

RESOLUTION NO. R-014- 084

THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF DOUGLAS, COLORADO

A RESOLUTION ADOPTING AMENDMENTS TO THE LAND USE MATRIX AND
SECTIONS 2, 27, AND 36 OF THE DOUGLAS COUNTY ZONING RESOLUTION

WHEREAS, the Planning Services Division has prepared amendments to the Land Use Matrix; Section 2, General Requirements and Exceptions; Section 27, Site Improvement Plan; and Section 36, Definitions of the Douglas County Zoning Resolution ("Amendments"), which are attached hereto and incorporated herein as Exhibit A (Project No. DR2014-002); and

WHEREAS, said Amendments were reviewed and recommended for approval by the Planning Commission on July 7, 2014; and

WHEREAS, the Board of County Commissioners considered said Amendments at a public hearing held on August 12, 2014 and

WHEREAS, the Board desires to reflect its approval of said Amendments by the adoption of this Resolution.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of the County of Douglas, State of Colorado, that the Land Use Matrix is hereby deleted from the Douglas County Zoning Resolution; and

FURTHER RESOLVED, that Section 2, General Requirements and Exceptions; Section 27, Site Improvement Plan; and Section 36, Definitions of the Douglas County Zoning Resolution are hereby amended to read as provided on said Exhibit A; and

FURTHER RESOLVED, that said Amendments shall be effective as of August 12, 2014.

PASSED AND ADOPTED this 12th day of August, 2014, in Douglas County, Colorado.

THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF DOUGLAS, COLORADO

BY: Roger A. Partridge
Roger A. Partridge, Chair

ATTEST: Melissa Pelletier
Melissa Pelletier
Deputy Clerk to the Board



SECTION 2 GENERAL REQUIREMENTS AND EXCEPTIONS

-Section Contents-

ZONING DISTRICTS

201 Districts..... 2-2
202 Overlay Districts 2-2
203 Incorporation of Maps..... 2-3
204 District Boundaries 2-3

LAND USE

205 Disconnected Land..... 2-4
206 Exclusion of Uses 2-4
207 Inclusion of a Use Not Listed..... 2-4
208 Trash, Junk, Inoperative Vehicles..... 2-6

DEVELOPMENT STANDARDS

209 Public Access 2-6
210 Minimum Area 2-6
211 Building Restrictions 2-7
212 Merger by Contiguity 2-8
213 Density Transfers 2-8
214 Rezoning - Effect on Setback 2-9

201 Districts (Amended 8/12/14)

The following zoning districts are hereby established to implement this Resolution:

- A-1 Agricultural One District
- C-35 Cluster-35 Plan
- LRR Large Rural Residential District (*formerly A-2*)
- RR Rural Residential District
- ER Estate Residential District
- SR Suburban Residential District
- MF Multifamily District
- MH Mobile Home District
- B Business District
- C Commercial District
- LI Light Industrial District
- GI General Industrial District
- CMTY Sedalia Community District
- D Sedalia Downtown District
- HC Sedalia Highway Commercial District
- MI Sedalia Mixed Industrial District
- PD Planned Development District
- OS Open Space Conservation District

Effective 3/10/99 the LSB Zone District is an obsolete zone district. For land zoned LSB, the land uses and development standards shall be those of the LSB district when zoned LSB.

202 Overlay Districts (Amended 8/12/14)

In order to recognize special areas within Douglas County which are not zoning districts, the following overlay districts are hereby established:

- Wildfire Hazard - Overlay District
- Noise - Overlay District
- Floodplain - Overlay District
- Water Supply - Overlay District
- Centennial Airport Review Area - Overlay District
- Parker IGA - Overlay District
- Castle Rock IGA - Overlay District

Effective 3/10/99 the Design Enhancement - Overlay District is an obsolete zone district. The land uses and development standards shall be those of the underlying zone district and the existing, approved design overlay plan for the site.

203 Incorporation of Maps

The location and boundaries of the zoning districts established by this Resolution are shown upon the "Zoning District Maps of Douglas County", hereafter referred to as the Zoning Map, and made a part hereof.

204 District Boundaries

District boundaries are shown on the Zoning Map. However, where uncertainty exists as to the boundaries of districts, the following rules shall apply:

- 204.01 A boundary indicated as approximately following the center line of a street, highway, streambed, railroad right-of-way, or alley shall be construed to follow such center line.
- 204.02 A boundary indicated as approximately following the right-of-way line of a street, highway, or alley shall be construed to follow such right-of-way line, and in the event of a change in such R-O-W line the boundary shall be construed as moving with the R-O-W line.
- 204.03 A boundary indicated as approximately following platted lot lines shall be construed to follow such lot lines.
- 204.04 A boundary indicated as parallel to or an extension of features indicated in subsections 203.01 - 203.03 above shall be so construed. Distances not specifically indicated on the official zoning district map shall be determined by the scale of the map.
- 204.05 Where a street or alley is vacated or abandoned the regulations applicable to the property to which it is reverted shall apply to such vacated or abandoned street or alley.
- 204.06 Disputes concerning the exact location of any district boundary line shall be decided by the Director of Planning.
- 204.07 All streets, alleys, public ways, waterways and railroad rights-of-way, if not otherwise specifically designated, shall be deemed to be in the same zone as the property immediately abutting upon such streets, alleys, public ways, waterways and railroad rights-of-way.
- 204.08 Where the centerline of a street, alley, public way, waterway or railroad right-of-way serves as a district boundary, the zoning of such areas, unless otherwise specifically designated, shall be deemed to be the same as that of the abutting property up to the centerline.

205 Disconnected Land

The use of land that is disconnected from an incorporated area shall be restricted to those existing lawful uses permitted by the municipal zoning regulations in place prior to disconnection. Expansion of the use shall not be permitted nor building permits issued until the land is zoned by the County.

The landowner shall submit a zoning application to the County within 90 days from the date of disconnection. The Planning and Community Development Department may concurrently provide public notice and make a recommendation for zoning if the Department is not in agreement with the landowner's request. If the landowner fails to submit a zoning application within 90 days from the date of disconnection, the Department shall initiate zoning of such land, in accordance with Section 1 Administrative Provisions and Procedures, Zoning Map Changes - Procedure.

206 Exclusion of Uses

Uses not specifically listed or reasonably similar to those uses listed in any particular zoning district shall be deemed to be excluded from the particular zoning district.

Uses listed in any particular zoning district shall be deemed to be excluded from any other zoning district, unless such use is specifically listed in the other zoning district.

207 Inclusion of a Use Not Listed

Uses not listed may be interpreted for inclusion in a specific zoning district by the Director when such use is reasonably similar to those uses listed.

Uses not specifically listed or not reasonably similar to those uses listed, or not interpreted for inclusion by the Director, in a specific zoning district, may be added to the appropriate zoning district upon the approval by the Board in accordance with the following procedure:

- 207.01 The applicant shall meet with a staff planner to determine if the intended use is listed or similar to listed uses and shall discuss the procedures and submittal requirements for amending the appropriate sections of this Resolution.
- 207.02 The applicant shall submit the following information to the Planning Division:
 - 207.02.1 A completed application form (*available from the Planning Office*)
 - 207.02.2 Application fee (*fee schedule available from the Planning Office*)
 - 207.02.3 A written description of the intended use, the appropriateness of the intended use in the specific zoning district and any other information requested by staff.

- 207.03 The staff planner shall review the amendment request, prepare a staff report with the amended regulatory language and meet with referral agencies and other interested parties regarding the proposed changes.
- 207.04 The staff planner shall schedule a hearing with the Planning Commission and notify the applicant of the hearing date and time.
- 207.05 The applicant is responsible for publishing a notice in the newspaper, prior to the Planning Commission and Board hearings. In calculating the time period for public notification the day of publishing shall be counted toward the total number of days required. The day of the hearing shall not be counted toward this total.

At least 14 days prior to the Planning Commission hearing, and 14 days prior to the Board hearing, the applicant shall:

- publish a notice in at least one publication of a daily or a weekly legal newspaper of general circulation, printed or published in whole or in part in Douglas County, and *(Amended 3/28/01)*
- provide a publisher's affidavit of said published notice to the Planning Division at least 7 days prior to the public hearing. Such notice shall read:

**NOTICE OF PUBLIC HEARING BEFORE THE
(PLANNING COMMISSION OR BOARD OF COUNTY COMMISSIONERS)**

A public hearing will be held on (date), at (time), in the Commissioners' Hearing Room, 100 Third Street, Castle Rock, CO, for a proposed amendment to (zone district) to include (state specific use) as a (principal use or use by special review). For more information, call Douglas County Planning at 303-660-7460. File No./Name:

The degree of accuracy required for the information contained in this public notice shall be that of substantial compliance with the provisions of this section. Substantial compliance for this public notice shall be determined by the Planning Commission and the Board of County Commissioners for their respective public hearings. *(Amended 3/28/01)*

- 207.06 The Planning Commission shall evaluate the application, staff report, and public testimony, and make a recommendation to the Board to approve, approve with modifications, table for further study, or deny the proposed amendment.
- 207.07 Following the recommendation by the Planning Commission, the staff planner will schedule a public hearing with the Board, and notify the applicant of the hearing date and time.

- 207.08 The applicant shall be responsible for publishing a notice in the newspaper in accordance with section 206.05, herein.
- 207.09 The Board shall evaluate the proposed amendment, referral agency comments, staff report, the Planning Commission recommendation and public testimony, and shall approve, approve with modifications, table for further study, remand to the Planning Commission, or deny the amendment proposal based on the following finding that such use:
- 207.09.1 is not listed or is not similar to any other use;
 - 207.09.2 is appropriate for the zoning district to which it is to be added;
 - 207.09.3 conforms to the basic requirements and characteristics of the use category to which it is to be added; and
 - 207.09.4 does not create more offensive noise, vibration, dust, heat, smoke, odor, glare, traffic hazard or other objectionable impact than normally resulting from the other uses listed in the zoning district to which it is to be added
- 207.10 If approved, the staff planner shall be responsible for amending the appropriate section of the Zoning Resolution, submitting the amended section to the Clerk and Recorder's Office for recordation, and distributing as necessary.

208 Trash, Junk, Inoperative Vehicles

No land may be used as an outside storage area for the purpose of collecting, dismantling, storing, or selling of junk, trash, rubbish, refuse of any kind, remnants of wood, metal, or plastic, discarded materials, inoperative vehicles or dismantled machinery, whether or not the same could be put to any reasonable use, unless approved as a use by special review in the G1 zoning district.

209 Public Access

Land proposed for rezoning shall adjoin a publicly dedicated street except where private streets are proposed and a special district or some other duly established entity, recognized by the Board, has committed in writing to maintain the private street in perpetuity.

210 Minimum Area

- 210.01 The area of a lot required for the purpose of complying with the provisions of this Resolution shall not be included as part of the area required for another lot.

210.02 A minimum lot area shall not be required for utility service facilities, or telecommunication facilities. The required lot area, for major facilities of a public utility and telecommunication facilities, shall be addressed in the Use By Special Review in accordance with Section 21 of this Resolution. *(Amended 3/28/01)*

210.03 Lots conforming to the minimum lot area requirements of a zone district, that are reduced in land area due to land acquisition by a governmental entity shall be considered conforming to the minimum lot area requirements of the specific district for principal uses, accessory uses and uses permitted by special review. *(Amended 8/25/99)*

211 Building Restrictions

211.01 Building Permit

It shall be unlawful to erect, construct, reconstruct, alter, or change the use of any building or other structure, including surface and subsurface structures, or to move a structure from one property to another within the unincorporated area of Douglas County without first obtaining a building permit from the County Building Division. The plans, submitted with the building permit application, for the proposed erection, construction, reconstruction, alteration, or use shall conform to all applicable provisions of this Resolution and shall be constructed in accordance with the Douglas County Building Code as adopted.

211.02 Construction in Easement

No structure requiring a building permit may be erected, placed upon or extended over any easement unless approved in writing by the agency or agencies having jurisdiction over such easement. A copy of such approval shall be submitted to the Building Division prior to building permit issuance.

211.03 Avigation Hazard

It shall be unlawful to construct, build, establish or continue to maintain any building, tree, smoke stack, chimney, flag pole, wires, tower or other structure or appurtenance thereto which may constitute a hazard or obstruction to the safe navigation, landing and take-off of aircraft at a publicly used airport under the regulation of the appropriate United States Civil Aeronautics Authority, in compliance with the Centennial Airport Review Area - Overlay District of this Resolution.

212 Merger by Contiguity

For commonly owned, contiguous, nonconforming parcels the following shall apply:

212.01 Parcels Described By Metes and Bounds

When two or more contiguous, nonconforming parcels come under single ownership and are described in the same deed, after May 5, 1972, these parcels shall be deemed one parcel.

The subsequent division of such land into two or more parcels/lots shall be in accordance with the Douglas County Subdivision Resolution, even if the land is to be divided as previously described or conveyed.

212.02 Parcels Described By a Survey

When two or more contiguous, nonconforming parcels, shown on a recorded survey (*i.e.*, *townsite*) that did not receive County approval, come under single ownership and are described in the same deed these parcels may be deemed one lot for the purpose of building permit issuance. A building permit may be issued provided the minimum required lot size and setbacks of the zone district in which the land is located are met.

213 Density Transfers (*Amended 4/14/09*)

The transfer of development credits from one parcel to a noncontiguous parcel may be permitted on a case-by-case basis when consistent with the goals and policies of Douglas County, and when the net density of the receiving parcel is in conformance with the Douglas County Master Plan and Zoning Resolution and the following criteria:

213.01 The sending parcel shall result in open space preserved in perpetuity via a conservation easement, or other restriction acceptable to the County.

213.02 No net increase in dwelling units in the nonurban area of the County shall occur as a result of such transfer, except when there is an opportunity to downzone land in the nonurban area to bring the zoning and land use into compliance with the Douglas County Master Plan, and a greater public benefit can be demonstrated, such as, preserving a view corridor as identified on the Douglas County Master Plan Open Land Opportunities Map; preserving the natural landscape; or protecting wildlife habitat or corridors.

Note: The conversion of B/C/LI/GI to agricultural or residential units shall be allowed at a rate not to exceed 1 unit/2.5 acres, and may be less due to site conditions.

213.03 Such transfer or agreement to transfer shall occur concurrently with the rezoning of the receiving parcel, as necessary.

213.04 Definitions:

Development Credits - The number of dwelling units, as determined by the County based on zoning and site characteristics, for any given parcel.

Open Space - Land left intentionally free from development which may be open to the public or private.

214 Rezoning - Effect on Setback (Amended 8/12/14)

The rezoning of any lot shall not cause an increase to the minimum required setback of any abutting lot.

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SECTION 27 SITE IMPROVEMENT PLAN

- Section Contents -

2701 Intent 27-2
2702 Applicability 27-2
2703 Approval Standards 27-3
2704 Process 27-3
2705 Submittal Requirements 27-7
2706 General Plan Requirements 27-10
2707 Site Plan 27-15
2708 Landscape Plan 27-16
2709 Grading and Drainage Plan 27-20
2710 Building Elevations 27-21
2711 Lighting Plan 27-22
2712 Post Approval SIP Procedures and Requirements 27-22
2713 Revision to an Approved SIP 27-24
2714 Modification to an Approved SIP 27-25

2701 Intent (Amended 04/13/10)

The Site Improvement Plan (SIP) process is required to ensure development will be consistent with the Comprehensive Master Plan, Subdivision Resolution, and Zoning Resolution, and all applicable federal, State, and local standards.

The process encourages sustainable design through water conservation, passive energy benefits through appropriate site design, and supports multimodal transportation options and the use of alternative energy sources, when appropriate.

2702 Applicability (Amended 8/12/14)

A SIP shall be required for any use or change in use for any multifamily dwelling; mobile home park; business, commercial, or industrial development; any Use by Special Review; a library; a Utility-Major Facility; a Utility-Service Facility; or for similar uses contained within a Planned Development (PD), including single family attached dwellings. Proposed changes to an approved SIP shall be processed as either a Revision or Modification to an Approved SIP, as described herein. Building permits shall not be issued for any development that does not have an approved SIP or is not in conformance with the approved SIP. Uses and structures legally established prior to February 1, 1994 shall be considered compliant with the requirement for a SIP.

Personal Wireless Communication Sites – SIPs specific to personal wireless communication sites shall be subject to the Personal Wireless Communication Facility Design Standards section herein. The format and required process will be detailed at the required presubmittal meeting.

Meridian – Review of proposed improvements within the boundaries of the Meridian International Business Center PD shall follow the specified requirements and procedures of the Meridian International Business Center PD.

Major Electrical or Natural Gas Facilities – The final action on a SIP for the location, construction, or improvement of major electrical or natural gas facilities must occur within ninety (90) days after the submittal date, unless the provider and the County reach agreement on an amended time period. [§29-20-108, C.R.S.]. Major electrical or natural gas facilities include:

- Electrical generating facilities
- Substations used for switching, regulating, transforming, or otherwise modifying the characteristics of electricity
- Transmission lines operated at or above a voltage of 69,000 volts
- Structures and equipment associated with such electrical generating facilities, substations, or transmission lines
- Structures and equipment utilized for the local distribution of natural gas service; such as compressors, gas mains, and gas laterals

2703 Approval Standards (Amended 12/07/10)

2703.01 The SIP shall be consistent with the following:

- Douglas County Comprehensive Master Plan
- Douglas County Subdivision Resolution
- Douglas County Zoning Resolution
- Planned Development, as applicable
- Douglas County Roadway Design & Construction Standards Manual
- Douglas County Storm Drainage Design & Technical Criteria Manual
- Douglas County Grading, Erosion and Sediment Control (GESC) Manual

2703.02 All required easements shall be submitted for review prior to approval of the SIP.

2703.03 All SIPs and any revisions or modifications shall comply with this Resolution.

2703.04 Use and development of the site shall conform to the approved SIP.

2703.05 *The Requirements for Release of Certificate of Occupancy (CO) or Requirements for Release of Final Inspections form, as applicable, shall be executed and submitted to the staff planner.*

2703.06 A Site Improvement Plan Improvements Agreement (SIPIA) shall be required to identify the costs of improvements necessary to implement the SIP.

2703.07 When a SIP is proposed for an unplatted parcel of land determined to be legal by Douglas County, the applicant shall demonstrate that the parcel has a sufficient water supply in terms of quantity, quality, and dependability in conformance with the applicable standards set forth in Section 1804A and Section 2705.09, herein.

2704 Process (Amended 12/07/10)

2704.01 Prior to submittal of the SIP, a presubmittal meeting shall be required with staff to discuss the procedures and submittal requirements.

2704.02 Within fifteen (15) calendar days of the date that the application is date-stamped and accepted, staff shall review the application and notify the applicant if the plan contents are complete for review by staff and other agencies, and therefore ready to begin the referral process.

2704.03 Once the submittal is determined complete, staff shall notify the applicant in writing of the number of copies of the submittal information required for

distribution to referral agencies. Staff shall identify in the written notice which referral agencies are regulatory agencies and which referral agencies are advisory agencies. The mailing addresses of the referral agencies shall be provided to the applicant. Electronic distribution of referral packets is preferred. Otherwise, referral packets shall be provided to the staff planner by the applicant in unsealed manila envelopes, without postage and a return address, addressed to the appropriate referral agency, with submittal information properly folded and compiled. Staff shall include a referral response sheet and distribute the referral packets to the referral agencies. The following shall be included in the packets:

- Copy of the completed land use application form
- Project narrative (*Section 2705.08*)
- Site plan (*Section 2707*)
- Landscape plan (*Section 2708*)
- Grading and drainage plan (*Section 2709*)
- Building elevations (*Section 2710*)
- Lighting plan (*Section 2711*)
- Other reports, studies, and fees as required

2704.04 The applicant shall provide stamped letter sized envelopes addressed to the abutting landowners, and other landowners as requested by staff. Staff shall mail a courtesy notice of an application in process and applicable contact information to the landowners, along with a copy to the applicant.

2704.05 If the referral agencies elect to comment, they shall comment within 21 calendar days of the date the referral packets were mailed or electronically distributed, unless the applicant grants, in writing, an extension of no more than 30 calendar days. After the 21 calendar days, if no extension is granted, any referral agency comments received will be accepted for informational purposes only and provided to the applicant.
(Amended 11/12/13)

2704.05.1 The staff planner may reduce the referral period upon concurrence by Engineering Services. In the event the referral period is reduced, it is the applicant's responsibility to obtain comments from the agencies within the reduced time frame.

2704.05.2 Additional referral periods may be required based upon the extent of design changes initiated through the initial referral period. The length of each additional referral period shall be determined by the staff planner.

2704.05.3 All referral agency comments shall be provided by staff to the applicant upon receipt. The applicant shall address the comments

of all regulatory agencies received within the 21 calendar day referral period, or as extended by the applicant, by identifying in writing the extent to which the project has been revised in response to the comments. The applicant is strongly encouraged to provide a written response to timely comments of any and all advisory agencies. (*Amended 11/12/13*)

2704.06 Subsequent to the referral period(s), the applicant shall submit the revised SIP to satisfactorily address the issues raised during the referral period(s). The resubmittal shall include:

- Revised plan set
- A written response to County and agency referral comments
- Updated reports and studies, as necessary
- Draft SIPIA and related exhibits, as required (*template available from Engineering Services*)

2704.06.1 Within ten (10) calendar days of receipt by staff of the revised SIP plan set and the applicant's written response to the referral comments, the staff planner shall contact the applicant, in writing, as to the status of its resubmittal.

If the resubmittal meets approval standards, the SIP shall be considered for approval or approval with conditions, and the staff planner shall request a final plan set.

If the resubmittal does not meet approval standards, staff shall provide written comments, detailing the deficiencies. External agencies may be contacted for additional comment, and its concerns may be included in the written comments. Additional time to receive external agency comments may be necessary.

2704.06.2 Based on compliance with the approval standards, the SIP shall be considered for approval, approval with conditions, denial, or closure.

2704.07 The final plan set shall consist of one (1) rolled set with original, notarized signatures. The Requirements for Release of CO or Requirements for Release of Final Inspections form, as applicable, shall be executed and submitted to the staff planner prior to SIP approval. The SIPIA shall be fully executed by the owner and County prior to SIP approval. A SIP shall be approved by the Director (or designee) based on staff recommendations.

2704.08 If the SIP is denied, written findings shall be provided by staff to the applicant within seven (7) calendar days of the denial.

- 2704.09** The final status of a SIP shall be set forth via the Notice of Action - Final Status using the following process:
- 2704.09.1** The date considered to be the final action on the SIP shall be the date on the Notice of Action - Final Status.
 - 2704.09.2** Should a discrepancy exist between the dates on the SIP and Notice of Action - Final Status, the date of the Notice of Action - Final Status shall control.
 - 2704.09.3** The Notice of Action - Final Status shall be mailed to the applicant, the abutting landowners who received courtesy notices, and any homeowner's associations (HOAs) that received courtesy notices, as described herein. The Notice of Action - Final Status shall be mailed via first class mail, within three (3) calendar days of final determination.
- 2704.10** A Notice of Action - Final Status of a SIP may be appealed to the Board of Adjustment. An appeal shall be submitted in writing to the Director within thirty (30) calendar days from the date on the Notice of Action - Final Status.
- 2704.10.1** Upon failure to request an appeal, the decision is final.
 - 2704.10.2** If a SIP is denied, any new SIP shall require submittal of a new application and processing fee.
- 2704.11** SIPs that are inactive due to the applicant's failure to submit requested materials for a period of four (4) months shall be closed, and the resubmittal of a new application and fees shall be required.
- 2704.11.1** After three (3) months of inactivity, staff shall notify the applicant in writing that the application shall be closed within thirty (30) calendar days. If the applicant fails to submit all of the required materials within the thirty (30) calendar days, staff shall notify the applicant, in writing, that the SIP application is closed.
 - 2704.11.2** The Director may grant time extensions to the inactive period of a SIP, not to exceed a total of twelve (12) months, upon written request by the applicant, prior to closure of the SIP.
- 2704.12** The SIP shall be effective for a period of three (3) years from the date of approval. Building permits shall not be issued for a SIP with an approval date of more than three (3) years old, unless an extension was granted.
- 2704.12.1** The Director may grant time extensions to the effective period of a SIP, not to exceed a total of three (3) years, upon written request by the applicant, prior to the expiration of the SIP. As necessary, the

Director may include conditions with the time extension in order to ensure the SIP remains in compliance with approval standards. Site construction drawings that have expired shall be re-approved by Engineering Services.

2704.12.2 For detailed multi-phased SIPs, building permits shall not be issued based on an approval date more than three (3) years from the date of phase I approval, unless extended or otherwise stated on the SIP.

2704.13 Where a SIP brings an existing use into compliance with applicable regulations, or is designed to correct a Notice of Violation, all improvements shall be completed within six (6) months of the Notice of Action - Final Status, unless otherwise agreed to in writing by the owner and the County.

2705 Submittal Requirements (Amended 12/07/10)

The applicant shall be required to submit the following information to Planning Services. Incomplete applications shall not be accepted for processing.

- 2705.01 A completed SIP submittal checklist.
- 2705.02 A completed land use application form.
- 2705.03 *Proof of ownership consisting of a current title insurance policy or title commitment no more than thirty (30) calendar days old from the date of the application, or other documentation acceptable to staff.*
- 2705.04 A notarized letter of authorization from the landowner permitting a representative to process the application, unless the landowner and applicant are the same.
- 2705.05 A boundary survey of the site certified by a professional land surveyor, if the land is unplatted.
- 2705.06 Planning and Engineering Services fees. Building Services fees are collected when construction plans are submitted to Building Services.
- 2705.07 Stamped, addressed envelopes for staff to prepare courtesy notices to the following:
 - All abutting landowners with addresses shown in the records of the Douglas County Assessor Office, having a common border with, or separated from such a common border by a right-of-way, alley, or easement
 - All owners using a shared access easement that is proposed for the SIP access

- All County recognized HOAs within one (1) mile of the SIP site, unless the project is in the nonurban area, per the Comprehensive Master Plan, where courtesy notices shall be sent to all recognized HOAs within a two (2) mile radius

2705.08 A narrative description of the project, addressing the following:

2705.08.1 Name and address of the landowner, the developer or representative, and the person or firm preparing the SIP, if different than the owner.

2705.08.2 The subdivision name, filing number, (planning area number when located in a Planned Development), and lot and block number; or street address and section, township, range if not in a subdivision.

2705.08.3 Zoning of the site and the zoning and current uses of adjacent land.

2705.08.4 Source of water and sanitation facilities. If the water source has irrigation limitations, describe the manner in which landscape irrigation is to be accomplished. If irrigation water is from an offsite source, provide the following:

- Name, address, and phone number of water provider
- Source of water
- Contractual details (i.e. delivery frequency, length of contract)

2705.08.5 Describe overall impacts of the proposed development to adjacent land.

2705.08.6 Describe how the development complies with the Comprehensive Master Plan and intent of this section.

2705.08.7 Describe the proposed development schedule and phases of development for all proposed construction.

2705.09 Evidence of a sufficient water supply if located on an unplatted parcel of land determined to be legal by Douglas County. The demonstration of a sufficient water supply for the proposed SIP shall be in accordance with the standards set forth in the applicable water supply zone as depicted on the Water Supply Overlay Map, Figure 18A, herein, and as follows:

2705.09.1 A SIP proposed within the Pike/Rampart - Water Supply Zone shall comply with the water supply standards of Section 1806A, herein. If the SIP is proposing a water supply from an Existing District or New Special District, the water supply documentation standards shall comply with the standards of Section 1805A.01.4 and 1805A.02.4, respectively.

- 2705.09.2 A SIP proposed within the Margin A - Water Supply Zone shall comply with the water supply standards of Section 1807A, herein. If the SIP is proposing a water supply from an Existing District or New Special District, the water supply documentation standards shall comply with the standards of Section 1805A.01.4 and 1805A.02.4, respectively.
- 2705.09.3 A SIP proposed within the Margin B - Water Supply Zone shall comply with the water supply standards of Section 1808A, herein. If the SIP is proposing a water supply from an Existing District or New Special District, the water supply documentation standards shall comply with the standards of Section 1805A.01.4 and 1805A.02.4, respectively.
- 2705.09.4 A SIP proposed within the Central Basin - Water Supply Zone shall comply with the water supply standards of Section 1809A, herein. If the SIP is proposing a water supply from an Existing District or New Special District, the water supply documentation standards shall comply with the standards of Section 1805A.01.4 and 1805A.02.4, respectively.
- 2705.09.5 A SIP proposed within any water supply zone, which has no water supply demand, except as may be temporarily necessary to establish required landscaping, shall not be required to demonstrate compliance with Section 18A, Water Supply - Overlay District, herein.
- 2705.10 Two (2) copies of the SIP plan set, to include the following:
- Site plan (*Section 2707*)
 - Landscape plan (*Section 2708*)
 - Grading and drainage plan (*Section 2709*)
 - Building elevations (*Section 2710*)
 - Lighting plan (*Section 2711*)

Copies of the following development reports, unless waived by Engineering Services:

- Engineered site construction drawings – two (2) copies
- Traffic study
- Phase III Drainage Report and plan
- GESC report and plan
- Utility drawing(s)
- For unplatted land, a boundary survey of the site certified by a professional land surveyor
- Offsite improvement plans, as required

- 2705.11 A colors and materials sample sheet with color photos of each material, the manufacturer's name, product number, and specifications.
- 2705.12 Detailed technical studies may be required, based upon the scale and impact of the project. These studies may include, but are not limited to, the following: soil, traffic, drainage, water, noise, wildlife, environmental, lighting, shadow, photo-simulations, or a material sample board. The County may require that an independent outside consultant be retained, at the applicant's expense, to perform such studies or review such studies when performed by the applicant.

2706 General Plan Requirements (Amended 12/07/10)

The SIP shall be a detailed and accurate depiction of the proposed built environment. The final engineered site and architectural drawings shall be consistent with the SIP. The following information shall be required, unless otherwise noted, on all plans (except the engineered site construction and utility plans). All plans shall be prepared to generally accepted professional standards.

- 2706.01 Provide the name and legal description of the proposed development, site acreage, and project file number. The business name does not appear in the title. The name of the proposed SIP is based upon the legal description when subdivided or the street address as follows:

Subdivided land:

<p>SPRUCE SUMMIT, Filing No. 3, Lot 14 NW¼ Section 11, Township 8 South, Range 67 West 5 acres Site Improvement Plan – SP2010-002</p>
--

Within a PD:

<p>SPRUCE SUMMIT, Filing No. 3, Lot 14 NW¼ Section 11, Township 8 South, Range 67 West Planning Area 63 – 5 acres Site Improvement Plan – SP2010-002</p>
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When unplatted:

<p>(STREET ADDRESS – Address available from County Addressing Specialist) NW¼ Section 11, Township 8 South, Range 67 West 5 acres Site Improvement Plan – SP2010-002</p>
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For USR with SIP:

<p>SPRUCE SUMMIT, Filing No. 3, Lot 14 NW¼ Section 11, Township 8 South, Range 67 West Permit Area – 1 acre Total Area – 5 acres USR – Site Improvement Plan – US2010-002</p>
--

- 2706.02 Utilize a sheet size of 24"x36". Provide an information block which includes the date of preparation and revision(s); a north arrow; the scale

used, including a graphic scale; sheet title, i.e., site plan, landscape plan, *grading and drainage plan*; *business name*; and *preparer's name*, address, and phone number.

- 2706.03 Provide a composite plan showing the entire project area, including a key sheet diagram, when more than one (1) sheet is required to delineate the project area.
- 2706.04 Include the individual sheet number and total number of sheets, i.e., 1 of 3. For plans containing multiple sheets, include a sheet index.
- 2706.05 For the purpose of scanning, provide a margin line of at least 0.5" drawn completely around the sheet.
- 2706.06 For subdivided land, label all boundary lines with bearings, distances, and curve data as shown on the final plat.
- 2706.07 For unsubdivided land, label all boundary lines with bearings, distances, and curve data as shown on the certified boundary survey prepared by, or under the supervision of, a registered Professional Land Surveyor licensed with the State of Colorado. Include a written metes and bounds legal description of the site's boundary.
- 2706.08 Provide either a corporate/limited liability corporation (LLC) or individual approval certificate on the first sheet of the plan set.

Corporate / Limited Liability Corporation Approval Certificate:

APPROVAL CERTIFICATE

THIS SITE IMPROVEMENT PLAN HAS BEEN REVIEWED AND FOUND TO BE COMPLETE AND IN ACCORDANCE WITH DOUGLAS COUNTY REGULATIONS.

_____	_____
Engineering Services	Date
_____	_____
Planning Services	Date

- Building permits pursuant to this Site Improvement Plan (SIP) shall NOT be issued after three (3) years from the date of SIP approval (phase I), as noted on the Notice of Action - Final Status, unless an extension was granted. Failure to obtain a building permit in the three (3) year period after approval of phase 1 shall cause the unbuilt portion of this SIP to be null and void.
- Acceptance of site construction drawings by Douglas County Engineering Services shall be required (as applicable) prior to issuance of building permits. Acceptance of site construction drawings expires three (3) years after the date of signature.
- Signs shown hereon are NOT approved. All signs require approval of a sign permit in accordance with the Sign Standards section of the Douglas County Zoning Resolution.

The undersigned as the owner or owner's representative of the lands described herein hereby agree on behalf of itself and its successors and assigns to develop and maintain the property described hereon in accordance and compliance with this approved SIP and the Douglas County Zoning Resolution.

(print corporation/LLC name)

By: _____ (Signature)
 Title: _____
 Date: _____

ATTEST: (if corp.)

Secretary/Treasurer

STATE OF COLORADO)
) ss.
 COUNTY OF _____)

Acknowledged before me this _____ day of _____, 20__, by _____ as
 _____ and _____ as
 _____ of _____, a _____ corporation/LLC.

My commission expires: _____

Witness my hand and official seal.

Notary Public

Individual Approval Certificate:

APPROVAL CERTIFICATE

THIS SITE IMPROVEMENT PLAN HAS BEEN REVIEWED AND FOUND TO BE COMPLETE AND IN ACCORDANCE WITH DOUGLAS COUNTY REGULATIONS.

Engineering Services Date

Planning Services Date

- Building permits pursuant to this Site Improvement Plan (SIP) shall NOT be issued after three (3) years from the date of SIP approval (phase I), as noted on the Notice of Action - Final Status, unless an extension was granted. Failure to obtain a building permit in the three (3) year period after approval of phase 1 shall cause the unbuilt portion of this SIP to be null and void.
- Acceptance of site construction drawings by Douglas County Engineering Services shall be required (as applicable) prior to issuance of building permits. Acceptance of site construction drawings expires three (3) years after the date of signature.
- Signs shown hereon are NOT approved. All signs require approval of a sign permit in accordance with the Sign Standards section of the Douglas County Zoning Resolution.

The undersigned as the owner or owner's representative of the lands described herein hereby agree(s) on behalf of himself/herself (themselves), their heirs and assigns to develop and maintain the property described hereon in accordance with this approved SIP and in compliance with the Douglas County Zoning Resolution.

(signature of owner(s))

Acknowledged before me this _____ day of _____, 20____, by _____.

My commission expires: _____

Witness my hand and official seal.

Notary Public

2706.09 For multiple sheet plans, provide the following abbreviated approval certificate on all subsequent sheets of the plan set:

Approval Certificate	
Engineering	_____
	Initials/Date
Planning	_____
	Initials/Date
Owner	_____
	Initials/Date
Lessee (if applicable)	_____
	Initials/Date

2706.10 Locate, dimension, and indicate the use of all easements (existing and proposed) on or adjacent to the site. Include the reception number for all existing easements.

2706.11 Do not show existing or proposed utility lines on the site plan. Provide an engineered utility drawing, separate from the SIP plan set, to Engineering Services, utility providers, and the special district or water and sanitation district, as applicable.

2706.12 Indicate and dimension the location of all individual septic disposal system leach fields (existing and proposed), and indicate a replacement field location.

2706.13 Place the following statement on the SIP for all development within the Centennial Airport Review Area:

<p>Owner waives, remises, and releases any right or cause of action it may now have or which it may have in the future against the County of Douglas, its officers, employees, and agents related to or resulting from the passage of aircraft in the airspace above the property that is the subject of this Site Improvement Plan.</p>
--

2706.14 For sites located within the Runway Safety Zone or Fan Safety Zone, as defined in this Resolution, an aviation easement in a form established by the Board, signed by the landowner, and recorded in the Office of the County Clerk and Recorder, as well as a note on the SIP indicating the book and page of the recorded easement, shall be required.

2706.15 Delineate all drainageways affecting the site and any 100-year floodplain on or adjacent to the site.

2706.16 For a SIP that is designed in detail for the first phase only, with additional phases shown conceptually:

- Show phase lines
- Add the following note to each sheet of the SIP in proximity to each approval certificate:

For all future phases, the applicant shall submit a revised Site Improvement Plan of the phase for which a permit is requested. The revised SIP shall be approved prior to issuance of a building permit.

2707 Site Plan (Amended 04/13/10)

The site plan shall be prepared as follows:

- 2707.01 Prepare the SIP at a scale that allows maximum clarity of the proposal.
- 2707.02 Include a legible vicinity map at an appropriate scale.
- 2707.03 Provide a site data chart on the SIP based on the following example:

ITEM	SQUARE FOOTAGE	% OF GROSS SITE*
Gross Site Area	20,000	100
• Building Footprint	8,000	40
• Parking and Roads (including planted interior parking islands)	<u>800</u>	<u>4</u>
HARDSCAPE TOTAL	8,800	44
• Planted Area (If applicable, include parking lot islands used for stormwater detention and water quality ponds)	4,000	20
	6,200	31
	1,000	5
• Existing Vegetation	<u>0</u>	<u>0</u>
• Trails and Walks	11,200	56
• Porous Pavement		
LANDSCAPE TOTAL		
ITEM	DESCRIPTION	
Building Size: 2 stories	16,000 sq. ft. TOTAL	
Parking:		
• Required	64 spaces (1/250 sq. ft.)	
• Provided	67 spaces	

*NOTE: When a portion of a site's natural vegetation is proposed as landscape area, as permitted herein, these totals may not add up to 100 percent.

2707.04 Label and show dimensions of all existing and proposed structures. Delineate existing buildings in detail. Show setback lines, points of ingress and egress, the building's dimensions from lot lines, and indicate any structures to be removed.

2707.05 Identify all adjoining land uses and zoning.

- 2707.06 Show the location of all trash enclosures. Trash enclosures are encouraged to be integrated into the mechanical or service area of structures. Locate trash enclosures away from site entries and roadways. Screen and buffer trash areas. Provide a dimensioned elevation drawing of the proposed enclosure specifying materials and colors.
- 2707.07 Locate and dimension all required off-street parking and loading areas, identify all required handicap spaces, and note the total number of parking spaces provided per row of parking, in accordance with the Planned Development or Parking Standards section.
- 2707.08 Locate and dimension all public and private streets, walks and trails, rights-of-way, curb cuts, and points of access on, or adjacent to, the proposed site. Label surface materials and location of traffic directional arrows, signage, and markings.
- 2707.09 Show the location and dimensions of all existing and proposed signs, if known. Signs and their locations shown on the SIP are not approved by the SIP review process. Final approval of signs and their location require the issuance of a sign permit, in accordance with the Sign Standards section herein.
- 2707.10 Show location of all fire hydrants. If none exist on site, note the distance and direction of the closest hydrant adjacent to the site within 500'.

2708 Landscape Plan (Amended 04/13/10)

A sustainable landscape plan is a component of a complete SIP application. The intent is to conserve water, reduce runoff, enhance water quality, buffer development from adjoining sites or streets, and ensure compatibility with adjacent development. Landscape enhances the site by moderating temperature and humidity, and mitigating noise and wind.

2708.01 Landscape Materials and Irrigation

Environment-appropriate, water-conserving plant materials are required, except as permitted herein, to conserve natural, cultural, and fiscal resources. Efficient irrigation of landscape materials promotes growth and plant health, resulting in the appropriate use of water resources, enhancement of the built environment, and reduced maintenance costs.

- 2708.01.1 The minimum area to be landscaped with live plant material shall be fifteen (15) percent of the gross site area, unless offsite landscaping is supported; the site is located within a Planned Development wherein additional landscaping has been provided; or the Director waives the requirement due to compatible land uses, severe site constraints, or other extraordinary circumstance. For SIP

applications pursuant to a Use by Special Review, the gross site area may be determined to be the permit area.

- (1) A landscape buffer shall be required when adjacent to residential uses, and shall count toward a maximum fifty (50) percent of the minimum fifteen (15) percent landscape requirement.
- (2) Based on adjacent uses, views, and potential impacts, a landscape buffer shall be required between the following:
 - Residential use and adjacent nonresidential parking
 - Parking facility located adjacent to a street
 - Outside storage and adjacent uses

Options for buffering may include all or some of the following:

- Layered vegetation with a four (4') foot effective height or greater
 - Berms and plantings with a four (4') foot effective height or greater
 - Solid fences or decorative walls
 - Deciduous and coniferous trees and large shrubs
 - Combinations of these options
- (3) Restoration, conservation, and preservation of undeveloped portions of a site with natural vegetation that provides buffering, screening, or valuable wildlife habitat or movement corridors shall count towards the minimum fifteen (15) percent landscape requirement.
 - (4) Based upon the scale and impact of a project, additional landscape materials may be required in the public right-of-way. A license agreement with Douglas County may be required to allow the owner to install and maintain the landscaping within the public right-of-way.

- 2708.01.2 High-water-use plants, as defined by the Colorado Nursery and Greenhouse Association, are discouraged but may be a maximum of 1.5 percent of the gross site area. For multifamily projects, a maximum of five (5) percent of the gross site area may include high-water-use plants to accommodate recreational areas. Areas of high-water-use plants shall be depicted on the landscape plan with a callout to identify the square footage of each high-water-use planted area.

- 2708.01.3 The required quantity and size of plant materials shall be based upon the proposed use, design, adjacent uses, and overall impact and scale of the project.
- 2708.01.4 Where screening is required, it shall be provided through a combination of plants, berms, and walls.
- 2708.01.5 The following shall be the acceptable minimum plant size:

PLANT TYPE	MINIMUM SIZE
Deciduous • Canopy Tree • Ornamental Tree	2.0" minimum caliper ^{1,2} 1.5" caliper ¹
Coniferous Tree	6' minimum height ²
Shrubs	5 gallon container Minimum 24" height at installation Multiple canes for deciduous shrubs
Vines	1 gallon container
Groundcover	5 gallon if horizontal shrubs (maturity less than 24") 1 gallon if perennials Space to provide 80% ground coverage in 2-3 yrs.
Mulch	Minimum 4" depth for all plant groupings and trees ³

¹ Measure caliper using Diameter at Breast Height (DBH).

² Larger sizes may be required where buffering or compatibility issues exist, in accordance with Section 2708.01.1(4) herein.

³ Impermeable sheet plastic shall not be permitted under mulched areas.

- 2708.01.6 Sources of irrigation water and types of irrigation shall be noted on the landscape plan. Automatic irrigation systems shall be required unless the only water available is from an offsite source. In the event the site is served by a well that prohibits outdoor usage, hand watering may be required. The applicant shall be required to obtain an offsite water source and provide acceptable documentation of such source (i.e., pre-paid weekly contract).

2708.02 Landscape Plan Requirements

Prior to the issuance of a CO or certificate of final inspection, the onsite landscaping shall be consistent with the approved SIP. The landscape plan shall be prepared as follows:

- 2708.02.1 Identify planted areas by name, size, and quantity of material to be used. Identify and describe hardscape materials.
- 2708.02.2 Depict plant materials at approximately three-fourths mature size.
- 2708.02.3 Identify walkways, pedestrian-oriented areas, and landscape elements such as fences, walls, border edge treatments, signs, bike racks, trash enclosures, street furniture, and recreational facilities, as applicable.

- 2708.02.4 Depict the location of all pole-mounted, wall-mounted, and ground-mounted light fixtures.
- 2708.02.5 Show the contour lines depicting final grades as solid lines (screening acceptable).
- 2708.02.6 Label all streets, rights-of-way, and points of access on or adjacent to the proposed site.
- 2708.02.7 Show sight distance triangles at all intersections in accordance with the Douglas County Roadway Design and Construction Standards.
- 2708.02.7.1 Any landscaping within the County right-of-way shall comply with the Douglas County Roadway Design and Construction Standards and the Douglas County Storm Drainage Design and Technical Criteria Manual.
- 2708.02.7.2 Trench drains are required for irrigated landscaping along public streets, in accordance with the Douglas County Roadway Design and Construction Standards.
- 2708.02.8 Screen transformers, ground-mounted HVAC units, utility pedestals, and similar features, and place the following note on the landscape plan:

If any transformers, ground-mounted HVAC units, utility pedestals, and similar features are not shown on the SIP, additional landscaping and screening may be required based upon field conditions during the site inspection prior to issuance of the certificate of occupancy, or final inspection, as applicable.

- 2708.02.9 Provide a landscape legend similar to the example below:

SYMBOL	QTY	BOTANICAL NAME	COMMON NAME	SIZE	HIGH-WATER-USE
WC	6	Catalpa Erubescens	Western Catalpa	2.5" caliper	No
BS	7	Pinus Ponderosa	Ponderosa Pine	8' height	No
AWS	10	Spirea bumalda	Anthony Waterer	5 gallon	No
	300 ft ²	---	Pole Peeling Mulch	4" depth	NA

NOTE: In the event of a discrepancy between the plan graphic and the landscape legend, the plant material quantity as determined by the plan graphic shall take precedence.

- 2708.02.10 Place the following maintenance statement on the plan:

Landscaping shall be planted and maintained by the owner, successor, and/or assigns. Should any plant material die, it shall be replaced with similar plant material within one planting season.

2708.03 Parking Lot Islands

- 2708.03.1 All parking areas in excess of forty (40) spaces shall contain landscape islands typically located interior to the perimeter of the parking area. The ratio of required parking lot islands shall be as follows:

Number of Parking Spaces	Ratio of Parking Lot Islands
40 – 120	1 per 20 parking spaces
120 – 500	1 per 15 parking spaces
500+	1 per 10 parking spaces

- 2708.03.2 Each parking lot island shall be a minimum two (2) parking spaces in size and contain some combination of trees, shrubs, and groundcover. High-water-use plants are prohibited in parking lot islands.
- 2708.03.3 Islands may be aggregated to meet site specific needs for screening, buffering, water conservation, or water quality. The required islands need not be physically located at each interval noted (*i.e.*, 20, 15, or 10 spaces). Generally, all required islands shall be located internal to the parking area.

2709 Grading and Drainage Plan (Amended 04/13/10)

The grading and drainage plan shall be prepared at the same scale as the landscape plan. Please note that this plan is separate and distinct from the GESC plan required by Engineering Services. The grading and drainage plan shall be prepared as follows:

- 2709.01 Label proposed and existing buildings, structures, fences, walls, walks, trails, parking and loading areas, and streets. Proposed retaining walls shall be no greater than four (4') feet in height, unless necessary due to site specific constraints. Walls in excess of four (4') feet in height, as measured from the bottom of the foundation, require a structural design and building permit. If multiple parallel retaining walls are proposed, a minimum five (5') feet wide horizontal separation should be required between the faces of adjacent walls. Design this separation to accommodate plants that will screen and buffer the vertical planes of the walls.
- 2709.02 Retaining walls in excess of thirty (30") inches in height (as measured from the lowest ground surface adjacent to the wall) used in conjunction with detention areas or ponds, or located adjacent to a pedestrian access or walking surface, shall require permanent barriers, consistent with building code height requirements, for the purpose of protecting the public from potential hazards.
- 2709.03 Development sites are required to balance earthwork quantities onsite in accordance with the GESC Manual.

- 2709.04 Show existing contour lines as dashed lines (screening acceptable), and proposed contour lines as solid lines. The contour interval shall be no more than two (2') feet unless otherwise approved by the staff planner.
- 2709.04.1 Distinguish existing grades greater than a 4:1 slope (25 percent).
- 2709.04.2 Proposed grades shall be no steeper than a 3:1 slope (33.3 percent).
- 2709.05 Label low and high points.
- 2709.06 Show flow direction arrows.
- 2709.07 Show and label the required drainage easements with detention, water quality facilities, and storm sewer infrastructure.
- 2709.08 Label the top of wall and bottom of wall elevations at twenty (20') foot intervals along all retaining walls.

2710 Building Elevations (Amended 12/07/10)

The building elevations shall be prepared as follows:

- 2710.01 Prepare elevations at a scale that allows for maximum clarity of the proposal.
- 2710.02 Label and dimension all building features.
- 2710.03 Label all building materials and finishes with the manufacturers' colors and numbers to correspond with the colors and materials sample sheet.
- 2710.04 Identify the location of all wall-mounted light fixtures.
- 2710.05 When applicable, depict the roof plane, behind the wall, as dashed lines.
- 2710.06 When applicable, depict all ground-, wall-, and roof-mounted mechanical equipment, HVAC, emergency generators, and other accessories (including satellite TV, electronic data dishes and antennae) behind the wall, as dashed lines. All ground-, wall-, and roof-mounted mechanical equipment, HVAC, emergency generators, and other accessories shall be screened. The screening of rooftop equipment shall not be required to exceed the maximum elevation of the rooftop equipment.

2710.07 Provide the following note on elevation sheets:

The building elevations shown and approved hereon are intended to demonstrate how all HVAC shall be screened according to Douglas County Zoning Resolution requirements. It is the applicant's responsibility to ensure that screening occurs in the field as demonstrated by these plans, regardless of curb requirements, mechanical plan changes, or other circumstances. Failure to provide screening may result in delay of final inspections and/or issuance of a certificate of occupancy.

2711 Lighting Plan *(Amended 04/13/10)*

All fixtures and lamping shall be consistent with the requirements of the Lighting Standards section herein. The following lighting information is required to be included on the lighting plan, unless the applicant clearly provides the information on another sheet of the SIP plan set:

2711.01 Provide a luminaire schedule similar to the following example:

Luminaire Schedule						
QTY	Lamp Type	Mounting Height	Lumens	LLF	Color	Description
10	21W CF	10'	1650	1.00	Bronze	Visa Lighting OW1342 1FS21
5	400W MH	24'	36000	1.00	Bronze	Visionaire American Series AME-2 T5400 M 6 BOA
4	150W MH	12'	13000	1.00	Dk Bronze	Gardco 101WT 150MH Quad BRP

* **NOTE:** A Light Loss Factor (LLF) of 1.0 shall be utilized.

2711.02 Include a copy of the manufacturers catalog sheet, product number and Illuminating Engineering Society of North America type description.**2711.03 Include the following note on the plan set:**

Prior to issuance of a certificate of occupancy or conducting final inspections, Douglas County shall conduct an evening site visit to ensure: illumination levels generated by the lighting meet all County criteria as well as those indicated on the approved Site Improvement Plan; do not create disability glare on adjacent properties; and that all fixtures are full cutoff as defined by the Illuminating Engineering Society of North America. In the event lighting levels do not meet these criteria, remedial action may include re-lamping with lower wattage bulbs, relocating fixtures, shielding fixtures, removing fixtures, or replacing fixtures. It shall be the responsibility of the applicant to ensure all site lighting complies with Lighting Standards section of the Douglas County Zoning Resolution prior to requesting issuance of a certificate of occupancy and/or final inspections.

2712 Post Approval SIP Procedures and Requirements *(Amended 04/13/10)***2712.01 Prior to the issuance of a CO, the applicant shall submit as-built plans to Engineering Services for any required detention pond and water quality facilities, as well as an Engineer's certification stating that the detention pond and water quality facilities have been constructed in accordance with the approved drainage report and plan.**

After approval of the SIP and issuance of a building permit, a CO may be issued if the construction of all buildings is completed and all parking, drainage improvements, and landscaping elements are installed in accordance with the approved SIP, as determined by a site inspection performed by County staff. Submit final easement documents to Engineering Services for acceptance prior to issuance of a CO. The applicant shall perform the tasks required by the Requirements for Release of CO prior to scheduling any final site inspections.

2712.01.1 Occupancy of the site shall not be permitted until the site is clean, safe, and free of all construction debris, as determined by Douglas County.

2712.01.2 If adverse weather immediately preceding the CO request prevents the installation of parking, drainage, or landscaping elements, a temporary certificate of occupancy (TCO) may be issued (for nonresidential projects) after the applicant provides an irrevocable letter of credit, or other acceptable security as allowed by the SIPIA. Bonds are not acceptable.

(1) The security shall be equal to 115 percent of the cost of the unfinished work, in accordance with the cost estimates contained in the SIPIA, and shall be submitted prior to the issuance of a TCO. The security shall be held by Douglas County and released, as set forth in the SIPIA, when the work is deemed complete by Douglas County.

(2) When a TCO is issued, based on security as provided for herein, prior to the completion of all site improvements, the time for the completion of site improvements shall not exceed six (6) months.

(3) Failure by the applicant to complete the work or to request a time extension shall result in a forfeiture of the security and shall cause Douglas County to initiate the construction of such improvements, as detailed in the SIPIA. The Director may grant a one time extension of not more than six (6) months upon receipt of a written request accompanied by an extension of the financial security.

2712.02 When a CO is not required, the following shall apply regarding approvals and security:

2712.02.1 When a building addition or modification is proposed, all building improvements and all site improvements such as drainage, parking, landscaping, and lighting shall be fully completed prior to final building inspections. The applicant shall perform the tasks required

by the Requirements for Release of Final Inspections form prior to scheduling any final site inspections.

2712.02.2 If the scale, impact, or phasing of the proposed development warrants, a letter of credit equal to 115 percent of the estimated cost of improvements may be required at the time of SIP approval to ensure the required improvements are completed.

2712.02.3 The security shall be held by Douglas County and released, as set forth in the SIPIA, when all site improvements identified on the SIP, are deemed completed by Douglas County.

2713 Revision to an Approved SIP (Amended 12/07/10)

Proposed changes to an approved SIP shall be reviewed for scale and impact to determine whether the changes will be processed as a revision or modification to an approved SIP.

2713.01 Applicability

A revision shall be for the purpose of additional review and referral based on the scale and impacts of the proposed changes. In general, a revision impacts grading, drainage, parking, access, building footprint, or landscaping. These impacts typically require the entire site be brought into conformance with the current Zoning Resolution.

2713.02 Approval Standards

Approval of a revision to an approved SIP shall be in accordance with Section 2703 and applicable provisions contained herein.

2713.03 Process

A revision shall follow the full SIP process as described herein, however, the referral period for a revision shall be twenty-one (21) calendar days.

2713.04 Submittal Requirements

The applicant shall be required to submit the following information to Planning Services. Incomplete applications shall not be accepted for processing.

- Completed land use application and fee
- New plan sets, as necessary, to depict the proposed revision
- Development reports in accordance with Section 2705.10
- Detailed technical studies in accordance with Section 2705.12, if applicable
- Current title commitment or insurance policy (*Section 2705.03*)

- Notarized letter of authorization from the property owner, if applicable (*Section 2705.04*)
- Stamped addressed envelopes for courtesy notices (*Section 2705.07*)
- A written narrative explanation of the revision (*Section 2705.08*)
- Letter from HOA and architectural control committee, if applicable

2713.05 The legal description for a revision to the SIP shall be consistent with the originally approved SIP, except as otherwise provided for below.

For Revisions:

SPRUCE SUMMIT, Filing No. 3, Lot 14 – 1st Revision
 NW¼ Section 11, Township 8 South, Range 67 West
 5 acres
 SP2010-002 (Revision to SP2003-049)

For Revision on Lot with Amended Legal Description:

SPRUCE SUMMIT, Filing No. 3, 1st Amendment, Lot 14-A – 1st Revision
 NW¼ Section 11, Township 8 South, Range 67 West
 5 acres
 SP2010-002 (Revision to SP2003-049)

For Revision to Use by Special Review:

SPRUCE SUMMIT, Filing No. 3, Lot 14 – 1st Amendment
 NW¼ Section 11, Township 8 South, Range 67 West
 Permit Area – 1 acre Total Area – 5 acres
 USR – Site Improvement Plan
 US2010-002 (Amendment to US2003-049)

2714 Modification to an Approved SIP (*Amended 12/07/10*)

Proposed changes to an approved SIP shall be reviewed for scale and impact to determine whether the changes will be processed as a revision or modification to an approved SIP.

2714.01 Applicability

A modification shall be for the purpose of minor changes to the approved SIP. In general, a modification shall not increase the building footprint, impervious surface, or affect fire access.

2714.02 Approval Standards

Approval of a modification to an approved SIP shall be in accordance with Section 2703 and applicable provisions contained herein.

2714.03 Process

- 2714.03.1 Prior to submittal of a modification to an approved SIP, a presubmittal meeting shall be required with staff to discuss the procedures and submittal requirements.

2714.03.2 Staff shall have up to seven (7) calendar days from the date that the application is date-stamped and accepted, for internal review of a modification.

If the submittal meets approval standards, the modification will be considered for approval, and the staff planner shall prepare a Modification Affidavit for approval.

If the submittal does not meet approval standards, staff shall provide the applicant with written comments, detailing the deficiencies.

2714.03.3 Based on compliance with the approval standards, the modification will be considered for approval, approval with conditions, denial, or closure.

2714.03.4 In place of the final plan set, the applicant may provide a legible redlined copy of the approved SIP, detailing the modification. The Requirements for Release of Final Inspections form, as applicable, shall be executed and submitted to the staff planner prior to approval of a modification. A Modification Affidavit shall be approved by the Director (or designee) based on staff recommendations. The proposed changes may require Building permits.

2714.03.5 If the SIP is denied, written findings shall be provided by staff to the applicant within seven (7) calendar days of the denial.

2714.04 Submittal Requirements

The applicant shall be required to submit the following information to Planning Services. Incomplete applications shall not be accepted for processing.

- Completed land use application and fee
- A redlined copy of the approved SIP, and other exhibits as necessary, to depict the proposed modification
- Notarized letter of authorization from the property owner, if applicable (*Section 2705.04*)
- A brief written narrative explanation of the modification
- Letter from HOA and architectural control committee, if applicable.

3601 Rules of Construction

- 3601.01 The particular controls the general.
- 3601.02 In case of any difference of meaning or implication between the text of this Resolution and the captions for each section, the text shall control.
- 3601.03 The word "shall" is always mandatory and not directory. The word "may" is permissive.
- 3601.04 Words used in the present tense include the future, unless the context clearly indicates the contrary.
- 3601.05 Words used in the singular number include the plural, and words used in the plural number include the singular, unless the context clearly indicates the contrary.
- 3601.06 A "building" or "structure" includes any part thereof. A "building or other structure" includes all other structures of every kind, regardless of similarity to buildings.
- 3601.07 The phrase "used for," includes "arranged for," "designed for," "intended for," "maintained for," and "occupied for."

3602 Definitions

As used in this Resolution, the following words shall be interpreted and defined in accordance with the provisions set forth in this Section or by further modification by the Board of County Commissioners.

Abutting: Having a common border with, or separated from such a common border by a right-of-way, alley or easement.

Accessory Equipment: An enclosed structure, cabinet, shed or box that houses power boxes, electrical equipment, and other related equipment of a telecommunication or personal wireless communication facility.

Accessory Structure: A subordinate structure detached from but located on the same lot as the principal structure, the use of which is incidental and accessory to that of the principal structure.

Accessory Use: A use naturally and normally incidental to, subordinate to and devoted exclusively to the principal use.

Adjacent: Having a common border with, or separated from such a common border by a right-of-way, alley or easement.

Adopted Level of Service: See "Level of Service, Adopted."

Agricultural Recreational Activities: Special activities related to livestock held for educational, instructional, or recreational purposes, including but not limited to horse shows, gymkhanas, training clinics, team ropings, rodeos, polo matches, endurance rides, hunts, or other activities involving livestock.

Agriculture: Land uses related to grazing or raising livestock or land uses which produce products that originate from the land's productivity, such as farming, ranching, forestry, tree farming, animal husbandry, and horticulture. Excluded from this definition is all marijuana prohibited by Douglas County per Resolution No. R-010-108 and Ordinance No. O-012-003. *(Amended 1/28/14)*

Agricultural Producer: A person or entity that raises or produces Agricultural Products on land that the person or entity farms and owns, rents, or leases. *(Amended 1/28/14)*

Agricultural Products: Products that originate from the land's productivity, such as fruits, vegetables, mushrooms, herbs, nuts, shell eggs, honey or other bee products, flowers, nursery stock, livestock products (including meat, milk, cheese and other dairy products), hay, grass, and grains. Excluded from this definition is any marijuana product, the cultivation or other processing of which is prohibited by Douglas County per Resolution No. R-010-108 and Ordinance No. O-012-003. *(Amended 1/28/14)*

Agricultural Worker: An individual employed in the operation of a farm or ranch.

Airport: Any area of land or water designed for the landing and take-off of aircraft for business or commercial purposes, including all necessary facilities for passenger and cargo loading, maintenance and fueling facilities and housing of aircraft.

Alley: A public or private vehicular passageway dedicated or permanently reserved as a means of secondary access to abutting property and designated an alley on a final plat. An alley shall not be considered to be a street.

Ambient Lighting: All available light surrounding a subject sign at any point in time with the subject sign light source extinguished. *(Amended 2/11/14)*

Ambient Noise Level: The average equivalent sound level (LEQ) occurring during a six-minute period as measured with a sound level measuring instrument. The ambient noise level shall be determined with the noise source at issue silent, and in the same location and approximate time as the measurement of the noise level of the source at issue.

Animal, Exotic: An animal introduced from another country not normally kept as a household pet or farm animal. *(See animal - nondomestic.)*

Animal, Household Pet: A small animal customarily permitted to be kept in a dwelling for company or pleasure, including, but not limited to, dogs, cats, pot-bellied pigs, gerbils, hamsters, tropical fish, or common house birds, provided that such animals are not kept to supplement food supplies or for any commercial purpose. A limit of 1 litter, brood, or offspring is permitted, per household, per year.

Animal, Nondomestic: An animal not normally adapted to live and breed in a tame condition. (*See animal - exotic.*)

Antenna: A system of wires, rods, reflecting discs or similar devices used for the wireless transmission or reception of electromagnetic waves.

Directional (or panel or rectangular): A flat surface antenna used to achieve transmission or reception from a specific direction.

Parabolic: A round, often concave, antenna no greater than 24" in diameter used primarily for point-to-point transmission of radio signals.

Omnidirectional (or whip): A thin, self-supporting rod antenna that beams and receives a signal in all directions.

Satellite Dish: A ground mounted antenna, generally exceeding 24" in diameter, incorporating a solid, open mesh, or bar configured surface used to transmit or receive radio or electromagnetic waves.

Antenna Array: Groups of directional panel antennas designed to send and receive wireless transmissions.

Applicant: For purposes of the Concurrency Management Resolution, the property owner, or duly designated representative of the property owner, who submits an Application for Development Approval.

Application for Development Approval: For purposes of the Concurrency Management Resolution, an application for residential rezoning or an application for a residential use by special review.

Available Capacity: Existing Capacity and Planned Capacity less Existing Demand and demand that will be generated by Committed Development.

Avigation Easement: An easement that allows the grantee the right to use the airspace. The easement may include restrictions regarding the height of structures, the use of reflective glass, or the interference of radio transmissions by the grantor and an acknowledgment by the grantor that airplanes flying overhead may present a physical danger, increase noise levels or cause pollution.

Base Flood: The flood having a 1% chance of being equaled or exceeded in any given year. (*Refer to Flood - 100 year*)

Batch Plant, Concrete, Mortar, or Asphalt: A site, together with its accessory facilities, where sand, gravel, cement and various petroleum derivatives are compounded to manufacture concrete, mortar or asphalt.

Bed and Breakfast: A dwelling where a maximum of 5 guest units for overnight or otherwise short-term temporary lodging is provided and may include meals. The operator of the facility shall live on the property. (*This does not include hotels/motels.*)

Berm: Mound of earth used in landscaping for screening, definition of space, noise attenuation or decoration.

Board or Board of County Commissioners: The Board of County Commissioners of Douglas County; the governing body of Douglas County.

Borrow Site: A site used for the extraction of earthen materials such as sand, gravel, rock, dirt, etc., where the material is removed from the legally described site and characterized by a short-term operation and a limited quantity of earthen material.

Buffer Area: An area of land established to separate and protect one type of land use from another, to screen from objectionable noise, smoke or visual impact, or to provide for future public improvements or additional open space.

Building: Any permanent structure, or portion thereof, built for the shelter or enclosure of human beings, animals, or property of any kind and excluding signs or fences.

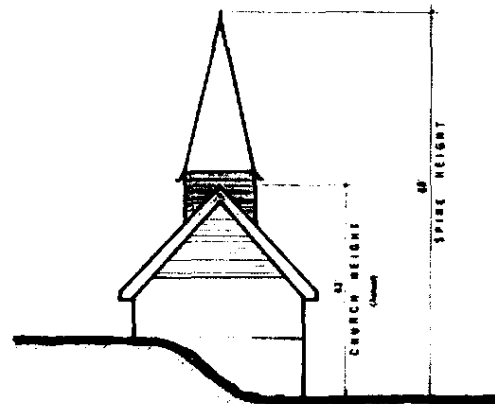
Building Envelope: The portion of a lot within applicable setback requirements where building construction will be permitted, or other activities if so limited or described on the plat.

Building Face: The horizontal linear dimension of any side of a building as determined by measuring the exterior wall of any side of said building in a straight line. A side of any building shall contain only one building face. *(Amended 2/11/14)*

Building Height: The vertical distance above a reference datum measured to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitched or hipped roof. The reference datum shall be selected by either of the following, whichever yields a greater height of building:

- (1) The elevation of the highest adjoining sidewalk or ground surface within a five (5) foot horizontal distance of the exterior wall of the building when such sidewalk or ground surface is not more than 10 feet above the lowest grade.
- (2) An elevation 10 feet higher than the lowest grade when the sidewalk or ground surface described in number one (1) above is more than 10 feet above the lowest grade.
- (3) The height of a stepped or terraced building is the maximum height of any segment of the building. *(Amended 12/18/12)*

Spire Height Calculation



Spire Height Calculation (see diagram)

Campground: An area or tract of land on which accommodations for temporary occupancy (not to exceed 30 days in any one calendar year) are located including the parking or placement of camping and travel trailers, motor homes, truck campers or tents used for human occupancy.

Canopy: A roof like cover, including an awning that projects from the wall of a building over a door, entrance, or window; or a free-standing or projecting cover over an outdoor service area, such as at a gasoline station. *(Amended 2/11/14)*

Capacity: The maximum demand that can be accommodated by a public facility without exceeding the adopted level of service as determined by the service provider.

Capital Improvements: Large scale physical assets constructed or purchased to provide, improve, or replace a costly public facility. The cost of a capital improvement is generally non-recurring and may require multi-year financing. "Capital improvements" shall include physical assets providing additional capacity needed to accommodate the demand for public facilities generated by a proposed residential development and shall include water facilities, wastewater facilities, fire protection facilities, streets, public schools and regional parks.

Capital Improvement, Planned: A capital improvement which does not presently exist, but which is included within a capital improvements program.

Capital Improvements Program: A master plan or budget document for an entity responsible for providing a public facility, and which provides the following information:

- (1) Public facilities to be constructed within 6 years which provide additional capacity;
- (2) Currently available revenue sources to be used to fund the provision of said public facilities;
- (3) The anticipated date by which said public facilities will be constructed or when the capacity added by said public facilities will be available;
- (4) The location and service area of said public facilities.

Carrier: A company that provides personal wireless communication services.

Cellular Communication: A type of personal wireless communication service consisting of low-power mobile radio communication that occurs through a network of radio wave transmitting devices.

Centennial Airport Review Area (CARA): An overlay district intended to allow for compatible land-use planning in the vicinity of Centennial Airport. The overlay district includes three components; safety zones, noise zones, and height zones as depicted in Figure 19-1.

Central Water: Water service provided by a special district formed pursuant to the Special District Act, C.R.S. § 32-1-101, et. seq.

Central Sanitation: A centralized wastewater collection and treatment facility approved by Tri-County Health Department and the Colorado Department of Health including at a minimum, secondary wastewater treatment, subject to any waste discharge permits required by the State.

Channel: A natural or artificial watercourse of perceptible extent, with definite bed and banks to confine and conduct continuously or periodically flowing water. Channel flow is that water which is flowing within the limits of the defined channel.

Church: A building, where people regularly assemble for worship, together with its accessory buildings and uses, maintained and controlled by an organization to sustain public worship.

Clinic, Dental or Medical: A facility licensed and used for the provision of medical, dental, surgical or mental health care of the sick or injured, but excluding therefrom inpatient and overnight accommodations.

Club (Country Club): Individuals gathered for social, educational or recreational purposes, including buildings or facilities owned/operated by such organization, excluding a golf course unless specifically permitted in that zoning district.

Collocation: The circumstance occurring when one or more carriers install antenna arrays on the same single structure.

Committed Development: For purposes of the Concurrency Management Resolution, committed development includes:

- (1) unbuilt development with an approved determination of concurrency;
- (2) all building permits and final platted lots located in the Primary Urbanization Area and
- (3) all building permits and final platted lots (platted after 7/31/95) located in the Separated Urbanization Area and Nonurban Area.

Developments not counted by the County, for purposes of Concurrency Management, include all final platted lots located in Nonurban Areas and Separated Urbanization Areas of the county existing on the effective date of the Concurrency Management Resolution.

Commitment to serve: (as related to water supply) - A letter stating the water district's "intent to serve" the project, or at the time of final/minor development plat application, a letter stating that the water district "will serve" the area of the final/minor development plat.

Comprehensive Master Plan: The Douglas County Comprehensive Master Plan as adopted by Planning Commission resolution. The Douglas County Comprehensive Master Plan is the long-range plan intended to guide the growth and development of the County, and is inclusive of supplemental plans which may be adopted and incorporated by Planning Commission resolution.

Concurrency Data Form: A form submitted pursuant to the Concurrency Management Resolution.

Concurrency Management Resolution: The procedures and standards for determining the compliance of an application for development approval with the adopted level of service, as established by Resolution No. R-995-077, as such may be amended from time to time.

Condominium: A legal form of ownership whereby an owner gains title to an interior air space dwelling unit, together with interest in the common areas and facilities appurtenant to such units.

Confinement Center: An animal feeding operation where livestock are kept and fed in close quarters until they are shipped to market.

Construction: Any and all activity incidental to the erection, demolition, assembling, altering, installing, or equipping of buildings, structures, roads, or appurtenances thereto, including land clearing, grading, excavating, and filling.

Convenience Store: A small retail or service commercial use, which provides limited food products, household items or other goods or services commonly associated with the same, which do not typically offer comparison shopping opportunities.

County: Douglas County, Colorado.

Cultural Facility: A building or area designed and intended for intellectual or artistic activities, including a museum, art gallery, outdoor amphitheater, fairground, sports stadium/arena, performing arts center, or similar facility.

Currently Available Revenue Sources: An existing source or amount of revenue presently available to the County or the entity providing a public facility; provided, however, that this term shall not refer to a mere intent to increase the future level or amount of a revenue source, nor to a revenue source which is contingent on ratification by a public referendum.

dB(A): A sound level in decibels measured on the "A" scale of sound level having characteristics defined by the American National Standards Institute. [§25-12-102(2), C.R.S.]

Day-Care Center/Preschool: A commercial facility where care and training is provided for children or adults for periods of less than 24 consecutive hours.

Day-Care Home:

- small - A residence in which care is provided for up to 6 children or adults, including the provider's own children, plus 2 additional children of school age either before or after school hours, and on days during the regular school year when school is not in session, such as conference days/in-

service days and holidays, including summer vacations or off-track periods in year-round schools when the child does not attend classes. If the applicant has an experienced Child Care Provider License, a maximum of nine children may be permitted in accordance with Colorado Department of Human Services regulations for child care facilities.

large - A residence in which care and training is provided for 7 to 12 children or adults, including the provider's own children, except as provided for above.

Day-Care Household Pets: A retail/service facility for the care of dogs or other household pets for periods of less than 24 consecutive hours. Overnight, indoor boarding may be permitted as an accessory use only. Outdoor holding facilities are prohibited in connection with the accessory use.

Decibel: A unit describing the relative amplitude of sound. A decibel is a unit of sound pressure level equal to twenty (20) times the logarithm to the base ten (10) of the ratio of the sound pressure to the reference pressure of $2 \times 10^{-5} \text{N/m}^2$ (Newton's/meter squared.) [§25-12-102(3), C.R.S.]

Density: The number of units per area of measure. For example, the number of dwelling units per acre.

Density, Gross: The total number of units divided by the total land area within the boundary of the project including publicly dedicated streets, open space or other public facilities.

Density, Net: The number of units divided by the land area within the boundary of the project excluding publicly dedicated streets, open space or other public facilities.

Department: The Douglas County Community Development Department.

Designated Elevation: The elevation above sea level determined at each airport in accordance with the approved airport guidelines.

Development: Any change to improved or unimproved real estate, including but not limited to: buildings, structures, mining, dredging, filling, grading, paving, excavation or drilling operations or any alteration to land, buildings or structures which falls under the purview of this Resolution.

Development Order: For purposes of the Concurrency Management Resolution, Board approval of: residential rezoning or a residential use by special review.

Development Plan: A specific set of regulations establishing lot size, land use, density, lot coverage, open space or other standards and a map depicting land uses within a Planned Development District approved by the Board and recorded in the Office of the Clerk and Recorder. The current and future owners and their assigns are required to develop their property in accordance with this plan.

Director: The Director shall be as designated by the County Manager.

Driveway: A private vehicular access abutting a street, for the exclusive use of the owners and occupants of the lot, lots or project and their invitees, not considered to be a street.

Dude Ranch: A functioning ranch that offers guests the opportunity to participate in activities commonly associated with its operation. The recreational component shall be accessory to the principal ranching operation.

Dwelling: A building or portion thereof used exclusively for residential occupancy, including single-family, two-family and multi-family dwellings, but not including mobile homes, hotels, motels, motor homes, or tents. Manufactured homes certified pursuant to the "National Manufactured Housing Construction and Safety Standards Act of 1974", 42 U.S.C. 5401 et seq., as amended and Section 30-28-115 of the Colorado Revised Statutes shall be deemed a dwelling unit.

Dwelling, Multifamily: A dwelling situated on 1 lot and arranged, designed or intended for occupancy by 2 or more families living independently of each other, including condominiums and duplexes, but excluding therefrom hotels and motels.

Dwelling, Single-Family: A dwelling situated on 1 lot and arranged, designed or intended for occupancy by not more than 1 family in compliance with the County building code. The dwelling must function as a continuous enclosure without any impassable separation such as a wall or floor. Dwelling spaces joined by a garage or breezeway are considered to be a separate dwelling.

Dwelling, Single-Family, attached: A dwelling with primary ground floor access to the outside, which is attached to another unit by a party wall without openings, and is situated on 1 lot. The term is intended primarily for such dwelling types as townhouses, cluster units, patio homes.

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

Enhanced Specialized Mobile Radio Service (ESMR): A type of communication technology that is used primarily by fleet-dispatched service providers and closed system mobile radio users.

Entertainment Event: A public presentation held on a one time or occasional basis that provides amusement for, or holds the attention of, those in attendance. *(Amended 1/28/14)*

Entertainment Event, Major: An Entertainment Event that exceeds the limitations placed on Minor Entertainment Events. *(Amended 1/28/14)*

Entertainment Event, Minor: An Entertainment Event that meets one of the following limitations:

- A one-day event, such as a concert, with a maximum daily attendance of 500 persons.

- A multi-day event, such as a festival, carnival, or revival, with a maximum daily attendance of 300 persons and duration of seven days or less. *(Amended 1/28/14)*

Equipment, Small: Vehicles/equipment not exceeding the following gross vehicle weights: Motorized - 18,000 lbs.; nonmotorized - 6,000 lbs.

Equivalent Residential Unit or ERU: The demand for Public Facilities generated by a proposed residential development which is equivalent to the demand for Public Facilities generated by 1 single family dwelling.

Existing Capacity: The capacity of the existing built and operational public facilities, as determined by the service provider.

Existing Demand: The demand for public facilities from existing *(built)* development.

Family: An individual or 2 or more persons related by blood, marriage, or legal adoption; or a maximum of 5 persons *(excluding servants)* living together as a nonprofit, unlicensed, single housekeeping unit, maintaining a common household.

A family may include up to 4 children or 2 adults who may be unrelated to any or all of the other residents but who are under the care and supervision of the adult family head of household through the foster care system

A family shall not include more than 1 registered sex offender over the age of 18, unless related by blood, marriage, or legal adoption.

A family may include those persons defined by the Internal Revenue Code as dependents of the occupants of the subject premises.

Farm and Commercial Garden Building: A building or structure used to shelter or enclose livestock, poultry, feed, flowers, field equipment or similar uses.

Farmers Market: An outdoor market open to the public and operated by a governmental agency, a nonprofit corporation, or one or more Agricultural Producers; where the products offered for sale are Agricultural Products, Value-added Agricultural Products, and incidental sale of other items. *(Amended 1/28/14)*

Feedlot: Any tract of land or structure, pen/corral wherein cattle, horses, sheep, goats, swine, or similar livestock are maintained in close quarters for the purpose of feeding such livestock in order to fatten them prior to final shipment to market.

Fence - Solid: Any structure used as a barrier, boundary or means of concealing the interior portion of a lot.

Firearm: Any handgun, revolver, pistol, rifle, shotgun, or other instrument or device capable of or intended to discharge bullets, shot, or other projectile by means of gasses released by burning a solid propellant.

Fire Protection Facilities: Fire stations and major pieces of fire fighting apparatus, including, but not limited to pumpers, quick response vehicles, hook and ladder trucks, and similar equipment, owned and operated by county fire districts.

Firing Range: A public or private facility designed to provide training in the use of firearms, or for practice in discharging firearms for use by persons other than the owner or resident lessee or their immediate family members.

Flag: A piece of fabric, cloth, or sturdy material usually oblong, rectangular, square, or triangular, typically attachable on one edge to a staff, pole, or cord. *(Amended 2/11/14)*

Flood, 100-year: The flood having a 1% chance of being equaled or exceeded in any given year. It is also known as a "base flood".

Floodplain: The area adjoining any river, stream, watercourse, lake or other body of standing water which is subject to inundation by a 100-year flood. Refer to the floodplain overlay district section for more information.

Flood Area, Gross: The sum of the horizontal area, measured in square feet, of all floors of a building measured from the exterior face of the wall including stairwells or elevator shafts and excluding unfinished basements or attics, garage space, or unenclosed porches.

Flood Area, Net: The sum of the horizontal floor area, measured in square feet, of all floors of a building measured from the interior face of the exterior wall excluding therefrom, stairwells, elevator shafts, covered malls, covered walkways, roof patio areas, covered entries, covered parking, covered driveways, covered loading areas, utility rooms and storage areas.

Floor Area Ratio - F.A.R.: Determined by dividing the gross floor area of all buildings on a lot by the total area of that lot.

Frontage: The length of a parcel/lot abutting a right-of-way.

Garage:

Private - A building, or portion thereof, including carports, in which only private or pleasure-type motor vehicles used by the owners or resident tenants of the land are stored or kept.

Public - A building, or portion thereof, other than a private garage, used for the parking of automobiles.

Golf Course: A recreational facility primarily used for the purpose of playing golf, including associated food service, retail sales areas, and staff offices, excluding residential and other non-golf recreational uses.

Grade: The elevation of the finished surface of the ground.

Greenhouse: A structure used for the propagation, cultivation or growing of nursery stock such as flowers, bulbs, plants, trees, shrubs or vines.

Group Home: A residence that provides non-institutional housing for persons living as a single housekeeping unit as follows: *[Per 30-28-115 CRS]*

- A group of no more than 8 persons with developmental disabilities living in a state-licensed group home or community residential home; or
- A group of not more than 8 persons with a mental illness living in a state-licensed group home; or
- A group of not more than 8 persons 60 years of age or older who do not need nursing facilities

Group Homes that do not meet the conditions listed shall be considered Group Residential Facilities for purposes of this resolution.

Group Residential Facility: A residence that provides a community living environment for individuals requiring custodial care, medical treatment, or specialized social services. This term includes, but is not limited to: specialized group child care home, facility or center; residential child care facility; residential treatment facility; shelters for the homeless; shelters from domestic violence; residential facilities for those living together as a result of criminal offenses; and homes for individuals that are HIV positive or afflicted with the AIDS virus.

Guest House: A dwelling attached or unattached to the principal dwelling, used to house guests of the occupants of the principal dwelling, and which shall not be rented or leased, or held in ownership by other than the owner of the principal dwelling.

Heliport: Any area used by helicopters for commercial or business purposes, including landing and take-off, passenger and cargo loading, maintenance and fueling facilities.

Home Occupation: A business use conducted on the site, which is clearly incidental and secondary to the use of the land for residential or agricultural purposes; that does not change the character of the dwelling, lot, or neighborhood; and that allows the resident to work at home. Such uses as a motor vehicle repair or body shop, bed and breakfast establishment, medical clinic, hospital, kennel, animal clinic/hospital, retail business, warehousing and distribution, or any similar use generating more than occasional or minimal vehicular or pedestrian traffic shall not be allowed as a home occupation.

Homeowners' Association: An association of homeowners within a residential area created to govern the area with powers including but not limited to: the setting and collection of expense assessments from the members of the association, the control and maintenance of common areas, and the enforcement of protective covenants.

Horse, Boarded: A horse, not owned by the landowner or lessee, kept on the landowner or lessee's property for a period of 24 hours or more.

Horse, Nonowned: A horse not solely owned by the owner or lessee of the land. A horse leased for the exclusive use of the lessee shall be considered to be an owned horse.

Horse, Owned: A horse solely owned by the owner or lessee of the land. A horse leased for the exclusive use of the lessee shall be considered to be an owned horse.

Horse Rental Stable: A facility where horses, ponies, or mules are rented to the general public for recreational purposes.

Hospital: An institution providing health services primarily for human in-patient medical or surgical care for the sick or injured and including related facilities such as laboratories, out-patient departments, training facilities, central services facilities and staff offices that are an integral part of the facilities.

Hotel: Any building arranged, designed or intended as a temporary lodging place for human beings, with or without meals, in which there are 6 or more guest rooms or suites, and in which only minimal provision may be made for cooking in any individual room or suite.

Hunting/Fishing Club: Individuals gathered for the express purpose of participating in recreational activities directly related to hunting, fishing and similar outdoor sportsman activities that typically take place on club-owned land.

Impact Area: The area within which a proposed residential development is presumed to create a demand for public facilities and which area, therefore, will be evaluated to determine whether the capacity of public facilities is adequate to accommodate the demand created by existing residential development, committed development and the proposed residential development pursuant to the Concurrency Management Resolution. The impact areas for specific public facilities are as follows:

- (1) **Water Facilities:**
 - Source and treatment facilities - the service area of the service provider.
 - Water pressure - the proposed residential development site and any transmission or distribution mains providing water to the proposed residential development site.
- (2) **Wastewater Facilities:** the service area of any service district, package treatment plant or other wastewater system serving the proposed residential development.
- (3) **Fire Protection Facilities:** the boundaries of the district providing fire protection service to the proposed residential development.
- (4) **Regional Parks:** Countywide.
- (5) **Public Schools:** High School Feeder Areas as designated by the Douglas County School District.
- (6) **Streets:** the area, including all streets and collector/collector and collector/arterial intersections, extending from the proposed residential development to and including the intersection with the nearest state or federal highway.

In-Home Elder Care: Providing 24-hr. in-home care for 6 or fewer elderly persons (60+ years old), not related to the members of the household, who are ambulatory and are not mentally ill or developmentally disabled, who because of impaired capacity for independent living elect protective oversight, but do not require regular 24-hour medical or nursing care. The care provider shall reside at and maintain their primary place of residency in this home, be licensed by the State, and may have 1-2 nonresident helpers. The limitation contained in §30-28-115(2)(f), C.R.S., requiring that a group home for the aged not be located within 750' of another such group home, shall not apply to in-home elder care facilities.

Industrial Park: A tract of land with two or more separate industrial buildings or related uses planned, designed, constructed, or managed on an integrated and coordinated basis with special attention to on-site traffic patterns, parking, utilities, building design and orientation, and open space.

Junk Yard: A building, structure or parcel of land, or portion thereof, used for the collecting, storage or sale of waste paper, rags, scrap metal or discarded material; or, for the collecting, dismantling, storage, salvaging, or demolition of vehicles, machinery or other materials.

Kennel: Any site used to keep more household pets than permitted in Section 24 Animals or used for breeding, boarding, training with boarding or selling of household pets. This definition shall not include a veterinary clinic/hospital or pet shop. (Amended 5/27/14)

Landfill: A site used for the disposal of junk, garbage or other waste material including biodegradables imported from off-site. The burying of biodegradable material that originated on-site shall not be considered a landfill provided all applicable requirements are met and necessary permits obtained.

Landing Field - Private: An area of land or water designed for the landing or take-off of aircraft for the benefit of the landowner/lessee and not to be used for commercial purposes.

Landscape: Improvement to an area of land by the planting of a combination of trees, shrubs and ground covers.

Legal Description: A written metes and bounds description of the boundary of a parcel of real property by a Professional Land Surveyor (PLS), for the purpose of perpetuating location and title. The description must recite all ties and monuments, recorded or physical, which will determine the correct position of the boundary, all references to adjoining lands by name and record, and a full dimensional recital of the boundary courses in succession which shall be mathematically correct. The description must be accompanied by an exhibit or map showing all pertinent information as described in the narrative.

Level of Service (LOS): An indicator of the extent or degree of service provided by, or proposed to be provided by, a public facility based upon and related to the operational

characteristics of the public facility; or the capacity per unit of demand for each public facility.

Level of Service, Adopted: The level-of-service standards as adopted in Appendices A and B herein.

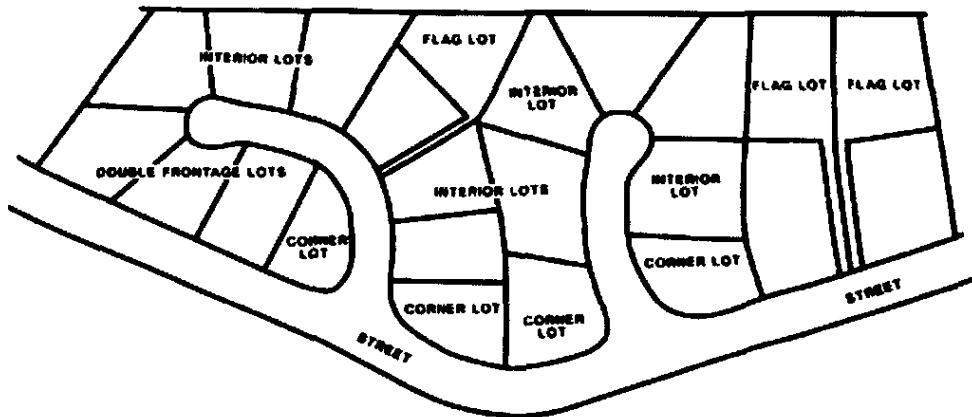
Lot: A parcel of land designated as a lot on a recorded plat or a parcel of land that has been recorded by a deed in the Office of the Douglas County Clerk and Recorder provided such lot was created in compliance with the State land-use laws and Douglas County subdivision and zoning regulations in effect at the time the lot/parcel was created. Also, lot of record. *(A tax parcel is not necessarily a lot of record)*

Corner - A lot abutting two or more adjacent streets which have an angle of intersection of not more than 135 degrees.

Double Frontage - A lot abutting two nonintersecting streets as distinguished from a corner lot.

Flag - A lot having access or an easement to a public or private street by a narrow, private right-of-way

Interior - A lot other than a corner lot.



Lot, Area of: The area of a lot exclusive of streets, County-dedicated land or open space.

Lot, Buildable: A lot of record that complies with all the requirements of the zoning district within which it is located, or a nonconforming lot provided such lot was created in compliance with the State land-use laws and the Douglas County subdivision and zoning regulations in effect at the time the lot was created. *(A tax parcel may or may not be a buildable lot.)*

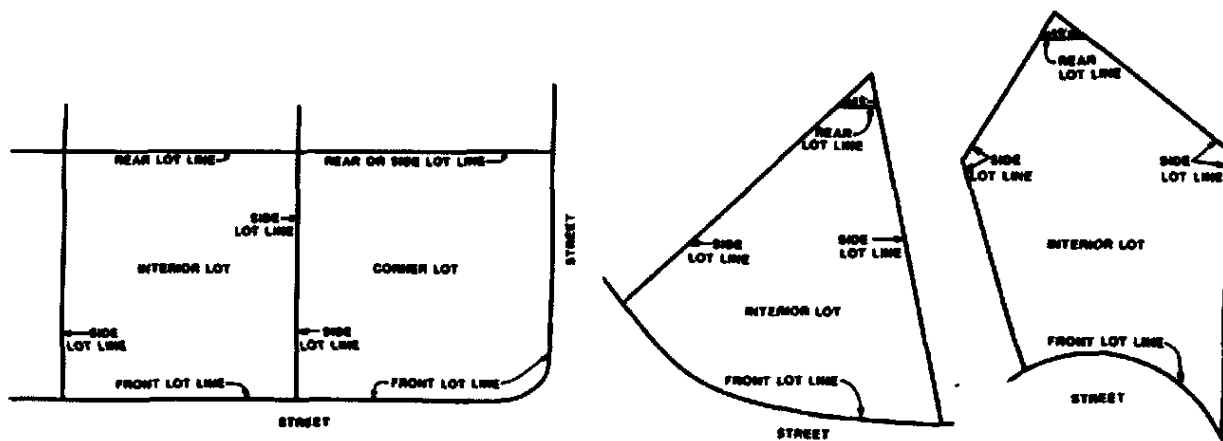
Lot, Nonconforming: A lot that has less than the required minimum area or width as established by the zone in which it is located.

Lot Line: Any boundary of a lot. The classifications of lot lines are:

Front: The lot line separating the lot from a street. On a corner lot or double frontage lot each lot line separating the lot from a street is considered a front lot line. Where a lot is not abutting a street, other than by its driveway, that lot line which faces the principal entrance of the main building is the front lot line.

Rear: The lot line opposite and most distant from the front lot line; however, for corner lots the rear lot line may be any lot line not abutting a street. For triangular, pie-shaped, or irregularly-shaped lots the rear lot line shall be deemed to be a line within the lot having a length of 10 feet, parallel to and most distant from the front lot line for the purpose of determining required setbacks.

Side: Any property boundary line which is neither a front lot line nor rear lot line.



Major Reservoir(s): Any body of water within the State of Colorado having a surface area at high water line in excess of 100 acres excepting livestock water tanks as defined in Article 49 of Title 35, C.R.S. 1973.

Manufactured Housing: A factory-built, single-family structure that is manufactured and certified under the authority of 42 U.S.C. Section 5401, the National Manufactured Home Construction and Safety Standards Act, in compliance with Section 30-28-115 of the Colorado Revised Statutes. Manufactured housing is different than a mobile home.

Medical Marijuana: Shall have the same meaning as the term "usable form of marijuana" as set forth in Article XVIII, Section 14(1)(i) of the Colorado Constitution, or as may be more fully defined in any applicable state law or regulation.

Medical Marijuana Facility: A facility established for the purpose of dispensing, selling, or otherwise providing marijuana in any manner, along with any cultivation of marijuana associated with such sale or dispensing, in accordance with Section 14 of Article XVIII of the Colorado Constitution and any other applicable laws and regulations of the State of Colorado. Single-family dwellings where medical marijuana is provided by a Medical Marijuana Primary Care-giver to a Patient that resides in the dwelling are excluded from this definition.

Medical Marijuana Primary Care-giver: Shall have the same meaning as is set forth in Article XVIII, Section 14(1)(f) of the Colorado Constitution, or as may be more fully defined in any applicable state law or regulation.

Medical Use: Shall have the same meaning as is set forth in Article XVIII, Section 14(1)(b) of the Colorado Constitution, or as may be more fully defined in any applicable state law or regulation.

Message: A complete, static display message on an Electronic Message Sign. *(Amended 2/11/14)*

Message Hold Time: The time interval a static message shall remain on the display before transitioning to another message on an Electronic Message Sign. *(Amended 2/11/14)*

Metes and Bounds: A method of describing or locating real property; metes are measures of length and bounds are boundaries; this description starts with a well-marked point of beginning and follows the boundaries of the land until it returns once more to the point of beginning.

Microwave Dish: A device for receiving or transmitting radio frequency/electromagnetic waves.

Mineral: An inanimate constituent of the earth, in either solid, liquid or gaseous state that, when extracted from the earth, is usable in its natural form or is capable of conversion into usable form as a metal, a metallic compound, a chemical, an energy source, a raw material for manufacturing or construction material.

Mineral Resource Area: An area in which minerals are located in sufficient concentration in veins, deposits, bodies, beds, seams, fields, pools or otherwise, as to be capable of economic recovery. The term includes but is not limited to any area in which there has been significant mining activity in the past, there is significant mining activity in the present, mining development is planned or in progress, or mineral rights are held by mineral patent or valid mining claim with the intention of mining.

Mining: The withdrawal or refinement of materials including but not limited to: minerals (either solid, liquid, or gas which are usable in their natural form or converted to a usable form when extracted from the earth), sand, gravel, quarry aggregate, oil, natural gas, coal, dimension or landscape stone, peat and metals. Mining does not include surface or groundwater found in Douglas County.

Mobile Home: A portable structure used or designed to be used for living or sleeping purposes, transportable on its own wheels and requiring only minor work after arrival on its site to become suitable for occupancy. A mobile home is allowed as a dwelling only in the 18 MH zoning district or as a use by special review in accordance with Section 21 of this Resolution. *(Refer to Manufactured Housing and Modular Home)*

Mobile Home, Converted: A mobile home that has been placed on a permanent foundation and taxed as real estate. Converted mobile homes shall be permitted only in mobile home zoning district, or as a use by special review in accordance with Section 21 of this Resolution.

Mobile Home Park: A parcel of land under single or unified ownership or control within which spaces are rented for occupancy by mobile homes.

Mobile Home Subdivision: An area of land subdivided for occupancy by mobile homes exclusively, and containing lots in divided or separate ownership.

Modular Home: A prefabricated living unit, designed to become a permanent building, which meets the building standards of the Douglas County Building Code.

Motel: A building or group of detached or connected buildings designed or used primarily for providing sleeping accommodations for automobile travelers and having a parking area adjacent to each unit.

Motorcycle: A self-propelled vehicle with not more than three (3) wheels in contact with the ground that is designed primarily for use on the public highways. [§25-12-102(5.2), C.R.S.]

Motor Vehicle: A self-propelled vehicle with at least four (4) wheels in contact with the ground that is designed primarily for use on the public highways. [§25-12-102(5.4), C.R.S.]

Nonconforming Building: A building that does not meet the bulk requirements of the zoning district in which it is located, but which complied with applicable regulations at the time the building was constructed.

Nonconforming Use: A use of land that does not comply with the use regulations for its zoning district but which complied with applicable regulations at the time the use was established.

Nonurban Areas: Nonurban Areas as designated on the Douglas County Master Plan Land Use Map and as defined in the Douglas County Master Plan.

Nursing Home: A 24-hour residential care facility, licensed by the state, providing some level of skilled nursing or medical service.

Off-Highway Vehicle: A self-propelled vehicle with wheels or tracks in contact with the ground that is designed primarily for use off the public highways, excluding military vehicles, golf carts, snowmobiles, vehicles designed and used to carry persons with disabilities, and vehicles designed and used specifically for agricultural, logging, firefighting, or mining purposes. [§25-12-102(5.6), C.R.S.]

Office, Professional: A place of business for predominantly administrative, professional, or clerical operations, i.e., accountant; architect; attorney; bookkeeper; broker; doctor; dentist, chiropractor; psychologist; drafter; bank; savings and loan; insurance company;

credit union; credit-reporting agency; developer; contractor; engineer; surveyor; planner; insurance agency; interior design; landscape architect; pharmacy; notary; stenographer; clerical services.

Open Space: Public or private land and aquatic areas that are regulated or managed to protect the natural environment and significant cultural resources; provide recreation and agricultural opportunities; shape the pattern of urban development, or any combination thereof, including yards and common areas and including a limited number of buildings and accessory uses compatible with intended use. Open space shall be deemed not to include driveways, parking lots, or other surfaces designed or intended for vehicular travel.

Parcel: All contiguous land held under one deed irrespective of the method of legal description used.

Park: A tract of land identified for public use by zoning or subdivision action, or designated by an authorized public entity, for recreational, educational, or cultural purposes.

Parking, Lot: An area other than a street or alley that is permanently reserved and maintained for the parking of motor vehicles on a temporary basis - daily or overnight.

Parking, Off-Street: See Parking Lot. *(Amended 2/11/14)*

Patient: In regards to Medical Marijuana, shall have the same meaning as set forth in Article XVIII, Section 14(1)(d) of the Colorado Constitution, or as may be more fully defined in applicable state law or regulation.

Person Aggrieved: An applicant, an abutting property owner, or a person with an interest in real property located within 1,000 feet of the subject property where such person can show his/her property interest has been damaged by a final administrative decision and such damage is different in kind, not merely in degree, from that experienced by the public generally. *(Amended 8/12/14)*

Personal Communication Service (PCS): A type of wireless communication technology capable of transmitting voice, data and paging that utilizes small geographic areas on a tight grid of interconnected sites.

Personal Wireless Communication Facility: Any unstaffed facility for the transmission and/or reception of voice, data and paging signals consisting of one or more of the following elements: antennas, support towers, or accessory equipment buildings or structures.

Personal Wireless Communication Services: The term used to collectively describe low-powered, unmanned facilities providing wireless telecommunication services including, but not limited to, paging, enhanced specialized mobile radio (ESMR), personal communication service (PCS), commercial mobile radio service (CMRS), cellular telephone and similar technologies, to a small geographic area within a network

of interconnected sites. The power density at the property line or lease area shall not exceed the radio frequency emission standards set by the FCC.

Planned Capacity: The capacity to be added by planned capital improvements.

Planned Capital Improvements: See "Capital Improvements, Planned."

Planned Development: A zoning district for an area of land controlled by one or more landowners, which is developed under a single development guide for mixed use.

Planning Area: An area of land within a Planned Development defined by acreage, use, density, etc., and whose boundaries are defined by the alignment of arterials or collectors or as otherwise depicted on the Development Guide.

Planning Commission: The Douglas County Planning Commission.

Planning Office: The Douglas County Planning Office.

Plant Nursery: An area of land used to raise trees, shrubs, vines or other plants, for transplanting or sale.

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

Primary Urbanization Area (PUA): The Primary Urbanization Area as designated on the Douglas County Comprehensive Master Plan Land Use Map and as defined in the Douglas County Comprehensive Master Plan.

Principal Building: A building in which the primary use of the lot/parcel on which the building is located is conducted.

Principal Use: The main use of land or structures, as distinguished from an accessory use.

Public Facilities: Capital improvements including water facilities, wastewater facilities, fire protection facilities, public schools, regional parks and streets.

Public Schools: Elementary schools, middle schools, or high schools and charter schools, capital equipment provided therein and the land needed for public schools, which are owned and operated by the Douglas County School District.

Recreation Facility, Indoor: An establishment providing recreational activities, completely enclosed by a structure, such as bowling alley, gymnasium, roller skating or ice skating, billiards, pool, theater, swimming pool or related amusements. This does not include adult entertainment establishments.

Recreation Facility, Outdoor: An area used primarily for outdoor recreational activity, i.e., swimming pool, tennis court, basketball court, soccer field, baseball diamond, park, playground or other similar uses not specifically addressed, and may include structures for restrooms, locker rooms, maintenance equipment storage.

Recreation Facility, Community: An indoor/outdoor area or other facility used for social or recreational purposes, generally open to the public, including active play fields, swimming pools, tennis or basketball courts, play apparatus, or picnic areas and generally serves residents within a 5 to 7 mile radius.

Recreation Facility, Neighborhood: An indoor/outdoor area or other facility used for social or recreational purposes, generally open to the public, including active play fields, swimming pools, tennis or basketball courts, play apparatus, or picnic areas and generally serves residents within a 2 mile radius.

Recreation Facility, Private: An indoor/outdoor area or other facility used for social or recreational purposes, owned and operated by a Homeowners' Association or similar entity, for the exclusive use of the residents and their invitees within a residential development. These facilities may include but are not limited to: meeting rooms, game rooms, kitchen/bar, lounge areas, restrooms, and indoor/outdoor recreation facilities. These facilities may also include ancillary offices for the Homeowners' Association or similar entity. Structures and site amenities should be of similar design, scale, and materials as the residential development it serves.

Recreational Vehicle: A motor home, travel or camping trailer, van or truck camper, with or without self-motive power, boat, jet ski, motorcycle or all-terrain vehicle.

Recreational Vehicle Storage Yard: An area of land and associated structures arranged, designed or intended to accommodate the temporary parking or storage of unoccupied recreational vehicles.

Referral Agency, Advisory: A public or private organization which is interested in providing advisory comments to Douglas County on a land use proposal or proposed legislative action.

Referral Agency, Regulatory: An entity which is responsible for providing referral comments to Douglas County on a land use proposal or proposed legislative action, and which: (1) provides facilities and/or services for the proposed land use; and/or (2) provides regulatory control over some aspect of the subject property or proposed land use; and/or (3) is a referral agency under state or federal law.

Regional Parks: Park land and related facilities thereon which support both passive and active recreational activities for all Douglas County residents, which is owned by Douglas County, or which may be owned by another local governmental entity within unincorporated Douglas County which is at least 50 acres in size.

Registered Sex Offender: Any person who is required to register their place of residence with the Sheriff's Department or other local law enforcement agency in accordance with §18-3-412.5 C.R.S., as amended.

Religious Retreat: A site, together with its accessory buildings and uses, designed and designated solely for religious reflection or contemplative activities, maintained and controlled by a religious organization to sustain worship.

Residence, Caretaker: A dwelling or mobile home designed or intended for occupancy by a person(s) owning, employed in or dealing with, and responsible for the security and maintenance of the land on which it is situated. A caretaker's residence shall meet the principal use setbacks.

Residential Rezoning: A rezoning from a zoning district that does not permit residential uses to a zoning district that permits residential uses, unless within a planned development maintaining the dwelling unit cap, or a rezoning from a zoning district that permits residential uses to a zoning district that permits an increased number of dwelling units.

Retail/Service Business: A commercial use characterized by the selling of tangible goods/merchandise or services/intangibles directly to the consumer.

Retirement Home: One or more buildings containing dwellings where the occupancy is restricted to persons at least 55 years of age, or couples where either spouse is at least 55 years old. This may contain special support services, *i.e., convalescent or nursing facilities, and central dining facilities.*

Rezoning: A revision to the County Zone District Map.

Right-of-way: Land acquired by reservation, dedication, prescription or condemnation and intended to be occupied by a road, trail, water line, sanitary sewer or other public use.

Runway (Landing Strip): An area of land used for aircraft landing or take-off.

Satellite Dish: (see Antenna)

Satellite Earth Station: A telecommunication facility consisting of multiple satellite dishes for transmitting and receiving signals from orbiting satellites.

Separated Urbanization Area (SUA): Separated Urbanization Areas as designated on the Douglas County Master Plan Land Use Map and as defined in the Douglas County Master Plan.

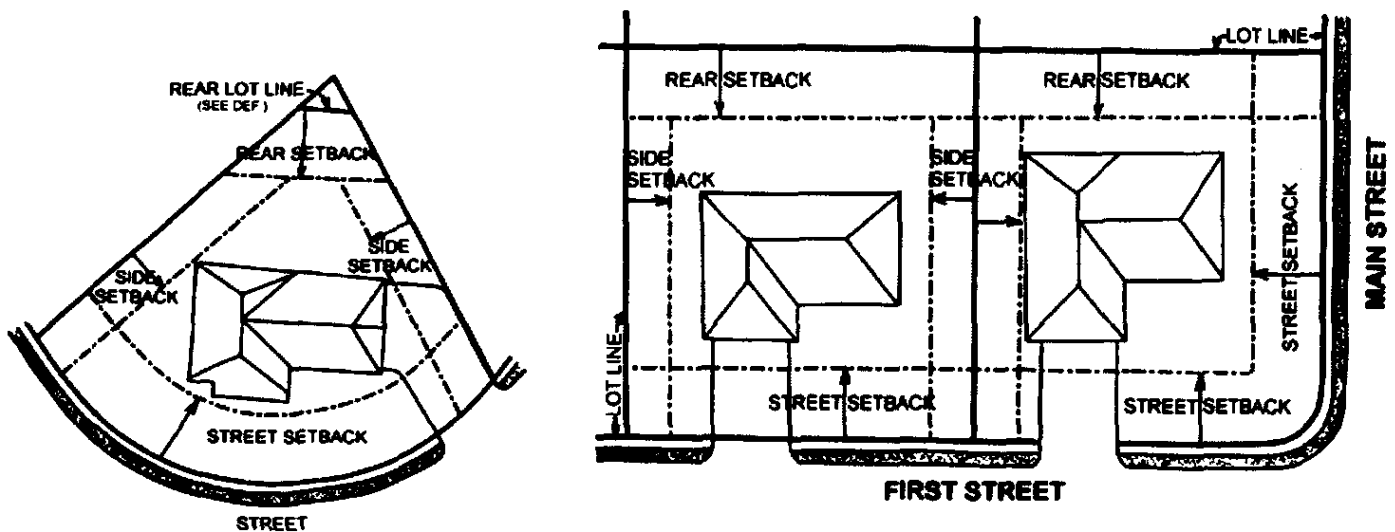
Setback: The required minimum horizontal distance between the location of structures or uses and the related front, side, or rear lot line measured perpendicular to such lot line.

Front - a setback extending across the full width of the lot measured perpendicular to the front lot line.

Rear - a setback extending across the full width of the lot measured perpendicular to the rear lot line.

Side - a setback extending from the front lot line to the rear setback measured perpendicular to the side lot line.

Street - a setback extending across the full width of the lot measured perpendicular to the front lot line.



Sexually Oriented Business: An adult arcade, adult bookstore, adult novelty shop, adult video store, adult cabaret, adult motel, adult motion picture theater, adult theater, sexual encounter establishment, or nude model studio. The definition of sexually oriented businesses shall not include an establishment where a medical practitioner, psychologist, psychiatrist, or similar professional person licensed by the state engages in medically approved and recognized sexual therapy.

"Specified Anatomical Areas" include any of the following:

- (1) Less than completely and opaquely covered human genitals, pubic region, buttocks, anus, or female breasts below a point immediately above the top of the areola; or
- (2) Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

"Specified Sexual Activities" includes any of the following:

- (1) The fondling or other intentional touching of human genitals, pubic region, buttocks, anus, or female breasts
- (2) Sex acts, normal or perverted, actual or simulated, including, but not limited to, intercourse, oral copulation, sodomy, sadomasochism or bestiality;
- (3) Masturbation, actual or simulated; or
- (4) Human genitals in a state of sexual stimulation, arousal or tumescence;
- (5) Excretory functions as part of or in connection with any of the activities set forth in subsections (a) thru (d) of this subsection.

Adult Arcade: An establishment where, for any form of consideration, one or more still or motion picture projectors, slide projectors, or similar machines or other image producing machines, for viewing by five or fewer persons each, are used to show films, motion pictures, video cassettes, slides or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas".

Adult Bookstore, Adult Novelty Store or Adult Video Store:

- (1) A commercial establishment which:
 - (a) devotes a significant or substantial portion of its stock-in-trade or interior floor space to;
 - (b) receives a significant or substantial portion of its revenues from; or
 - (c) devotes a significant or substantial portion of its advertising expenditures to the promotion of the sale, rental or viewing (for any form of consideration) of books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes, slides or other visual representations which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas";
- (2) An establishment may have other principal business purposes that do not involve the offering for sale, rental or viewing of materials depicting or describing "specified sexual activities" or "specified anatomical areas", and still be categorized as an adult bookstore, adult novelty store, or adult video store. Such other business purposes will not serve to exempt such establishment from being categorized as an adult bookstore, adult novelty store or adult video store so long as the provisions of sub-section (1) are otherwise met.

Adult Cabaret: A nightclub, bar, restaurant or other commercial establishment, which regularly features:

- (1) persons who appear nude or in a state of nudity; or
- (2) live performances, which are characterized by the exposure of "specified anatomical areas" or by "specified sexual activities."

Adult Motel: A motel, hotel or similar commercial establishment which:

- (1) offers public accommodations, for any form of consideration, and provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas" and which advertises the availability of this sexually oriented type of material by means of a sign visible from the public right-of-way, or by magazines, pamphlets or leaflets, radio or television, or
- (2) offers a sleeping room for rent for a period of time less than 10 hours, or
- (3) allows a tenant or occupant to sub-rent a sleeping room for a time period of less than 10 hours.

Adult Motion Picture Theater: A theater, concert hall, auditorium or similar commercial establishment which, for any form of consideration, regularly features persons who appear in a state of nudity or live performances which are characterized by exposure of "specified anatomical areas" or by "specified sexual activities."

Nudity or State of Nudity: (1) the appearance of the human bare buttock, anus, male genitals, female genitals, or the areola or nipple of the female breast; or (2) a state of dress which fails to opaquely and fully cover a human buttock, anus, male or female genitals, pubic region or areola or nipple of the female breast.

Nude Model Studio: Any place where a person, who appears in a state of nudity or displays "specified anatomical areas" is provided for money or any form of consideration to be observed, sketched, drawn, painted, sculpted, photographed, or similarly depicted by other means. The definition of "nude model studio" does not apply to:

- (1) a college, junior college or university supported entirely or partly by taxation;
- (2) a private college or university which maintains and operates educational programs in which credits are transferable to a college, junior college or university supported entirely or partly by taxation; or
- (3) a business located in a structure which has no sign visible from the exterior of the structure and no other advertising that indicates a nude person is available for viewing; and where, in order to participate in a class a student must enroll at least 3 days in advance of the class; and where no more than one nude model is on the premises at any one time.

Sexual Encounter establishment: A business or commercial establishment, that as one of its primary business purposes offers, for any form of consideration, a place where two or more persons may congregate, associate or consort for the purpose of "specified sexual activities" or the exposure of "specified anatomical areas" or activities when one or more of the persons is in a state of nudity. An adult motel will not be classified as a sexual encounter establishment by virtue of the fact that it offers private rooms to rent.

Shopping Center: A grouping of retail business or service uses on a single site with common parking facilities and open space.

Sign: Any display or object regardless of form or material used to identify or display information about or direct or attract attention to a person, institution, organization, business, product, event, location or otherwise by any means. *(Amended 2/11/14)*

Sign, Banner: Any sign with or without characters, letters, illustrations, or ornamentation applied to cloth, paper, flexible plastic, or fabric of any kind with only such material for backing. *(Amended 2/11/14)*

Sign, Billboard: Any sign which directs attention to a business, activity, commodity, service, entertainment, or communication which is not conducted, sold, or offered at the premises on which the sign is located, or which does not pertain to the premises upon which the sign is located. *(Amended 2/11/14)*

Sign, Canopy: Any sign painted, permanently attached to, or constructed underneath a canopy. *(Amended 2/11/14)*

Sign, Directory: Any sign directing or guiding vehicular or pedestrian traffic to identified locations or businesses on the property. *(Amended 2/11/14)*

Sign, Electronic Message: Any sign with a fixed or changing message composed of a series of lights that may be changed through electronic means. *(Amended 2/11/14)*

Sign, Freestanding: Any sign which is permanently affixed in or upon the ground, supported by one (1) or more structural members and not attached to or dependent for support from any building. *(Amended 2/11/14)*

Sign, Height: The vertical distance from the lowest adjacent grade to the highest point of the sign or sign structure. *(Amended 2/11/14)*

Sign, Informational: A temporary, noncommercial sign of which the sole purpose is to convey information with respect to the premise or site on which it is located, or a sign expressing a thought, opinion, or viewpoint. Examples may include signs such as: for sale, for lease, garage sale, model home, construction, campaign, etc. *(Amended 2/11/14)*

Sign, Private Notification: A written or printed notice, announcement, or warning located on private property. Examples may include signs such as: no trespassing, no parking, no solicitation, etc. *(Amended 2/11/14)*

Sign, Temporary: Any sign generally intended and designed for installation in a simple and non-permanent manner and constructed of cloth, canvas, fabric, metal, plywood, or other material and displayed for an event of a non-recurring nature. *(Amended 2/11/14)*

Sign, Vehicle: Any sign permanently or temporarily attached to or placed on an operable vehicle actively used for conducting a business operation or service. *(Amended 2/11/14)*

Sign, Wall: Any sign attached to or painted on the wall or surface of a building or structure in such a manner that the wall is the supporting structure for or forms the background surface of the sign. *(Amended 2/11/14)*

Sign, Way-Finding: Any sign that directs vehicular or pedestrian traffic onto the property or towards parking or other identified locations on the property. *(Amended 2/11/14)*

Sign, Window: Any sign posted, painted, placed, or affixed in or on a window exposed to public view. An interior sign that faces a window exposed to public view and located within three (3) feet of the window is considered a window sign, but excludes merchandise in a window display. *(Amended 2/11/14)*

Site Improvement Plan: The plans and supplemental materials, including a grading and drainage plan, a landscape plan and other detailed information, drawn and submitted in accordance with this Resolution.

Snowmobile: A self-propelled vehicle primarily designed or altered for travel on snow or ice when supported in part by skis, belts, or cleats and designed primarily for use off the public highways, excluding machinery used strictly for the grooming of snowmobile trails or ski slopes. *[\\$25-12-102(9), C.R.S.]*

Staff: Douglas County employees with a role in reviewing or administering the provisions contained herein.

Stealth or Faux Design: A personal wireless communication facility or element thereof, that is disguised, camouflaged, hidden or incorporated into an existing or proposed structure or placed within an existing or proposed structure so as to minimize or eliminate its visibility from off site.

Street: Land intended primarily for vehicular traffic and providing the principal means of access to property, including a road, lane, drive, avenue, highway, boulevard, or any other thoroughfare other than a driveway.

Regional/Major Arterial - A street or highway significant to the region serving the major centers of activity which carries the major portion of the trips entering and leaving an urban area, as well as, the majority of through movements desiring to bypass towns or neighborhoods.

Minor Arterial - A street, that interconnects with and augments the regional arterial system, which distributes travel to geographic areas smaller than those identified with the regional/major arterial system and provides intracommunity continuity, but ideally should not penetrate identifiable neighborhoods.

Collector - A street which distributes trips from the arterial to the ultimate destination. The collector system provides both land access service and local traffic movement within residential neighborhoods, commercial areas and industrial areas.

Local - A street which provides direct access to abutting land and access to the arterial and collector road network. Service to through traffic movement usually is deliberately discouraged.

NOTE: For identification of these types of roads within the County refer to the Douglas County Transportation Plan.

Street, Private: A privately owned access way generally constructed to County specifications and not maintained by the County.

Street, Public: All public property reserved or dedicated for vehicular traffic constructed in compliance with the Douglas County Roadway Design and Construction Standards and the Douglas County Storm Drainage Design and Technical Criteria manual.

Structure: Anything constructed or erected in, under, over or upon the land, or attached to something in, under, over, or upon the land, but excluding therefrom walks, patios, off-street parking areas, fences and walls, and electrical distribution, natural gas or water and sewer lines.

Permanent - That which is built in such a manner, that it would reasonably be expected to last and remain useful for more than 5 years.

Temporary - A structure that is not a permanent structure, or one that is constructed for a special purpose in contemplation of removal upon accomplishment of such. Temporary shall mean a period of 6 months.

Subject Land: Real property which is the subject of the regulations set forth in this Resolution.

Support Tower: A vertical, ground-mounted structure designed and engineered for the purpose of supporting antennas for the transmission and/or reception of radio signals.

Lattice Tower: A self-supporting tower with multiple legs and cross bracing designed to support antennas.

Monopole: A self-supporting tower consisting of a single support of wood, metal or concrete designed to support antennas.

Guyed Tower: A tower designed to support antennas and requiring guy wires for stability.

Swimming Pool: Any structure intended for swimming or recreational bathing capable of containing water greater than 24 inches in depth. This includes in-ground, above-ground, and on-ground swimming pools, hot tubs, and spas. Any fencing required in association with such structure shall be permanently affixed to the ground. *(Amended 12/18/12)*

Telecommunications Facility: A facility and all elements thereof, including but not limited to support towers, antennas, and accessory equipment buildings, that together facilitate communication by the electronic transmission of telephone, radio, television, internet, wireless, or microwave impulses of an FCC licensed carrier, but excluding those used exclusively for private radio and television reception, private citizen's band, amateur radio communications.

Personal wireless communication facilities that exceed the height requirements provided for by this Zoning Resolution shall be considered telecommunication facilities and therefore subject to all applicable provisions.

Temporary Emergency Shelter: A facility used on a temporary basis for the purpose of housing individuals or families affected by disasters or emergency situations.

Townhome: An individual dwelling unit situated on 1 lot but attached to 1 or more similar dwelling units by a common wall or party wall. Where such a unit is attached to another, the property line shall be the center of the common wall or party wall. The owner of a townhome unit may have an undivided interest in common areas and elements appurtenant to such units.

Training: To coach or instruct an individual in a specific general area of equine expertise, or to physically condition a horse to be ridden, handled, or to perform upon command.

Urban: Urban areas as defined in the Douglas County Comprehensive Master Plan.

Utility - Major Facility:

- Pipelines and storage areas of utilities providing natural gas or petroleum derivatives;
- Appurtenance: A use or structure which is incidental and subordinate to, and devoted to the Utility-Major Facility;
- Power Plant: Any electrical energy generating facility with an energy generation capacity of 50 megawatts or more, and Appurtenance(s);
- Substation: Any facility designed to provide switching, voltage, transformation, or voltage control required for the transmission of electricity exceeding 115 kilovolts (kV);
- Transmission Lines: Any electric transmission line and Appurtenance(s) which emanate from a power plant or a substation and terminate at a substation and which are designed for or capable of, the transmission of electricity exceeding 115 kV;
- Wastewater Treatment Facility: A facility or system for treating, neutralizing, stabilizing, or disposing of domestic wastewater, which facility or system has a designed capacity to receive more than two thousand (2,000) gallons per day of domestic wastewater. The term Wastewater Treatment Facility also includes Appurtenance(s) to such system or facility, such as outfall sewers and equipment related to such Appurtenances;

- **Water Storage/Treatment Facility:** A facility used for water storage with a designed capacity of 300,000 gallons or more and/or treatment, except wellhead disinfection, of 10,000 gallons per day or more; and/or a Major Reservoir; and/or facilities and/or structures for the export of water outside the County; including, but not limited to, water diversion structures, headgates, forebays; and all associated Appurtenances. Water storage tanks must be buried, unless this requirement is waived by the Director due to geological/topographical conditions that would prevent burial.

Utility Service Facility: Any Neighborhood Substation, Personal Wireless Communication Facility, Water Storage/Treatment Facility:

- **Neighborhood Substation:** Any facility used for the purpose of reducing voltages to levels of 115 kV, or less, for distribution to individual users;
- **Personal Wireless Communication Facility:** Any unstaffed facility for the transmission and/or reception of voice, data and paging signals consisting of one or more of the following elements: antennas, support towers, or accessory equipment buildings or structures;
- **Water Storage/Treatment Facility:** A facility used for water storage with a designed capacity of less than 300,000 gallons and/or treatment of less than 10,000 gallons per day. Water storage tanks must be buried, unless this requirement is waived by the Director due to geological/topographical conditions that would prevent burial.

Value-Added Agricultural Processing: The processing and/or packaging of Agricultural Products, for which the primary ingredient is raised or grown on the site. Value-added Processing may include the sales of Value-Added Agricultural Products produced on the site. Value-added Agricultural Processing does not include processing Agricultural Products into fuels, lubricants, paints, varnishes, or the like. *(Amended 1/28/14)*

Value-Added Agricultural Product: A product processed by an Agricultural Producer from an Agricultural Product, such as baked goods, jams, jellies, and leather or woolen goods. *(Amended 1/28/14)*

Variance: A grant of relief from certain provisions of this Resolution, as provided in and limited by the Variance section of this Resolution.

Veterinary Clinic/Hospital: A structure where animals are brought for medical or surgical treatment and may be held during the time of treatment and recuperation. Overnight, indoor boarding may be permitted as an accessory use only. Outdoor holding facilities are prohibited in connection with the accessory use.

Warehouse: A building, or portion thereof, for storing goods, wares and merchandise for the owner or for others.

Wastewater Facilities: Structures or systems designed for the collection, transmission, treatment or disposal of sewage and includes trunk mains, interceptors, and treatment

plants, including package treatment plant and disposal system and on-site septic systems.

Water Facilities: Systems or structures designed to collect, treat, or distribute potable water, and includes water wells, treatment plants, and storage facilities.

Water and Sewer Facilities - Public: Facilities of a municipality, public utility, nonprofit corporation, sanitation or water or other special district, that are constructed, operated or maintained to provide water or sewer service.

Watercourse: A channel, natural depression, slough, artificial channel, gulch, arroyo, stream, creek, pond, reservoir or lake in which storm runoff and flood water flows either regularly or intermittently, including major drainageways for carrying urban storm runoff.

Wholesale Business: A business use characterized by the selling of tangible goods/merchandise or intangibles/services directly to the retailer or contractor or the assembly or manufacturing of products.

Wind Energy Conversion System: Any mechanism including blades, rotors or other moving surfaces designed for the purpose of converting wind energy into mechanical or electrical power. Towers, tower bases, guy wires and any other structures necessary for the installation of small wind energy conversion systems are also included. A large-scale system designed for the generation of commercial power shall be considered a major utility facility for purposes of this Resolution.

Yard: In this Resolution the term yard is not used, as such term represents a distance that is established in a like manner as that of a setback.

Youth-Oriented Agricultural Activities: Special activities oriented toward children and held for educational, instructional or recreational purposes, including but not limited to: 4-H, pony club, Little Britches.

Zero Lot Line: The location of a structure on a lot in such a manner that one or more of the structure's sides rest directly on a lot line with no easement or setback requirement including two adjoining structures on separate lots sharing a common wall.

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