Not a Result of the Actions of Applicant.** The special circumstances and conditions found pursuant to *Paragraph 2.12.G.1.* have not resulted from any act of the Applicant.
 3. **Strict Application Consequences.** Because of the special circumstances and conditions found pursuant to *Paragraph 2.12.G.1* the strict application of the regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship on, the owner of the property.

**Section
2.12.G.3.a**

- a. **Solar Energy Devices Considered.** In determining whether peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the owner of the subject property exist, the adequacy of access to sunlight for solar energy devices installed on or after January 1, 1980 may properly be considered.
4. **Variance is Necessary for Relief.** The granting of the Zoning Variance from the strict application of the provisions of the regulation is necessary to relieve the owner of the peculiar and exceptional practical difficulties or exceptional and undue hardship.
5. **Not Detrimental to the Public Good.** Granting the Zoning Variance will not cause substantial detriment to the public good.
6. **Variance Will Not Impair the Zoning Plan and Regulations.** Granting the Zoning Variance will not impair the intent and purpose of the zoning plan and the zoning regulations.
7. **Is Not Exempt from Prosecution.** The Appeal to the Board of Adjustment is not for building use violations that may be prosecuted pursuant to CRS § 30-28-124(1)(b) (misdemeanor subject to fine upon conviction of violation of provisions of zoning).

TABLE 2-1 SUMMARY OF ZONE DISTRICT USES

Key: A - Administrative Review Use C - Conditional Use S - Special Use, P - Permitted Use, T - Temporary Use, Blank - Use Prohibited												
NOTE 1: Where dual designations exist, see the text of these Regulations												
NOTE 2: The column titles to the right are the Teller County zone districts. For uses allowed in obsolete zone districts see the text of these Regulations. A property in an overlay zone is additionally subject to the requirements of that overlay zone. Teller County has the following overlay zones: Airport, C-2 Commercial, Historic Preservation (HP), National Monument Protection (NP), Environmental Health (EH). Where Table 2.1 conflicts with the text of these Regulations, the text supersedes.	A-1 - Agricultural	RR - Rural Residential	R-1 - Single-family Residential	R-1M - Mobile Home Lots	R-2 - Multi-Family	BC - Business Center	C-1 - Commercial	LI - Light Industrial	M-1 - Industrial	A-2 - Airport Overlay	C-2 - Commercial Overlay	
Accessory Dwelling Unit(s) (as restricted)	P/C											
Adult Day Care Facility	C		C				C					
Adult or sexually oriented business							P					
Agricultural uses including general farming, forestry, and ranching	P										P	
Airfields and related facilities including landing strips; airport terminals, related sporting facilities; hangars and tie-down facilities; navigation instruments and aids; aviation control towers; aircraft maintenance facilities; aero club facilities											P	
Alternative Care Facility	C		C				C					
Animal Hospital / Veterinary Clinic. See Use Restrictions	P/C					P/C	P/C					
Animals - pet animals	P	P	P	P	P						P	
Animals - commercial domestic hoofed livestock; commercial small livestock, poultry, fowl	P											
Animals - noncommercial domestic hoofed livestock; noncommercial small livestock, poultry, fowl	P	P	P	P							P	
Assisted Living Residence: 8 or fewer	A	A	A	A	A							
Assisted Living Residence: 9 or more	C	C	C		C							
Auto, RV, truck sales						C						
Auto, RV, truck sales and/or service							C	P				
Auto, RV, truck service									P			
Bar, restaurant, lounge, other food & beverage service, take-out included						P	P					
Batch Plant - Concrete or asphalt	S							S	S			
Bed and breakfast operations	C	C	C	C								
Blacksmith Shop								P	P			
Boarding house					P							
Brew Pub and Craft (Micro) Brewery						P	C	C				
Breweries and distilleries									P			
Building materials - sales (including Home Improvement centers)							P	P	P			
Campgrounds or Recreational Vehicle Park	S											
Camping on property less than 60 days/year	P	P	P	P								
Car wash, with or without related Gasoline fueling station						P	P	P	P			
Cemetery	C											
Chemical manufacturing and storage									C			
Child care center - 4 or fewer	P	P	P	P	P		P					

TABLE 2-1 SUMMARY OF ZONE DISTRICT USES

Key: A - Administrative Review Use C - Conditional Use S - Special Use, P - Permitted Use, T - Temporary Use, Blank - Use Prohibited	A-1 - Agricultural	RR - Rural Residential	R-1 - Single-family Residential	R-1M - Mobile Home Lots	R-2 - Multi-Family	BC - Business Center	C-1 - Commercial	LI - Light Industrial	M-1 - Industrial	A-2 - Airport Overlay	C-2 - Commercial Overlay
NOTE 1: Where dual designations exist, see the text of these Regulations											
NOTE 2: The column titles to the right are the Teller County zone districts. For uses allowed in obsolete zone districts see the text of these Regulations. A property in an overlay zone is additionally subject to the requirements of that overlay zone. Teller County has the following overlay zones: Airport, C-2 Commercial, Historic Preservation (HP), National Monument Protection (NP), Environmental Health (EH). Where Table 2.1 conflicts with the text of these Regulations, the text supersedes.											
Child care center - 5 or more	C	C	C				C				
Church, temple, synagogue, or other religions worship facility	C	C	C	C	C		P				
Clinic - Medical or dental						P	P				
Commercial: general retail goods and business services: COMMUNITY scale						P	P				
Commercial: general retail goods and business services: NEIGHBORHOOD scale						P	P				
Commercial: general retail goods and business services: REGIONAL scale						P	C				
Communication facility - co-location only	A	A	A	A	A	A	A	A	A	A	
Communication facility - free standing	C					C	C	C	C	C	
Communication facility - public safety	C	C	C	C	C	C	C	C	C	C	
Communication facility - roof or wall mounted	P					P	P	P	P	P	
Communication facility - "stealth"	P	P	P	P	P	P	P	P	P	P	
Communication facility - wall mounted		C	C	C	C						
Community Residential Home: 8 or fewer	A	A	A	A	A						
Community Residential Home: 9 or more	C	C	C		C		C				
Construction equipment business (inc. sales and repair)							C	P	P		
Convention facilities, auditoriums, arenas						C	C				
Day Treatment Center: any number	S						S				
Dry cleaning and laundry establishment						P	P	P			
Dwelling - multi-family (including apartments and duplexes)					P						
Dwelling - one single-family (excluding mobile homes in RR, \$-1, R-2)		P	P	P	P						
Dwelling - two family (duplex)			C	C							
Dwelling - up to 3 single-family residential units (as restricted) (includes mobile home)	P										
Dwellings (excluding mobile homes) associated with commercial or business use ("Mixed use")						P					
Dwellings (excluding mobile homes) within the same structure as a commercial or business use ("Mixed use")							P				
Educational institution - Public or private	C	C	C	C	C	C	P				
Elderly or Disabled Low-Income Residential Facility	S		S				S				
Emergency services facilities (subject to Location and Extent review)	P	C	C	C	C		P	P	P		
Entertainment places and facilities: indoors						P	P				
Essential services (subject to Location and Extent review)	P	P	P	P	P	P	P	P	P	P	
Family Child Care Home: 5 or fewer	P	P	P	P	P						

TABLE 2-1 SUMMARY OF ZONE DISTRICT USES

Key: A - Administrative Review Use C - Conditional Use S - Special Use, P - Permitted Use, T - Temporary Use, Blank - Use Prohibited											
	A-1 - Agricultural	RR - Rural Residential	R-1 - Single-family Residential	R-1M - Mobile Home Lots	R-2 - Multi-Family	BC - Business Center	C-1 - Commercial	LI - Light Industrial	M-1 - Industrial	A-2 - Airport Overlay	C-2 - Commercial Overlay
NOTE 1: Where dual designations exist, see the text of these Regulations											
NOTE 2: The column titles to the right are the Teller County zone districts. For uses allowed in obsolete zone districts see the text of these Regulations. A property in an overlay zone is additionally subject to the requirements of that overlay zone. Teller County has the following overlay zones: Airport, C-2 Commercial, Historic Preservation (HP), National Monument Protection (NP), Environmental Health (EH). Where Table 2.1 conflicts with the text of these Regulations, the text supersedes.											
Family Child Care Home: Between 6 and 12	A	A	A	A	A						
Family Child Care Home: 13 or more	C	C	C								
Family Service Facility	S		S				S				
Feed and seed processing and bulk storage								P	P		
Financial institution (bank, S&L, credit union, etc.)						P	P				
Food processing, wholesale								P	P		
Foster Care Home: 5 or fewer	P	P	P	P	P						
Foster Care Home: Between 6 and 12	A	A	A	A	A						
Foster Care Home: 13 or more	C	C	C								
Freight yard									P		
Fuel storage and bulk sales	C								C		
Funeral homes							P				
Gasoline fueling station - with or without related motor vehicle body repair shop, motor vehicle operating systems maintenance and repair shop, or convenience store						P	P	P	P		
Group Home for the Aged: 8 or fewer	A	A	A	A	A						
Group Home for the Aged: 9 or more	C	C	C		C						
Group Home for the Mentally Ill: 8 or fewer	A	A	A	A	A						
Group Home for the Mentally Ill: 9 or more	C	C	C		C						
Group Meeting Facility (except those uses otherwise specifically described in this table)	C	C	C	C	C		P				
Guest house (as restricted)	P	C	C	C							
Home business - no impact	P	P	P	P	P						
Home Health Services/Home Health Care (peripatetic)	P	P	P	P	P		P				
Home occupation	C	C	C	C							
Homeless Youth Shelter/Homeless Shelter	S		S				S				
Homemaker Agency/Services (peripatetic)	P	P	P	P	P		P				
Hospice care - (peripatetic)	P	P	P	P	P						
Hospitals						P					
Hotels and motels						P	P				
Independent Residential support Services (peripatetic)	P	P	P	P	P						
Intermediate Nursing Facility: Mentally Retarded	C		C				C				
Junkyards									C		
Kennel	C/S	C	C	C		C/S	C/S	C/S	C/S	C/S	
Laboratories - medical, dental, research, experimental and testing						P	C	P			
Life Care Institution	C		C				C				
Livestock Boarding Facility. See Use Restrictions below	P/C						P/C				

TABLE 2-1 SUMMARY OF ZONE DISTRICT USES

Key: A - Administrative Review Use C - Conditional Use S - Special Use, P - Permitted Use, T - Temporary Use, Blank - Use Prohibited	A-1 - Agricultural	RR - Rural Residential	R-1 - Single-family Residential	R-1M - Mobile Home Lots	R-2 - Multi-Family	BC - Business Center	C-1 - Commercial	LI - Light Industrial	M-1 - Industrial	A-2 - Airport Overlay	C-2 - Commercial Overlay
	NOTE 1: Where dual designations exist, see the text of these Regulations										
NOTE 2: The column titles to the right are the Teller County zone districts. For uses allowed in obsolete zone districts see the text of these Regulations. A property in an overlay zone is additionally subject to the requirements of that overlay zone. Teller County has the following overlay zones: Airport, C-2 Commercial, Historic Preservation (HP), National Monument Protection (NP), Environmental Health (EH). Where Table 2.1 conflicts with the text of these Regulations, the text supersedes.											
Low-Income Household Residential Facility	S		S				S				
Machine Shop								P			
Manufacturing - small scale (non-hazardous materials use)						P	P	P	P		
Manufacturing: large scale (non-hazardous materials use)									P		
Manufacturing: small scale (hazardous materials use)						C		C			
Manufacturing: small or large scale (hazardous materials use)									C		
Meat processing, (excluding slaughter, curing & smoking)								P			
Meat processing, packing, slaughter								P	P		
Mini-warehouses							C	P	P		
Mining - Including aggregate mining (gravel pits)	S								S		
Mobile Home Park	S										
Mobile/manufactured/factory-built home sales							P				
Mobile home as a dwelling unit	P			P							
Motor vehicle body repair shop - independent of Gasoline service station						P	P	P	P		
Motor vehicle operating systems maintenance and repair - independent of Gasoline service station						P	P	P	P		
Nursing Facility	C		C				C				
Offices						P	P	P			
Offices with attached storage room not over 3,000 square feet per unit in size						P	P	P			
Parking - commercial or public	C					P					
Personal Care Agency/Services (peripatetic)	P	P	P	P	P		P				
Printing, newspaper publishing and binding, including engraving and photoengraving						P	P	P			
Public uses and facilities (subject to Location and Extent review)	P	P	P	P	P	P	P	P	P	P	
Recreational facilities - indoors						P	P				
Recreational facilities (Public/Private)	S	C	C	C							
Recreational facilities as part of a housing complex					P						
Recycling station (public drop-off only)						C	C	P	P		
Regional Center: Developmentally Disabled	S		S				S				
Research and testing facilities									P		
Residential [Child] Care Facility: any number	S		S				S				
Resorts	S										
Respite Care Provider/Services (facility)	C		C				C				
Respite Care Provider/Services (peripatetic)	P	P	P	P	P						
Rooming House					P						

TABLE 2-1 SUMMARY OF ZONE DISTRICT USES

<p>Key: A - Administrative Review Use C - Conditional Use S - Special Use, P - Permitted Use, T - Temporary Use, Blank - Use Prohibited</p> <p><u>NOTE 1:</u> Where dual designations exist, see the text of these Regulations</p> <p><u>NOTE 2:</u> The column titles to the right are the Teller County zone districts. For uses allowed in obsolete zone districts see the text of these Regulations. A property in an overlay zone is additionally subject to the requirements of that overlay zone. Teller County has the following overlay zones: Airport, C-2 Commercial, Historic Preservation (HP), National Monument Protection (NP), Environmental Health (EH). Where Table 2.1 conflicts with the text of these Regulations, the text supersedes.</p>	A-1 - Agricultural	RR - Rural Residential	R-1 - Single-family Residential	R-1M - Mobile Home Lots	R-2 - Multi-Family	BC - Business Center	C-1 - Commercial	LI - Light Industrial	M-1 - Industrial	A-2 - Airport Overlay	C-2 - Commercial Overlay
Sawmill	C										
Secure Residential Treatment Center: any number	S						S				
Specialized Group Facility [Child]: any number	S						S				
Stone and monument works						P		P			
Storage units - commercial											P
Storage Yard: Construction [Contractor's] or Construction Equipment Storage Yard	C					C		C	C		C
Storage Yard: Dismantling Yard									C		
Storage Yard: Rental Storage Yard	C					C		C	C		
Storage Yard: Vehicle Towing and Storage Yard	C							C	C		C
Tanning, curing or storing of hides									P		
Temporary Construction Office Trailer	A	A	A	A	A	A	A	A	A	A	
Temporary Housing	A	A	A	A	A						
Transitional Housing Facility	S		S				S				
Transportation terminal									P		
Underlying zone district Administrative Review Uses when water and wastewater disposal are not necessary for the use .											A
Underlying zone district Conditional Uses when water and wastewater disposal are not necessary for the use.											C
Underlying zone district Permitted Uses when water and wastewater disposal are not necessary for the use.											P
Underlying zone district Conditional Uses when water and wastewater disposal are not necessary for the use.											S
Utility transfer station (subject to Location and Extent requirements)						P		P	P		P
Vehicle storage yard for up to 8 customer vehicles. See Use Restrictions									P		
Warehouses						P		P	P		
Waste-related uses - all	S										
Waste-related uses other than Recycling Stations for public drop-off only								S	S		
Wholesale activities						P		P	P		
Wild Game Packaging	C										

TABLE 2-2 SUMMARY OF ZONE DISTRICT STANDARDS

Minimum lot size WITHOUT CENTRAL WATER AND CENTRAL SEWER in all zone districts except A-1 is 10 acres where Table 2-2 conflicts with the text of these Regulations, the text superseded

Zone District	Minimum Lot Size	Maximum Density	Road Frontage	Maximum Impervious Coverage PC	Setbacks	Building Height
A-1	35 acres	up to 3 DU; see limitations ¹	40 feet	Impervious: 25%	Front, Side, Rear: 50'	Residence: 35' Other: 50'
A-2 Overlay	Per underlying zone district - Must also meet all requirements of the Federal Aviation Administration (FAA)					
BC	½ acre	n/a	40 feet	Impervious: 80%	Minimum distance of structures from existing residential zone district: 100' Outside Growth Area: Front 50'; Side 15'; Rear 35' Within Growth Area: Front 25'; Side per UBC; Rear 15'	45'
C-1	10,000 sf	n/a	40 feet	Impervious: 80%	Outside Growth Area: Front 50'; Side per UBC; Rear 20' Within Growth Area: Front 10'; Side per UBC; Rear 20'	35'
C-2 Overlay	Per underlying zone district					
CCMOD	Per Appendix A					
CG	An obsolete zone district - See text of these Regulations					
EH Overlay	Per underlying zone district OR special conditions of the Overlay					
HP Overlay	Per underlying zone district					
LI	½ acre	n/a	40 feet	Impervious: 90%	Minimum distance of structures from existing residential zone district: 100' Front 25'; Side 15'; Rear 30'	Building: 35' Equipment or equipment housing: 45'
M-1	15,000sf	na	40 feet	Impervious: 90%	Front 35'; Side 20'; Rear 20'	Building: 35' Equipment or equipment housing: 45'
MHP	An obsolete zone district - See text of these Regulations					
NP Overlay	Per underlying zone district					
PBC	An obsolete zone district - See text of these Regulations					
PIC	An obsolete zone district - See text of these Regulations					
PUD	n/a	Max 15 residential units or MH spaces per gross acre			n/a	
R-1	Single-family/Duplex: 2acres w/slopes 25.1-30%; 1 acre w/slopes 20.1-25%; ½ acre w/slopes	one structure/lot	40 feet	Impervious: <15,000sf 45% ≥15,000sf 35%	Front 25' Side 15' Rear 30'	35'

TABLE 2-2 SUMMARY OF ZONE DISTRICT STANDARDS

Minimum lot size WITHOUT CENTRAL WATER AND CENTRAL SEWER in all zone districts except A-1 is 10 acres where Table 2-2 conflicts with the text of these Regulations, the text superseded

	≤20%					
R-1M	Same as R-1					
R-2	Must have central water and central sewer. 2 acres w/slopes 25.1-30%; 1 acre w/slopes 20.1-25%; ½ acre w/slopes ≤20%	15 units/acre	40 feet	Impervious: 60%	Front 25' Side 15' Rear 30' Interior separation between buildings: 15'	45'
RR	2 acres w/ slope <30%; 5 acres w/slopes ≥30%	one unit/lot	40 feet	Impervious: 25%	Front 50' Side 25' Rear 30'	35'

- Where lots do not meet minimum lot size requirements, Exemption status must be established prior to issuance of any Building Permit. The following applies ONLY until May 22, 2008 for lots, parcels, or tracts created prior to May 22, 2003 (see text of these Regulations for lots created on or after May 22, 2003, and for other restrictions):

	WITH Central Water and Central Sewer	WITHOUT Central Water and Central Sewer
10 acres or less	1 dwelling as permitted use + 1 by Conditional Use Permit	1 dwelling as permitted use
10.01 - 20 acres	1 dwelling as permitted use + 2 by Conditional Use Permit	
20.01 to 35 acres	2 dwellings as permitted uses + 1 by Conditional Use Permit	2 dwellings as permitted uses
35 or more acres	3 dwellings as permitted uses	3 dwellings as permitted use