

ARTICLE IV

DISTRICT REGULATIONS

SECTION 400 – APPLICATION

Except as hereinafter provided in this section or by a variance granted by the Board of Zoning Adjustments:

1. No land shall be used or occupied unless the use conforms to the provisions of this Resolution.
2. No building or structure shall be erected, moved, or structurally altered within an urban development boundary established by an adopted master plan in the unincorporated area of the County unless a building permit has been issued by the County Building Inspector; and no permit shall be issued unless the proposed building or structure is in full conformance with the adopted County Building Codes and this Resolution. Outside of the urban development boundaries, the same building permit requirements shall apply, excluding buildings or structures used for private residential purposes or for the purpose of providing shelter for agricultural implements, farm products, livestock or poultry. Notwithstanding the foregoing exclusions; mechanical (excluding free standing wood and coal stoves, fireplace inserts and furnaces fired by natural gas) plumbing and electrical permits shall be required for all buildings or structures erected, moved, or structurally altered within the unincorporated area of the County. All Building Permits shall be filed with the County Building Inspector and shall be available for examination by the public. (Amended 12/10/85)
3. No building or structure shall hereinafter be erected or altered:
 - (a) to exceed the height;
 - (b) to accommodate or house a larger number of families; or
 - (c) to have a narrower or smaller rear yard, front yard, side yard, or other open space, than is herein permitted in the district in which the building or structure is located.
4. No part of a yard or loading area, or open space needed by a building or structure to meet the requirements of this Resolution may be included in whole or part in meeting the requirements of any other building or structure.
5. No yards or lots existing at the time of the adoption of this Resolution shall hereinafter be reduced below the minimum dimensions or areas required by this Resolution.

SECTION 405 - CRITERIA

Permitted, conditional, temporary and accessory uses are listed for each district. The following criteria for each type of use shall apply:

SECTION 405.1 - PERMITTED USES

The listed uses are the principal use-by-right in the districts in which they are enumerated.

SECTION 405.2 - ACCESSORY USES

The listed uses are permitted in each district in which they are enumerated, provided that they are identical to and on the same premises as a permitted use.

SECTION 405.3 - CONDITIONAL USES. (Amended 8/31/84)

The listed uses are permitted in the district in which they are enumerated, provided that a Conditional Use Application has been approved and the permittee continues to abide by the conditions specified in the application. The approved application shall list those conditions and

requirements determined to be necessary to protect the health, safety and welfare of the inhabitants of the area and the County.

The Planning Commission and the Board of County Commissioners shall consider the following in making their determination in approving or denying a Conditional Use Application:

1. Compatibility with existing uses in the area.
2. Physical separation from similar or dissimilar uses on the same property.
3. Impact on traffic volume and safety.
4. Impact on utilities and sanitary facilities.
5. Impact upon the established character of the neighborhood or the zone district.
6. Conformance with the property development standards of the district.
7. Production of any offensive noise, vibration, smoke, dust, odors, heat, glare, or unsightly aspects at or beyond the property line.
8. Interference with airport approach zones or with electronic transmissions.
9. Scarring of the land and soil which would leave denuded slopes, soil piles, holes or pits, or ruined areas of natural beauty, without recourse to a reclamation plan and a performance bond sufficient to guarantee reclamation of the land.

The denial of a Conditional Use Application shall be based upon a finding that one or more of the foregoing concerns constitute a significant adverse effect and cannot be reasonably mitigated by a specific condition, restriction, or requirement. An approved Conditional Use Application will normally run with the land and without time limitation, unless specifically noted otherwise.

Conditional Use Applications shall be reviewed by the Planning Commission for recommendation to the Board of County Commissioners. At least 15 days prior to the date of hearing before the Board of County Commissioners, notice shall be sent by letter to the owners of the subject property and to all owners of property adjacent to the boundaries of the proposed conditional use, as shown on the last preceding tax roll, indicating the date of hearing, the boundaries of the subject property, and a description of the proposed conditional use. A "Certificate of Mailing by Regular Mail" shall be filed with the County Clerk as evidence that said noticing was completed in conformance with this section. Errors in the giving of notice, or the failure of any person to receive notice, shall not invalidate any proceedings requiring notice. Mobile home applications and home occupations conducted within an area not exceeding 150 square feet are excepted from this noticing requirement.

The Planning Director is authorized to review and approve Conditional Use Applications for mobile homes, home occupations conducted within an area not exceeding 150 square feet, and seismic exploration projects. The Director shall notify the Planning commission of all applications thus approved and shall refer those applications he considers of special concern to the Planning Commission and/or Board of County Commissioners for their review and determination. (Amended 8/31/84)

SECTION 405.4 - TEMPORARY USES

Upon application to the County Planning Department a Temporary Use Permit may be issued by the Planning Director for the listed temporary uses in each district for the specified periods of time unless, in the opinion of the Planning Director, special conditions exist that would warrant further review and approval by the Planning Commission and/or the Board of County Commissioners. Such permits shall be valid only for the period of time specified and only 2 renewals of the Temporary Use Permit may be granted. Failure to terminate such temporary use by the specified time shall be considered a misdemeanor and is punishable under Section 520.2 of this Resolution.

SECTION 410 – “A” – AGRICULTURE DISTRICT

The "A" District is intended to be an exclusive district for agriculture and those other related uses which are a necessary and integral part of the agricultural operation. This District is intended to protect the agricultural community from encroachment of non-agricultural uses which, by their nature, would be injurious to the physical and economic well-being of agriculture.

The minimum lot size that may be created within the "A" District shall be 5 acres. All regulations of this District are deemed necessary for the protection of agriculture and for the securing of the health, safety and general welfare of the residents.

SECTION 410.1 - PERMITTED USES

The following uses shall be permitted in the "A" District. All uses shall be subject to the Property Development Standards in Section 410.5.

1. Farming, forestry, agriculture and related buildings, structures and uses.
2. Confined or intensified agriculture.
3. Dairy or feed lot.
4. Single family residence.
5. Multi-family residence/communal.
6. Child care facility for no more than 4 children.
7. Church and Sunday School.
8. Sale of products that are raised, produced and processed on the premises.
9. Stable and riding academy.
10. Exploratory drilling, production drilling or monitoring well drilling for a mineral resource, excluding seismograph exploration, in accordance with the noticing provisions of Section 485-7. (Amended 8/18/83)
11. Mobile Home, if located outside of the urban development boundaries established by an adopted master plan in the unincorporated area of the County. (Amended 12/10/85)
12. Such other uses as the Director may classify as consistent with the provisions of Section 410 and those uses already listed as permitted uses in this District. The Director's classification shall be administered in accordance with Section 605.

SECTION 410.2 - PERMITTED ACCESSORY USES

The following uses shall be permitted in the "A" District:

1. Accessory buildings, structures or uses which are in addition to and in conjunction with any permitted use or approved conditional use in the District.
2. The storage of automobiles, recreational vehicles, trucks and agricultural equipment, including hazardous commercial vehicles, for use in conjunction with any permitted use or approved conditional use in the District. (Amended 8/18/83)
3. Solar collector designed to supply energy for use on the premises.
4. Wind generator designed to supply energy for use on the premises.
5. Aircraft landing strip. Such use shall be located in minimum of 200 feet from any exterior property line, shall be approved for airspace clearance and designated as a "private non-public use (R) airfield" by the Federal Aviation Administration, and shall be for the private noncommercial use of the owner(s) or lessee(s) of the property upon which the facility is located. Such use may include buildings erected for aircraft storage and servicing. (Amended 8/31/84)

SECTION 410.3 - CONDITIONAL USES

The following uses may be permitted in the "A" District, subject to a Conditional Use Permit, as provided for in section 405.3:

1. Cemetery and crematorium.
2. Licensed child care facility for 5 or more children.
3. Fur farm, veterinarian office and hospital, and boarding kennel.
4. Garage for the storage, maintenance and repair of public vehicles. Such vehicles must be for the exclusive use of a municipality, county, state, or federal government, or a subdivision thereof.
5. Medium security correctional facility. (Amended 2/29/84)
6. Bed & Breakfast Inn, in accordance with the conditions and provisions of Section 485.9.
7. Golf Course, country club, riding club or gun club.
8. Home Occupation. (Amended 7/30/93)
9. Hospital or similar institution
10. Junk yard, including auto wrecking, when surrounded by an 8 foot screening fence. (Amended 8/18/83)
11. Logging.
12. Mineral or natural resource exploration, extraction and associated facilities, but excluding exploratory or production drilling and minor exploratory excavations. Drilling operations shall be permitted in accordance with Section 485-7.
13. Mobile home, if located within an urban development boundary established by an adopted master plan in the unincorporated area of the County. (Amended 12/10/85)
14. Non-agricultural buildings not in conformance with the County's Building Code.
15. Nursing home or rest home.
16. Park and playground.
17. Public buildings, as defined in this Resolution. (Amended 8/18/83)
18. Public recreation areas and facilities.
19. Public safety facilities, as defined in this Resolution. (Amended 8/18/85)
20. Public utilities, as defined in this Resolution.
21. Radio and television transmitting and receiving station and tower.
22. Retail convenience store, only to serve surrounding agriculture, residential, or recreational uses, including the retail sale of gasoline and oil products.
23. School.
24. Sewage disposal plant, water treatment plant, or waste disposal site.
25. Travel trailer park, developed in accordance with the County Subdivision Regulations.
26. Aircraft landing strip. Such use shall be located a minimum of 200 feet from any exterior property line, shall be approved for airspace clearance and designated as a "private non-public use (R) airfield" by the Federal Aviation Administration, and shall be for the private use of the owner(s) or lessee(s) of the property upon which the facility is located. Such use may include buildings erected for aircraft storage and servicing and may include commercial uses. (Amended 8/31/84)
27. Utility Airport. Such use shall be located on property sufficient to meet the design criteria established by the Federal Aviation Administration for utility airports and shall be designed by a registered engineer experienced in airport design. Utility airports may be designated for private non-public use or for public use, and may include commercial uses. (Amended 8/31/84)
28. Such other uses as the Director may classify as consistent with the provisions of Section 410 and those uses already listed as conditional uses in this District. The Director's classification shall be administered in accordance with Section 605.

29. Restaurant, bar, convenience store, service station, motel, cabins, travel trailer park, and campgrounds, when such facilities are clearly intended to serve the traveling public or short-term recreational uses and when such uses are located in an area isolated from any potentially conflicting residential or agricultural uses. Director's classification 7/14/86

SECTION 410.4 - TEMPORARY USES

The following uses may be permitted in the "A" District on a temporary basis, subject to the time limits specified:

1. Construction office and yard incidental to construction on the premises. Time limit: 12 months
2. Carnival, circus, bazaar, or fair. Time limit: 2 weeks
3. Tent meeting or crusade. Time limit: 2 weeks
4. Parking for another temporary use. Time limit: same as temporary use for which it is required.
5. Concrete or asphalt batching plant. Time limit: 6 months. (Amended 5/30/86)
6. Signs erected only for political campaigns. Time limit: 2 months
7. Building or use, not otherwise in violation of this Zoning Resolution or State and County Health and safety Regulations, established to conduct business for an interim period while plans are finalized and permits sought for a permanent use. Time limit: 6 months. (Amended 5/30/86)
8. Dwellings, not otherwise in violation of this Zoning Resolution or State and County Health Safety Regulations, erected to provide temporary shelter for workers employed at a temporary work site. Time limit: 12 months. (Amended 5/30/86)

SECTION 410.5 - PROPERTY DEVELOPMENT STANDARDS

The following property development standards shall apply to all land and structures in the "A" District:

1. Lot Size:

Each lot or parcel hereafter created shall have a minimum net area of 5 acres. A non-conforming lot or parcel of record under separate ownership at the time it became non-conforming may be used or occupied by any use permitted in this District. An existing parcel of land under one ownership, when both portions of the parcel are substandard as to lot size, shall be considered as 2 separate lots under the provisions of this Section. The restrictions of this Section pertaining to creating a parcel of land less than 5 acres in net area shall not apply to divisions of land by succession, will, partition, proceedings, sale on execution, or other division by operation of law.

2. Population Density:

One dwelling may be constructed or placed on each parcel, except that additional dwellings may be permitted, subject to approval of a Conditional Use Permit. (Amended 8/31/87)

3. Building Height:

No building hereafter erected in this District may exceed 35 feet in height. Non-dwelling structures, accessory farm buildings, flagpoles, chimneys, smokestacks, and radio and television masts are excepted, provided that the vertical height of the structure shall not exceed the horizontal distance from the structure to the nearest property line, utility easement or dwelling.

4. Building Floor Area:

Each dwelling intended for year round, permanent occupancy hereafter erected shall have a minimum floor area of 600 square feet. Dwelling units erected for the sole purpose of seasonal or recreational use shall be exempt from this requirement provided that the dwelling is less than 1200 square feet and not used more than 6 months out of the year, and there are no other protective

covenants to prevent such a structure. The requirements for running water, heat and a functional bathroom will also be exempted for seasonal or recreational structures provided that the property has a toilet facility, i.e. "Porta-John, composting toilet, approved outhouse or equivalent. (Amended 6/14/04 – Resolution# 2004-50)

5. Yards:

Yards are required to extend the full width or depth of the lot, as provided below:

a. Front Yard:

Each lot shall have front yard setbacks of not less than 30 feet, as measured from the street right-of-way line, or 60 feet as measured from the street center line, whichever is greater.

b. Side Yard:

Each lot shall have a side yard setback of not less than 10 feet from the property line for residential structures. For non-residential structures there is no side yard setback requirement.

c. Rear Yard:

Each lot shall have a rear yard setback of not less than 10 feet from the property line for residential structures. For non-residential structures, there is no rear yard setback requirement.

d. Accessory Buildings and Structures:

Accessory buildings and structures shall conform to the required yard setbacks.

e. Permitted Projections into Required Yards:

The following items and other similar architectural features may extend or project into a required yard not more than 6 inches for each required foot of yard setback:

- 1) Uncovered and unenclosed porches, patios and decks:
- 2) Open, unenclosed stairways or balconies not covered by a roof or canopy.

6. Fences, Hedges, Walls and Corrals:

Fences, hedges, walls and corrals shall be permitted on or within all rear, side and front property lines, providing that a clear field of view is not obstructed for vehicles traveling on public roads or entering from private access roads.

7. Off-Street Parking:

Off-street parking shall be provided sufficient to eliminate the parking of vehicles or equipment within the public right-of-way.

8. Outdoor Advertising:

Outdoor advertising may be permitted in accordance with the provisions of Section 475.

9. Non-Conforming Buildings and Uses:

Non-conforming buildings and uses shall be regulated in accordance with the provisions of Section 480.

10. General Conditions

Section 485-3, -4, -6 and -7 of the General Conditions applies in the Agricultural District.

SECTION 415 - "R-R" - RURAL RESIDENCE DISTRICT

The "R-R" District is intended to create or preserve rural or large lot residential home sites where a limited range of agricultural activities may be conducted. The "R-R" District is intended to be applied in areas where each lot has direct access to a dedicated public right-of-way.

The minimum lot size that may be created within the "R-R" District shall be 3 acres where individual water and septic systems are provided; 2 acres where a community water or sewage system is provided; and 1 acre where both community water and sewage systems are provided.

All regulations for this District are deemed necessary for the protection of the quality of the residential environment and for the securing of the health, safety and general welfare of the residents.

SECTION 415.1 - PERMITTED USES

The following uses shall be permitted in the "R-R" District. All uses shall be subject to the Property Development Standards in Section 415.5.

1. Single family residence.
2. Farming and truck gardening.
3. Livestock and poultry for family use or consumption, but in no case for commercial purposes. Such uses shall not create a public health hazard.(Amended 8/18/83)
4. Child care facility for no more than 4 children.
5. Exploratory drilling, production drilling or monitoring well drilling for a mineral resource, excluding seismograph exploration, in accordance with noticing provisions of Section 485-7. (Amended 8/18/83)
6. Such other uses as the Director may classify as consistent with the provisions of Section 415 and those uses already listed as permitted uses in this District. The Director's classification shall be administered in accordance with Section 605.
7. Mobile Home, if located outside of the urban development boundaries established by an adopted master plan in the unincorporated area of the County. (Amended 12/10/85)

SECTION 415.2 - PERMITTED ACCESSORY USES

The following accessory uses are permitted in the "R-R" District, subject to the property Development Standards in Section 415.5:

1. Any accessory building, structure or use which is in addition to and in conjunction with any permitted use or approved conditional use in the District.
2. The storage of automobiles, light trucks, recreational vehicles, and one non-hazardous commercial vehicle, for use in conjunction with any permitted use or approved conditional use in the District. (Amended 8/18/83)
3. Solar collector designed to supply energy for use on the premises.

SECTION 415.3 - CONDITIONAL USES

The following uses may be permitted in the "R-R" District, subject to a Conditional Use Permit, as provided for in Section 405.3:

1. Church and Sunday School.
2. Licensed child care facility for 5 or more children.
3. Golf course and country club.
4. Home Occupation. (Amended 7/30/93)
5. Hospital or similar institution.

6. Mineral or natural resource exploration, extraction and associated facilities, but excluding exploratory or production drilling and minor exploratory excavations. Drilling operations shall be permitted in accordance with Section 485-7.
7. Mobile Home, if located within an urban development boundary established by an adopted master plan in the unincorporated area of the County. (Amended 12/10/85)
8. Park and playground.
9. Private club, fraternity or lodge, except those of which the chief activity is a service customarily performed as a business.
10. Public building, as defined in this Resolution.
11. Public safety facility, as defined in this Resolution.
12. Public utility, as defined in this Resolution.
13. Planned unity development (PUD), developed in accordance with the provisions of Section 485-2.
14. School.
15. Wind generator or other energy collection device in excess of 35 feet in height, and designed to supply energy for use on the premises.
16. Travel trailer parks, developed in accordance with Moffat County Subdivision Regulations.
17. Such other uses as the Director may classify as consistent with the provisions of Section 415 and those uses already listed as conditional uses in this District. The Director's classification shall be administered in accordance with Section 605.

SECTION 415.4 - TEMPORARY USES

The following uses may be permitted in the "R-R" District on a temporary basis, subject to the time limits specified:

1. Construction office and yard incidental to construction on the premises. Time limit: 12 months.
2. Parking for another temporary use. Time limit: Same as temporary use for which it is required.
3. Signs erected for political campaigns. Time limit: 2 months.

SECTION 415.5 - PROPERTY DEVELOPMENT STANDARDS

The following property development standards shall apply to all land and structures in the "R-R" District:

1. Lot Size

Each lot or parcel hereafter created shall abut a dedicated public right-of-way constructed to County standards, and shall have a minimum net area of 3 acres with individual water and septic, 2 acres with community water or sewer, or 1 acre with community water and sewer. The minimum lot width shall be 150 feet for 3-acre lots, 100 feet for 2-acre lots, or 60 feet for 1-acre lots.

A non-conforming lot or parcel of record under separate ownership at the time it became non-conforming may be used for or occupied by any use permitted in this District.

2. Population Density

One dwelling may be constructed or placed on each lot, except that additional dwellings may be permitted, subject to approval of a Conditional Use Permit. (Amended 8/31/87)

3. Building Height

No building or structure hereafter erected in this District shall exceed 35 feet in height. Flagpoles, chimneys, smokestacks, and radio and television masts are excepted, provided that the vertical height of a structure may not exceed the horizontal distance from the structure to the nearest property line, utility easement or dwelling.

4. Building Floor Area

Each dwelling intended for year round, permanent occupancy hereafter erected shall have a minimum floor area of 600 square feet. Dwelling units erected for the sole purpose of seasonal or recreational use shall be exempt from this requirement provided that the dwelling is less than 1200 square feet and not used more than 6 months out of the year, and there are no other protective covenants to prevent such a structure. The requirements for running water, heat and a functional bathroom will also be exempted for seasonal or recreational structures provided that the property has a toilet facility, i.e. "Porta-John, composting toilet, approved outhouse or equivalent. (Amended 6/14/04 – Resolution# 2004-50)

5. Yards

Yards are required to extend the full width or depth of the lot, as provided below:

a. Front Yard

Each lot shall have a front yard setback of not less than 30 feet, as measured from the street right-of-way, or 60 feet as measured from the street center line, whichever is greater.

b. Side Yard

Each lot shall have a side yard setback of not less than 10 feet from the property line.

c. Rear Yard

Each lot shall have a rear yard setback of not less than 10 feet from the property line.

d. Accessory Buildings and Structures

Accessory buildings and structures shall conform to the required yard setbacks.

e. Permitted Projections into Required Yards

The following items and other similar architectural features may extend or project into a required yard not more than 6 inches for each required foot of yard setback:

- (1) Uncovered and unenclosed porches, patios and decks;
- (2) Open, unenclosed stairways or balconies not covered by a roof or canopy.

f. Corner Lots

The side adjacent to the street shall have the same setback as the front yard.

No solid fence, wall, tree, hedge or shrubbery over 3 feet in height shall be permitted within the triangular area of a corner lot formed by two lines extending 15 feet from the corner along the front and side property lines and a connecting diagonal line measuring 21.2 feet long, in order to provide a clear field of view of crossing traffic for vehicles negotiating the intersection. (Amended 8/18/83)

6. Fences, Hedges, Walls and Corrals

Fences, hedges, walls and corrals shall be permitted on or within all rear, side, and front property lines, providing that a clear field of view is not obstructed for vehicles traveling on public roads or entering from private access roads.

7. Off-Street Parking

Two parking spaces are required per dwelling unit. Additional off-street parking shall be provided sufficient to eliminate the parking of vehicles or equipment within the public right-of-way.

8. Outdoor Advertising

Outdoor advertising may be permitted in accordance with the provisions of Section 475.

9. Non-Conforming Buildings and Uses

Non-conforming buildings and uses shall be regulated in accordance with the provisions in section 480.

10. General Conditions

General conditions, as provided in Section 485, shall apply to the "R-R" District.

SECTION 416 "R-C" - RURAL COMMUNITY DISTRICT

The "R-C" District is intended to create or preserve semi-rural residential homesites on lots not less than 8,000 square feet in areas where a limited range of agricultural activities may be conducted. The District is intended for rural population centers where a variety of residential uses are desired, but at densities less intensive than in urban areas. The District is intended to be applied in areas where each lot abuts a dedicated right-of-way and where a community water or sewage system is provided. All regulations for this District are deemed necessary for the protection of the quality of the residential environment and for the securing of the health, safety and general welfare of the residents.

SECTION 416.1 - PERMITTED USES

The following uses shall be permitted in the "R-C" District. All uses shall be subject to the Property Development Standards in Section 416.5.

1. Single family residence.
2. Single family residence/attached.
3. Multi-family residence.
4. Farming and truck gardening.
5. Livestock and poultry for family use or consumption, but in no case for commercial purposes. Such uses shall not create a public health hazard.
6. Child care facility for no more than 4 children.
7. Exploratory drilling, production drilling, or monitoring well drilling for a mineral resource, excluding seismograph exploration, in accordance with the noticing provisions of Section 485-7. (Amended 8/18/83)
8. Such other uses as the Director may classify as consistent with the provisions of Section 416 and those uses already listed as permitted uses in this District. The Director's classification shall be administered in accordance with Section 605.

SECTION 416.2 - PERMITTED ACCESSORY USES

The following accessory uses are permitted in the "R-C" District, subject to the Property Development Standards in Section 416.5:

1. Any accessory building, structure or use which is in addition to and in conjunction with any permitted use or approved conditional use in the District.
2. The storage of automobiles, light trucks, recreational vehicles, and one non-hazardous commercial vehicle, for use in conjunction with any permitted use or approved conditional use in the District.
3. Solar collector designed to supply energy for use on the premises.

SECTION 416.3 - CONDITIONAL USES

The following uses may be permitted in the "R-C" District, subject to a Conditional Use Permit, as provided for in Section 405.3:

1. Church and Sunday School.
2. Licensed child care facility for 5 or more children.
3. Golf course and country club.
4. Home Occupation. (Amended 7/30/93)
5. Hospital or similar institution.
6. Mineral or natural resource exploration, extraction and associated facilities, but excluding exploratory or production drilling and minor exploratory excavations. Drilling operations shall be permitted in accordance with Section 485-7.
7. Mobile home, providing that the owner of the mobile home owns the lot on which it is placed. Director's Classification 9/14/84)
8. Park and playground.
9. Private club, fraternity or lodge, except those of which the chief activity is a service customarily performed as a business.
10. Public building, as defined in this Resolution.
11. Public safety facility, as defined in this Resolution.
12. Public utility, as defined in this Resolution.
13. Planned unit development (PUD), developed in accordance with the provisions of Section 485-2.
14. School.
15. Wind generator or other energy collection device in excess of 35 feet in height, and designed to supply energy for use on the premises.
16. Such other uses as the Director may classify as consistent with the provisions of Section 416 and those uses already listed as conditional uses in this District. The Director's classification shall be administered in accordance with Section 605.

SECTION 416.4 - TEMPORARY USES

The following uses may be permitted in the "R-C" District on a temporary basis, subject to the time limits specified:

1. Construction office and yard incidental to construction on the premises. Time limit: 12 months
2. Parking for another temporary use. Time limit: Same as temporary use for which it is required.
3. Signs erected for political campaigns. Time limit: 2 months

SECTION 416.5 - PROPERTY DEVELOPMENT STANDARDS

The following property development standards shall apply to all land and structures in the "R-C" District:

1. Lot Size

Each lot or parcel hereafter created shall abut a dedicated public right-of-way constructed to County standards, and shall have a minimum net area of 8,000 square feet. Community water or sewer service is required. The minimum lot width shall be 50 feet. Within existing platted townsites the minimum lot area shall be 6,000 square feet.

A non-conforming lot or parcel of record under separate ownership at the time it became non-conforming may be used for or occupied by any use permitted in this District.

2. Population Density

One dwelling may be constructed or placed on each 4,500 square feet of net lot area.

3. Building Height

No building or structure hereafter erected in this District shall exceed 35 feet in height.

Flagpoles, chimneys, smokestacks, and radio and television masts are excepted, provided that the vertical height of a structure may not exceed the horizontal distance from the structure to the nearest property line, utility easement or dwelling.

4. Building Floor Area

Each dwelling hereafter erected or constructed in this District shall have a minimum floor area of 600 square feet. Each dwelling unit hereafter erected or constructed shall have a minimum floor area of 220 square feet.

5. Yards

Yards are required to extend the full width or depth of the lot, as provided below:

a. Front Yard

Each lot shall have a front yard setback of not less than 20 feet, as measured from the street right-of-way, or 50 feet as measured from the street center line, whichever is greater.

b. Side Yard

Each lot shall have a side yard setback of not less than 5 feet from the property line.

c. Rear Yard

Each lot shall have a rear yard setback of not less than 15 feet from the property line or 5 feet from a dedicated alley..

d. Accessory Buildings and Structures

Accessory buildings and structures located 70 feet or more from the front property line may be located on the side or rear property line or 5 feet from a dedicated alley.

e. Permitted Projections into Required Yards

The following items and other similar architectural features may extend or project into a required yard not more than 6 inches for each required foot of yard setback:

- 1) Uncovered and unenclosed porches, patios and decks;
- 2) Open, unenclosed stairways or balconies not covered by a roof or canopy.

f. Corner Lots

The side adjacent to the street shall have the same setback as the front yard.

No solid fence, wall, tree, hedge or shrubbery over 3 feet in height shall be permitted within the triangular area of a corner lot formed by two lines extending 15 feet from the corner along the front and side property lines and a connecting diagonal line measuring 21.2 feet long, in order to provide a clear field of view of crossing traffic for vehicles negotiating the intersection. (Amended 8/18/83)

6. Fences, Hedges, Walls and Corrals

Fences, hedges, walls and corrals shall be permitted on or within all rear, side, and front property lines, providing that a clear field of view is not obstructed for vehicles traveling on public roads or entering from private access roads.

7. Off-Street Parking

Two parking spaces are required per dwelling unit. Additional off-street parking shall be provided sufficient to eliminate the parking of vehicles or equipment within the public right-of-way.

8. Outdoor Advertising

Outdoor advertising may be permitted in accordance with the provisions of Section 475.

9. Non-Conforming Buildings and Uses

Non-conforming buildings and uses shall be regulated in accordance with the provisions in section 480.

10. General Conditions

General conditions, as provided in Section 485, shall apply to the "R-R" District.

SECTION 420 "R-1" - LOW DENSITY RESIDENTIAL DISTRICT

The "R-1" District is intended to provide for the development of single family residential homes at urban standards on lots not less than 6,000 square feet in area. Community water and sewer systems are required. All regulations for this District are deemed to be necessary for the protection of the quality of the residential environment and for the securing of the health, safety and general welfare of the residents.

SECTION 420.1 - PERMITTED USES

The following uses shall be permitted in the "R-1" District. All uses shall be subject to the Property Development Standards in Section 420.5.

1. Single family residence.
2. Child care facility for not more than 4 children.
3. Exploratory drilling, production drilling, or monitoring well drilling for a mineral resource, excluding seismograph exploration, in accordance with the noticing provisions of Section 485-7. (Amended 8/18/83)
4. Such other uses as the Director may classify as consistent with the provisions of Section 420 and those uses already listed as permitted uses in this District. The Director's Section 605.

SECTION 420.2 - PERMITTED ACCESSORY USES

The following accessory uses are permitted in the "R-1" District, subject to the Property Development Standards in Section 420.5:

1. Any accessory building, structure or use which is in addition to and in conjunction with any permitted use or approved conditional use in the District.
2. The storage of automobiles, light trucks, recreational vehicles, and one non-hazardous commercial vehicle, limited to 2 axles, for use in conjunction with any (Amended 8/18/83)
3. Solar collector designed to supply energy for use on the premises.

SECTION 420.3 - CONDITIONAL USES

The following uses may be permitted in the "R-1" District, subject to a Conditional Use Permit, as provided for in section 405.3:

1. Church and Sunday school.
2. Licensed child care facility for 5 or more children.

3. Golf course and country club.
4. Home occupation, in accordance with the conditions and provisions of section 485-8.(Amended 8/31/84)
5. Library.
6. Mineral or natural resource exploration, extraction and associated facilities, but excluding exploratory or production drilling and minor exploratory excavations. Drilling operations shall be permitted in accordance with Section 485-7.
7. Nursing home or rest home.
8. Park and playground.
9. Public buildings, as defined in this Resolution. (Amended 8/18/83)
10. Public safety facility, as defined in this Resolution.
11. Public utility, as defined in this Resolution.
12. Planned unit development (PUD), in accordance with the provisions of Section 485-2.
13. School.
14. Wind generator or other energy collection device in excess of 35 feet in height and designed to supply energy for use on the premises.
15. Such other uses as the Director may classify as consistent with the provisions of Section 420 and those uses already listed as conditional uses in this District. The Director's classification shall be administered in accordance with Section 605.

SECTION 420.4 - TEMPORARY USES

The following uses may be permitted in the "R-1" District on a temporary basis, subject to the time limits specified:

1. Construction office and yard incidental to construction on the premises. Time limit: 12 months.
2. Parking for another temporary use. Time limit: Same as temporary use for which it is required.
3. Signs erected for political campaigns. Time limit: 12 months

SECTION 420.5 - PROPERTY DEVELOPMENT STANDARDS

The following Property Development Standards shall apply to all land and structures in the "R-1" District:

1. Lot Size:

Each lot or parcel hereafter created shall abut a dedicated public right-of-way, constructed to County standards, and shall have a minimum net area of 6,000 square feet and a minimum lot width of 50 feet. A non-conforming lot or parcel of record under separate ownership at the time it became non-conforming may be used for or occupied by any use permitted in this District. A minimum net lot are of 5,000 square feet may be permitted in the zero-lot-ling portion of a development. (Amended 2/29/84)

2. Population Density

One dwelling may be constructed or placed on each lot.

3. Building Height

No building or structure hereafter erected in this District shall exceed 35 feet in height. Flagpoles, chimneys, smokestacks, and radio and television masts are excepted, provided that the vertical--height of a structure may not exceed the horizontal distance from the structure to the nearest property line, utility easement-or dwelling.

4. Building Floor Area

Each dwelling hereafter erected or constructed in this District shall have a minimum floor area of 600 square feet.

5. Yards

Yards are required to extend the full width or depth of the lot, as provided below:

a. Front Yard

Each lot shall have a front yard setback of not less than 25 feet, as measured from the street right-of-way line.

b. Side Yard

Each lot shall have a side yard setback of not less than 5 feet from the property line. Side yard setbacks of zero and 10 feet may be permitted in the zero-lot-line portion of a development, with appropriate subdivision development standards. (Amended 2/29/84)

c. Rear Yard

Each lot shall have a rear yard setback of not less than 15 feet from the property lines.

d. Accessory Buildings and Structures

Accessory buildings and structures located 70 feet or more from the front property line may be located on the side or rear property line or 5 feet from a dedicated alley.

e. Permitted Projections into Front Yards

The following items and other similar architectural features may extend or project into a required yard not more than 6 inches for each required foot of yard setback:

- 1) Uncovered and unenclosed porches, patios and decks.
- 2) Open, unenclosed stairways or balconies not covered by a roof or canopy.

f. Corner Lots

The side adjacent to the street shall have the same setback as the front yard.

No solid fence, wall, tree, hedge or shrubbery over 3 feet in height shall be permitted within the triangular area of a corner lot formed by two lines extending 15 feet from the corner along the front and side property lines and a connecting diagonal line measuring 21.2 feet long, in order to provide a clear field of view of crossing traffic for vehicles negotiating the intersection. (Amended (8/18/83)

6. Fences, Hedges and Walls

Fences, hedges and walls, not greater than 6 feet in height, shall be permitted on or within all rear, side and front property lines.

7. Off-Street Parking

Two parking spaces per dwelling unit are required. Non-residential uses which may be permitted in this District shall be subject to the parking standards enumerated in Section 470 e.t., seq.

8. Outdoor Advertising

Outdoor advertising may be permitted in accordance with the provisions of Section 475.

9. Non-Conforming Buildings and Uses

Non-conforming buildings and uses shall be regulated in accordance with the provisions of Section 480.

10. General Conditions

General conditions, as provided in Section 485, shall apply to the "R-1" District.

Section 425 “R-2” – MEDIUM DENSITY RESIDENTIAL DISTRICT

The “R-2” District is intended to provide for the development of single family residence/attached and multiple family residence structures for purposes of rental or sale of lots not less than 6,000 square feet in area. Community water and sewer systems are required. (All regulations in this District are deemed necessary for the protection of the quality of the residential environment and for the securing of the health, safety and general welfare of the residents.

SECTION 425.1 - PERMITTED USES

The following uses shall be permitted in the “R-2” District. (All uses shall be subject to the Property Development Standards in Section 425.5:

1. Multi-family residence.
2. Single family residence/attached.
3. Single family residence.
4. Child care facility for not more than 4 children.
5. Exploratory drilling, production drilling, or monitoring well drilling for a mineral resource, excluding seismograph exploration, in accordance with noticing provisions of Section 485-7. (Amended 8/18/83)
6. Any permitted use in the "R-1" District.
7. Such other uses as the Directory may classify as consistent with the provisions of Section 425 and those uses already listed as permitted uses in this District. The Director’s classification shall be administered in accordance with Section 605

SECTION 425.2 - PERMITTED ACCESSORY USES

The following accessory uses are permitted in the “R-2” District, subject to the Property Development Standards in Section 425.5:

1. Any accessory building, structure or use which is in addition to and in conjunction with any permitted use or approved conditional use in the District.
2. The storage of automobiles, light trucks, recreational vehicles, and one non-hazardous commercial vehicle, limited to 2 axles, for use in conjunction with any permitted use or approved conditional use in the District. (Amended 8/18/83)
3. Solar collector designed to supply energy for use on the premises.

SECTION 425.3 - CONDITIONAL USES

The following uses may be permitted in the “R-2” District, subject to a Conditional Use Permit, as provided for in Section 405.3:

1. Church and Sunday School.
2. Community Center.
3. Licensed child care facility for 5 or more children.
4. Home occupation, in accordance with the conditions and provisions of Section 485-8. (Amended 8/31/84)
5. Golf course and country club.
6. Library.
7. Mineral or natural resource exploration, extraction and associated facilities, but excluding exploratory or production drilling and minor exploratory excavations. Drilling operations shall be permitted in accordance with Section 485-7.

8. Nursing home or rest home.
9. Park and playground.
10. Public building, as defined in this Resolution. (Amended 8/18/83)
11. Public safety facility, as defined in this Resolution.
12. Public utility, as defined in this Resolution.
13. Planned unit development (PUD), in accordance with the provisions of Section 485-2.
14. School.
15. Wind generator or other energy collection device in excess of 35 feet in height, designed to supply energy for use on the premises.
16. Such other uses as the Director may classify as consistent with the provisions of Section 425 and those uses already listed as conditional uses in this District. The Director's classification shall be administered in accordance with Section 605.

SECTION 425.4 - TEMPORARY USES

The following uses may be permitted in the "R-2" district on a temporary basis, subject to the time limits specified:

1. Construction office and yard incidental to construction on the premises. Time limit: 12 months
2. Parking for another temporary use. Time limit: Same as temporary use for which it is required.
3. Signs erected for political campaigns. Time limit: 2 months

SECTION 425.5 - PROPERTY DEVELOPMENT STANDARDS

The following property development standards shall apply to all land and structures in the "R-2" District:

1. Lot Size:

Each lot or parcel hereafter created shall abut a dedicated public right-of-way, constructed to County standards, and shall have a minimum net area of 6,000 square feet and a minimum lot width of 50 feet. For single family residence / attached structures, the minimum lot area is 3,000 square feet per dwelling unit and a minimum lot width of 25 feet.

2. Population Density

One dwelling may be constructed or placed on each lot.

3. Building Height

No building or structure hereafter erected in this District shall exceed 35 feet in height. Flagpoles, chimneys, smokestacks, and radio and television masts are excepted, provided that the vertical--height of a structure may not exceed the horizontal distance from the structure to the nearest property line, utility easement or dwelling.

4. Building Floor Area

Each dwelling hereafter erected or constructed in this District shall have a minimum floor area of 600 square feet. Each dwelling unit hereafter erected or constructed shall have a minimum floor area of 20 square feet.

5. Yards

Yards are required to extend the full width or depth of the lot, as provided below:

a. Front Yard

Each lot shall have a front yard setback of not less than 25 feet, as measured from the street right-of-way line.

b. Side Yard

Each lot shall have a side yard setback of not less than 5 feet from the property line. Where common walls are used, a side yard setback is not required. Where multiple buildings are constructed, the minimum separation is 10 feet.

c. Rear Yard

Each lot shall have a rear yard setback of not less than 15 feet from the property lines.

d. Accessory Buildings and Structures

Accessory buildings and structures located 70 feet or more from the front property line may be located on the side or rear property line or 5 feet from a dedicated alley.

e. Permitted Projections into Front Yards

The following items and other similar architectural features may extend or project into a required yard not more than 6 inches for each required foot of yard setback:

- (1) Uncovered and unenclosed porches, patios and decks.
- (2) Open, unenclosed stairways or balconies not covered by a roof or canopy.

f. Corner Lots

The side adjacent to the street shall have the same setback as the front yard.

No solid fence, wall, tree, hedge or shrubbery over 3 feet in height shall be permitted within the triangular area of a corner lot formed by two lines extending 15 feet from the corner along the front and side property lines and a connecting diagonal line measuring 21.2 feet long, in order to provide a clear field of view of crossing traffic for vehicles negotiating the intersection. (Amended (8/18/83))

6. Fences, Hedges and Walls

Fences, hedges and walls, not greater than 6 feet in height, shall be permitted on or within all rear, side and front property lines.

7. Off-Street Parking

Two parking spaces per dwelling unit are required. Each space shall be a minimum of 9"x20'. Non-residential uses, which may be permitted in this District, shall be subject to the parking standards enumerated in Sections 470 et seq.

8. Outdoor Advertising

Outdoor advertising may be permitted in accordance with the provisions of Section 475.

9. Non-Conforming Buildings and Uses

Non-conforming buildings and uses shall be regulated in accordance with the provisions of Section 480.

10. General Conditions

General conditions, as provided in Section 485, shall apply to the "R-2" District.

SECTION 435 "MH-1" - MOBILE HOME SUBDIVISION DISTRICT

The "MH-1" District is intended to provide for the development of mobile home sites at urban standards on lots not less than 6,000 square feet in area. Community water and sewer systems are required. (All regulations for this District are deemed necessary for the protection of the quality of the residential environment and for the securing of the health, safety and general welfare of the residents.

SECTION 435.1 - PERMITTED USE

The following uses shall be permitted in the "MH-1" District. (All uses shall be subject to the Property Development Standards in Section 435.5.

1. Mobile home.
2. Single family residence.
3. Child care facility for not more than 4 children.
4. Exploratory drilling, production drilling, or monitoring well drilling for a mineral resource, excluding seismograph exploration, in accordance with noticing provisions of Section 485-7. (Amended 8/18/83)
5. Such other uses as the Director may classify as consistent with the provisions of Section 435 and those uses already listed as permitted uses in this District. The Director's classification shall be administered in accordance with Section 605.

SECTION 435.2 - PERMITTED ACCESSORY USES

The following accessory uses are permitted in the "MH-1" District, subject to the Property Development Standards in Section 435.5:

1. Any accessory building, structure or use which is in addition to and in conjunction with any permitted use or approved conditional use in the District.
2. The storage of automobiles, light trucks, recreational vehicles, and one non-hazardous commercial vehicle, limited to 2 axles, for use in conjunction with any permitted use or approved conditional use in the District. (Amended 8/18/83)
3. Solar collector designed to supply energy for use on the premises.

SECTION 435.3 - CONDITIONAL USES

The following uses may be permitted in the "MH-1" District, subject to a Conditional Use Permit, as provided for in Section 405.3:

1. Church and Sunday School.
2. Licensed child care facility for 5 or more children.
3. Golf course and country club.
4. Home occupation, in accordance with the conditions and provisions of Section 485-8. (Amended 8/31/84)
5. Library.
6. Mineral and natural resource exploration, extraction and associated facilities, but excluding exploratory or production drilling and minor exploratory excavations. Drilling operations shall be permitted in accordance with Section 485-7.
7. Nursing home or rest home.
8. Park and playground.
9. Public building, as defined in this Resolution. (Amended 8/18/83)
10. Public safety facility, as defined in this Resolution.
11. Public utility, as defined in this Resolution.
12. Planned unit development (PUD), in accordance with the provisions of Section 485-2.
13. School.
14. Wind generator or other energy collection device in excess of 35 feet in height, designed to supply energy for use on the premises.

15. Such other uses as the director may classify as consistent with the provisions of Section 435 and those uses already listed as conditional uses in this District. The Director's classification shall be administered in accordance with Section 605.

SECTION 435.4 - TEMPORARY USE

The following uses may be permitted in the "MH-1" District on a temporary basis, subject to the time limits specified:

1. Construction office and yard incidental to construction on the premises. Time limit: 12 months
2. Parking for another temporary use. Time limit: Same as temporary use for which it is required.
3. Signs erected for political campaigns. Time limit: 2 months

SECTION 435.5 - PROPERTY DEVELOPMENT STANDARDS

The following property development standards shall apply to all land and structures in the "MH-1D" District:

1. Lot Size

Each lot or parcel hereafter created shall abut a dedicated public right-of-way, constructed to County standards, and shall have a minimum net area of 6000 square feet and a minimum lot width of 50 feet. A non-conforming lot or parcel of record under separate ownership at the time it became non-conforming may be used for or occupied by any use permitted in this District.

2. Population Density

One dwelling may be constructed or placed on each lot.

3. Building Height

No building or structure hereafter erected in this District shall exceed 35 feet in height. Flagpoles, chimneys, smokestacks, and radio and television masts are accepted, provided that the vertical height of a structure may not exceed the horizontal distance from the structure to the nearest property line, utility easement or dwelling.

4. Building Floor Area

Each dwelling hereafter erected or constructed in this District shall have a minimum floor area of 600 square feet and shall be constructed in accordance with Federal Manufactured Housing Construction and Safety Standards.

5. Yards

Yards are required to extend the full width or depth of the lot, as provided below:

a. Front Yard

Each lot shall have a front yard setback of not less than 25 feet, as measured from the street right-of-way line.

b. Side Yard

Each lot shall have a side yard setback of not less than 5 feet from the property line.

c. Rear Yard

Each lot shall have a rear yard setback of not less than 15 feet from the property line.

d. Accessory Buildings and Structures

Accessory buildings and structures located 70 feet or more from the front property line may be located on the side or rear property line, or 5 feet from a dedicated alley.

e. Permitted Projections into Required Yards

The following items and other similar architectural features may extend or project into a required yard not more than 6 inches for each required foot of yard setback:

- (1) Uncovered and unenclosed porches, patios and deck
- (2) Open, unenclosed stairways or balconies not covered by a roof or canopy.

f. Corner Lots

The side adjacent to the street shall have the same setback as the front yard.

No solid fence, wall, tree, hedge or shrubbery over 3 feet in height shall be permitted within the triangular area of a corner lot formed by two lines extending 15 feet from the corner along the front and side property lines and a connecting diagonal line measuring 21.2 feet long, in order to provide a clear field of view of crossing traffic for vehicles negotiating the intersection. (Amended 8/18/83)

6. Fences, Hedges and Walls

Fences, hedges and walls, not greater than 6 feet in height, shall be permitted on or within all rear, side, and front property lines.

7. Off-Street Parking

Two parking spaces are required per dwelling unit. Non-residential uses which may be permitted in this District shall be subject to the parking standards enumerated in Section 470 et. seq.

8. Outdoor Advertising

Outdoor advertising may be permitted in accordance with the provisions of Section 475.

9. Non-Conforming Buildings and Uses

Non-conforming buildings and uses shall be regulated in accordance with the provisions of Section 480.

10. General Conditions

General conditions, as*provided in Section 485, shall apply to the "MH-1" District.

SECTION 440 "MH-2" - MOBILE HOME PARK DISTRICT

The "MH-2" District is intended to provide for the development of mobile home sites for the purpose of rental or sale on lots not less than 3,500 square feet in area. Community water and sewer systems are required. (All regulations of this District are deemed to be necessary for the protection of the quality of the residential environment and for the securing of the health, safety and general welfare of the residents. (Amended 8/18/83)

SECTION 440.1 - PERMITTED USES

All uses shall be subject to the Property Development Standards in Section 440.5.

1. Mobile home.
2. Child care facility for not more than 4 children.
3. Exploratory drilling, production drilling, or monitoring well drilling for a mineral resource, excluding
4. seismograph exploration, in accordance with the noticing provisions of Section 485-7.
(Amended 8/18/83)

5. Such other uses as the Director may classify as consistent with the provisions of Section 440 and those uses already listed as permitted uses in this District. The Director's classification shall be administered in accordance with Section 605.

SECTION 440.2 - PERMITTED ACCESSORY USES

The following accessory uses are permitted in the "MH-2" District, subject to the Property Development Standards in Section 440.5:

1. Any accessory building, structure or use which is in addition to and in conjunction with any permitted use or approved conditional use in the District.
2. The storage of automobiles, light trucks, recreational vehicles, and one non-hazardous commercial vehicle, limited to 2 axles, for use in conjunction with any permitted use or approved conditional use in the District. (Amended 8/18/83)
3. Solar collector designed to supply energy for use on the premises.

SECTION 440.3 - CONDITIONAL USES

The following uses may be permitted in the "MH-2" District, subject to a Conditional Use Permit, as provided for in Section 405.3:

1. Travel trailers and motor homes.
2. Fences for the purpose of separating mobile home spaces.
3. Home occupation, in accordance with the conditions and provisions of Section 485-8.(Amended 8/31/84)
4. Licensed child care facility for 5 or more children.
5. Mineral or natural resource exploration, extraction and associated facilities, but excluding exploratory or production drilling and minor exploratory excavations. Drilling operations shall be permitted in accordance with Section 485-7.
6. Park and playground.
7. Planned unit development(PUD), in accordance with the provisions of Section 485-2.
8. Wind generator or other energy collection device in excess of 35 feet in height, designed to supply energy for use on the premises.
9. Such other uses as the Director may classify as consistent with the provisions of Section 440 and those uses already listed as conditional uses in this District. The Director's classification shall be administered in accordance with Section 605.

SECTION 440.4 - TEMPORARY USES

The following uses may be permitted in the "MH-2" District on a temporary basis, subject to the time limits specified:

1. Construction office and yard incidental to construction on the premises. Time limit: 12 months
2. Parking for another temporary use. Time limit: Same as temporary use for which it is required.
3. Signs erected for political campaigns. Time limit: 2 months

SECTION 440.5 - PROPERTY DEVELOPMENT STANDARDS

The following property development standards shall apply to all land and structures in the "MH-1D" District:

1. Lot Size

Each lot or parcel hereafter created shall abut a dedicated public right-of-way, constructed to County standards, and shall have a minimum net area of 3,500 square feet and a minimum lot width of 30 feet.

2. Population Density

One dwelling may be constructed or placed on each lot.

3. Building Height

No building or structure hereafter erected in this District shall exceed 35 feet in height. Flagpoles, chimneys, smokestacks, and radio and television masts are accepted, provided that the vertical height of a structure may not exceed the horizontal distance from the structure to the nearest property line, utility easement or dwelling.

4. Building Floor Area

Each dwelling hereafter erected or constructed in this District shall have a minimum floor area of 600 square feet and shall be constructed in accordance with Federal Manufactured Housing Construction and Safety Standards.

5. Yards

Yards are required to extend the full width or depth of the lot, as provided below:

a. Front Yard

Each lot or space shall have a front yard setback of not less than 15 feet, as measured from the street right-of-way line.

b. Side Yard

Each lot or space shall have a side yard setback of not less than 5 feet from the lot or space line, or 10 feet if a fence is erected thereon.

c. Rear Yard

Each lot or space shall have a rear yard setback of not less than 15 feet from the lot or space line.

d. Accessory Buildings and Structures

Accessory buildings and structures shall conform to the required yard setbacks.

e. Permitted Projections into Required Yards

The following items and other similar architectural features may extend or project into a required yard not more than 6 inches for each required foot of yard setback:

- (1) Uncovered and unenclosed porches, patios and decks;
- (2) open, unenclosed stairways or balconies not covered by a roof or canopy.

f. Corner Lots

The side adjacent to the street shall have the same setback as the front yard.

No solid fence, wall, tree, hedge or shrubbery over 3 feet in height, shall be permitted within the triangular area of a corner lot formed by two lines extending 15 feet from the corner along the front and side property lines and a connecting diagonal line measuring 21.2 feet long, in order to provide a clear field of view of crossing traffic for vehicles negotiating the intersection. (Amended 8/18/83)

6. Fence, Hedges and Walls

Fences, hedges and walls, not greater than 6 feet in height, shall be permitted on all perimeter boundary lines of the mobile home park, providing that a clear field of view is not obstructed for vehicles traveling on the public right-of-way or entering from private roads.

7. Off-Street Parking

Two parking spaces are required per dwelling unit. Each space shall measure a minimum of 9' x 20'. Non-residential uses which may be permitted in this District shall be subject to the parking standards enumerated in Section 470 et. seq.

8. Outdoor Advertising

Outdoor advertising may be permitted in accordance with the provisions of Section 475.

9. Non-Conforming Buildings and Uses

Non-conforming buildings and uses shall be regulated in accordance with the provisions of Section 480.

10. General Conditions

General conditions, as provided in Section 485, shall apply to the "MH-2" District.

SECTION 445 "B" - BUSINESS DISTRICT

The "B" District is intended to provide for the development of retail and service stores whose business is wholly conducted within an enclosed building and where the manufacture, compounding, processing, or treatment of products is prohibited. All regulations for this District are deemed necessary for the protection of the business environment and for the securing of the health, safety and general welfare of the public.

SECTION 445.1 - PERMITTED USES

The following uses shall be permitted in the "B" District. (All uses shall be subject to the Property Development Standards in Section 455.5.

1. Appraisal office.
2. Art or antique shop.
3. Auto accessory retail outlet.
4. Bakery (retail).
5. Bank.
6. Barber shop or beauty parlor.
7. Boarding house or rooming house.
8. Book or stationery shop.
9. Club, lodge(non-profit), fraternal or religious organization.
10. Confectioner store.
11. Convenience store. (Amended 8/18/83)
12. Department store.
13. Drug store.
14. Dry goods or notion store.
15. Dwelling, as a custodial function to another permitted use or approved conditional use in the District.
16. Finance office.
17. Florist or gift shop.
18. Furniture store.
19. Gasoline and oil products retail sales, but not including automotive service and repair. (Amended 8/18/83)
20. Grocery, fruit or vegetable store.
21. Hardware, electrical appliance or electronic store.

22. Hotel or motel.
23. Jewelry store.
24. Laundromat; laundry or dry cleaning agency.
25. Liquor store.
26. Meat market or delicatessen store.
27. Exploratory drilling, production drilling, or monitoring well drilling for a mineral resource, excluding seismograph exploration, in accordance with the noticing provisions of Section 485-7. (Amended 8/18/83)
28. Mortuary.
29. Offices.
30. Parking areas, public.
31. Printing and publishing enterprise.
32. Public building, as defined in this Resolution. (Amended 8/18/83)
33. Public safety facility, as defined in this Resolution. (Amended 8/18/83)
34. Public utility, as defined in this Resolution. (Amended 8/18/83)
35. Restaurant or cafe, excluding dancing, night club or similar entertainment establishment.
36. Second hand store.
37. Shoe store or shoe repair shop.
38. Studios: art, dance, photography, etc.
39. Any permitted use in the R-1 District.
40. Any permitted use in the R-2 District.
41. Such other uses as the Director may classify as consistent with the provisions of Section 445 and those uses already listed as permitted uses in this District. The Director's classification shall be administered in accordance with Section 605.

SECTION 445.2 - PERMITTED ACCESSORY USES

The following accessory uses are permitted in the "B" District, subject to the Property Development Standards in Section 445.5:

1. Any accessory building, structure or use which is in addition to any in conjunction with any permitted use or approved conditional use in the District.
2. The storage of automobiles, light trucks, recreational vehicles, and one non-hazardous commercial vehicle, limited to 2 axles, for use in conjunction with any permitted use or approved conditional use in the District. (Amended 8/18/83)
3. Solar collector designed to supply energy for use on the premises.

SECTION 445.3 - CONDITIONAL USES

The following uses may be permitted in the "B" District, subject to a Conditional Use Permit, as provided for in Section 405.3:

1. Library.
2. Licensed child care facility for 5 or more children.
3. Mineral or natural resource exploration, extraction and associated facilities, but excluding exploratory or production drilling and minor exploratory excavations. Drilling operations shall be permitted in accordance with Section 485-7.
4. Park and playground.
5. Planned unit development (PUD), in accordance with the provisions of Section 485-2.
6. Wind generator or other energy collection device in excess of 35 feet in height, designed to supply energy for use on the premises.

7. Trade, technical, vocational or commercial school.
8. Such other uses as the Director may classify as consistent with the provisions of Section 445 and those uses already listed as conditional uses in this District. The Director's classification shall be administered in accordance with Section 605.

SECTION 445.4 - TEMPORARY USES

The following uses may be permitted in the "B" District on a temporary basis, subject to the time limits specified:

1. Construction office and yard incidental to construction on the premises. Time limit: 12 months
2. Carnival, circus, bazaar, or fair. Time limit: 2 weeks
3. Tent meeting or crusade. Time limit: 2 weeks
4. Parking for another temporary use. Time limit: Same as temporary use for which it is required.
5. Signs erected only for political campaigns. Time limit: 2 months
6. Building or use, not otherwise in violation of this Zoning Resolution or State and County Health and Safety Regulations, established to conduct business for an interim period while plans are finalized and permits sought for a permanent use. Time limit: 6 months. (Amended 4/30/86)

SECTION 445.5 - PROPERTY DEVELOPMENT STANDARDS

The following property development standards shall apply to all land and structures in the "B" District:

1. Lot Size

No requirement, except that each lot hereafter created shall abut a dedicated public right-of-way, constructed to County standards.

2. Population Density

No requirement.

3. Building Height

No building or structure hereafter erected in this District shall exceed 35 feet in height. Flagpoles, chimneys, smokestacks, and radio and television masts are excepted, provided that the vertical height of a structure may not exceed the horizontal distance from the structure to the nearest property line, utility easement or dwelling.

4. Building Floor Area

No requirement.

5. Yards

Yards are required to extend the full width or depth of the lot, as provided below:

a. Front Yard

No requirement.

b. Side Yard

Each lot shall have a side yard setback of not less than 5 feet from the property line. Where designed in accordance with Building Code requirements, buildings may be located on the side property line.

c. Rear Yard

Each lot shall have a rear yard setback of not less than 15 feet from the property line, or 5 feet from a dedicated alley.

d. Accessory Buildings and Structures

Accessory buildings and structures shall conform to the required yard setbacks.

e. Permitted Projections into Required Yards

The following items and other similar architectural features may extent or project into a required yard not more than 6 inches for each required foot of yard setback:

- (1) Uncovered and unenclosed porches, patios and decks;
- (2) Open, unenclosed stairways or balconies not covered by a roof or canopy.

6. Fences, Hedges and Walls

Fences, hedges and walls, not greater than 6 feet in height, shall be permitted on or within all front, rear and side property lines.

7. Off-Street Parking

Off-street parking shall be provided in accordance with the provisions of Section 470.

8. Outdoor Advertising

Outdoor advertising may be permitted in accordance with the provisions of Section 475.

9. Non-Conforming Buildings and Uses

Non-conforming buildings and uses shall be regulated in accordance with the provisions of Section 480.

10. General Conditions

General conditions, as provided in Section 485, shall apply to the "B" District.

SECTION 450 "C" - COMMERCIAL DISTRICT

The "C" District is intended to provide for the development of retail and service businesses where outdoor storage is permitted, and where the manufacture, compounding, processing or treatment of products is permitted when clearly essential or incidental to the retail or service business and when such products shall not produce offensive odors, dust, smoke, noise or vibration. All regulations for this District are deemed necessary for the protection of the business environment and for the securing of the health, safety and general welfare of the public.

SECTION 450.1 - PERMITTED USES

The following uses shall be permitted in the "C" District. (All uses shall be subject to the Property Development Standards in Section 450.5.

- 1. Any permitted use in the Business District.
- 2. Advertising signs or structures and bill boards. (See signs and outdoor advertising devices.)
- 3. Appraisal office.
- 4. Art or antique shop.
- 5. Athletic club, operated as a commercial enterprise, if conducted wholly within a completely enclosed building.
- 6. Auditorium.
- 7. Auto accessory retail outlet.
- 8. Automobile and other motor vehicle assembly, painting, upholstering, rebuilding, reconditioning, body and fender works, truck repairing or overhauling, tire retreading or recapping. Such operation involving noise shall be permitted between the hours of 7:00 A.M. and 9:00 P.M. only.

9. Automobile and trailer sales area. All incidental repair of automobiles or trailers shall be conducted within a completely enclosed building. Painting and body repair and similar operations are permitted as long as uses comply with National Board of Fire Underwriter's requirements and are kept wholly within a completely enclosed building, are properly vented, etc. Such operation involving noise shall be permitted between the hours of 7:00 A.M. and 9:00 P.M. only.
10. Bakery, retail.
11. Bank.
12. Barber shop or beauty parlor.
13. Baseball and football stadium, amusement park, tennis court or other like outdoor recreational facility.
14. Bath, masseuse establishment, etc.
15. Billiard or pool hall, if conducted wholly within a completely enclosed building.
16. Boarding house or rooming house.
17. Book or stationery shop.
18. Bus terminal.
19. Business college or private school operated as a commercial enterprise.
20. Blueprinting or photo stating.
21. Carpenter shop, if conducted wholly within a completely enclosed building, but excluding a sawmill or planing mill.
22. Catering establishment.
23. Club, lodge (non-profit), fraternal or religious organization.
24. Confectioner store.
25. Department store.
26. Drive-in business, where persons are served in automobiles, such as a refreshment stand, restaurant or food store.
27. Drug store.
28. Dry cleaning plant using non-flammable cleaning compounds in enclosed machine.
29. Dry goods or notion store.
30. Dwelling, only as a custodial function to another permitted use or approved conditional use.
31. Feed store, retail, if conducted wholly within a completely enclosed building.
32. Farm implement sales and service.
33. Finance office.
34. Florist or gift shop.
35. Frozen food locker.
36. Furniture store.
37. Grocery, fruit or vegetable store.
38. Hardware, electrical appliance or electronic store.
39. Hotel or motel.
40. Ice storage.
41. Jewelry store.
42. Laundromat: laundry and dry cleaning agency.
43. Liquor store.
44. Meat market or delicatessen store.
45. Mortuary.
46. Nursing home or rest home.
47. Offices.
48. Parking areas, public.
49. Pet shop.
50. Printing and publishing enterprise.
51. Public building, as defined in this Resolution. (Amended 8/18/83)

52. Public safety facility, as defined in this Resolution. (Amended 8/18/83)
53. Public utility, as defined in this Resolution.(Amended 8/18/83)
54. Recreational vehicle sales and service.
55. Restaurant or tavern, including those where dancing is permitted.
56. Second hand store.
57. Service station.
58. Shoe store or shoe repair shop.
59. Shooting gallery, if conducted wholly within a completely enclosed building.
60. Sign shop.
61. Storage yard, when developed with paved or graveled access aisles.
62. Studios: art, dance, photography, etc.
63. Taxidermist.
64. Theater or amusement center.
65. Tire shop.
66. Upholstery shop.
67. Exploratory drilling, production drilling, or monitoring well drilling for a mineral resource, excluding seismograph exploration, in accordance with noticing provisions of Section 485-7. (Amended 8/18/83)
68. Any permitted use in the R-1 District.
69. Any permitted use in the R-2 District.
70. Such other uses as the Director may classify as consistent with the provisions of Section 450 and those uses already listed as permitted uses in this District. The Director's classification shall be administered in accordance with Section 605.

SECTION 450.2 - PERMITTED ACCESSORY USES

The following accessory uses are permitted in the "C" District, subject to the Property Development Standards in Section 450.2:

1. Any accessory building, structure or use which is in addition to and in conjunction with any permitted use or approved conditional use in the District.
2. The storage of automobiles, light trucks, recreational vehicles, and non-hazardous commercial vehicles, for use in conjunction with any permitted use or approved conditional use in the District. (Amended 8/18/83)
3. Solar collector designed to supply energy for use on the premises.

SECTION 450.3 - CONDITIONAL USES

The following uses may be permitted in the "C" District, subject to a Conditional Use Permit, as provided for in Section 405.3:

1. Library.
2. Licensed child care facility for 5 or more children.
3. Mineral or natural resource exploration, extraction and related facilities, but excluding exploratory or production drilling and minor exploratory excavations. Drilling operations shall be permitted in accordance with Section 485-7.
4. Park and playground.
5. Planned unit development(PUD), in accordance with the provisions of Section 485-2.
6. Wind generator or other energy collection device in excess of 35 feet in height, designed to supply energy for use on the premises.
7. Trade, technical, vocational or commercial school.

8. Travel trailer park, developed in accordance with the County Subdivision Regulations.
9. Truck stop.
10. Retail lumber yard, including incidental mill work, building material sales yard, sand and gravel sales, and other incidental building material sales, when conducted wholly within a completely enclosed building or a yard enclosed by a solid fence or compact hedge of not less than 6 feet in height.
11. Such other uses as the Director may classify as consistent with the provisions of Section 450 and those uses already listed as conditional uses in this District. The Director's classification shall be administered in accordance with Section 605.

SECTION 450.4 - TEMPORARY USES

The following uses may be permitted in the "C" District on a temporary basis, subject to the time limits specified:

1. Construction office and yard incidental to construction on the premises. Time limit: 12 months
2. Carnival, circus, bazaar, or fair. Time limit: 2 weeks
3. Tent meeting or crusade. Time limit: 2 weeks
4. Parking for another temporary use. Time limit: Same as temporary use for which it is required.
5. Signs erected only for political campaigns. Time limit: 2 months
6. Building or use, not otherwise in violation of this Zoning Resolution or State and County Health and Safety Regulations, established to conduct business for an interim period while plans are finalized and permits sought for a permanent use. Time limit: 6 months. (Amended 4/30/86)

SECTION 450.5 - PROPERTY DEVELOPMENT STANDARDS

The following property development standards shall apply to all land and structures in the "C" District:

1. **Lot Size**
No requirement, except that each lot hereafter created shall abut a dedicated public right-of-way, constructed to County standards.
2. **Population Density**
No requirement.
3. **Building Height**
No building or structure hereafter erected in this District shall exceed 35 feet in height. Flagpoles, chimneys, smokestacks, and radio and television masts are excepted, provided that the vertical height of a structure may not exceed the horizontal distance from the structure to the nearest property line, utility easement or dwelling.
4. **Building Floor Area**
No requirements.
5. **Yards**
Yards are required to extend the full width or depth of the lot, as provided below:
 - a. **Front Yard**
No requirement.
 - b. **Side Yard**

Each lot shall have a side yard setback of not less than 5 feet from the property line. Where designed in accordance with Building Code requirements, buildings may be located on the side property line.

c. Rear Yard

Each lot shall have a rear yard setback of not less than 15 feet from the property line, or 5 feet from a dedicated alley.

d. Accessory Buildings and Structures

Accessory buildings and structures shall conform to the required yard setbacks.

e. Permitted Projections into Required Yards

The following items and other similar architectural features may extent or project into a required yard not more than 6 inches for each required foot of yard setback:

- (1) Uncovered and unenclosed porches, patios and decks;
- (2) Open, unenclosed stairways or balconies not covered by a roof or canopy.

6. Fences, Hedges and Walls

Fences, hedges and walls, not greater than 6 feet in height, shall be permitted on or within all front, rear and side property lines.

7. Off-Street Parking

Off-street parking shall be provided in accordance with the provisions of Section 470.

8. Outdoor Advertising

Outdoor advertising may be permitted in accordance with the provisions of Section 475.

9. Non-Conforming Buildings and Uses

Non-conforming buildings and uses shall be regulated in accordance with the provisions of Section 480.

10. General Conditions

General conditions, as provided in Section 485, shall apply to the "C" District.

SECTION 455 "L-I" - LIGHT INDUSTRIAL DISTRICT

The "L-I" District is intended to provide for the manufacture, fabrication and/or processing of any commodity with the exception of those that usually create excessive amounts of smoke, noise, fumes, vibration, or other deleterious effects. Where possible, the District shall not abut a residential or business district. (All regulations for this District are deemed to be necessary for the mutual protection of industrial users and for the securing of the health, safety and general welfare of the public.

SECTION 455.1 - PERMITTED USES

The following uses shall be permitted in the "L-1" District. (All uses shall be subject to the Property Development Standards in Section 455-5.

1. Any permitted use in the Business District.
2. Any permitted use in the Commercial District.
3. Advertising signs or structures and bill boards. See Signs and Outdoor Advertising Devices.)
4. Appraisal office.
5. Assembly of electrical appliances, including the manufacture of small parts only.
6. Art or antique shop.

7. Athletic club, operated as a commercial enterprise.
8. Auditorium.
9. Auto accessory retail outlet.
10. Automobile and other motor vehicle assembly, painting, upholstering, rebuilding, reconditioning, body and fender works, truck repairing or overhauling, tire retreading or recapping. Such operations involving noise shall be permitted between the hours of 7:00 A.M. and 9:00 P.M. only.
11. Automobile and trailer sales area. All incidental repair of automobiles or trailers shall be conducted within a completely enclosed building. Painting and body repair and similar operations are permitted as long as uses comply with National Board of Fire Underwriters requirements and are kept wholly within a completely enclosed building and are properly vented, etc. Such operations involving noise shall be permitted between the hours of 7:00 A.M. and 9:00 P.M. only.
12. Bakery, retail or wholesale.
13. Bank.
14. Barber shop or beauty parlor.
15. Baseball and football stadium, amusement park, tennis court and other like outdoor recreational facility.
16. Bath, masseuse establishment, etc.
17. Battery manufacture and production of automobile accessories.
18. Billiard or pool hall.
19. Book or stationery shop.
20. Business college or private school operated as a commercial enterprise.
21. Blueprinting or photostating.
22. Carpenter shop, but excluding sawmill or planning mill.
23. Catering establishment.
24. Club, lodge(non-profit), fraternal or religious organizations.
25. Confectioner store.
26. Dance hall.
27. Department store.
28. Distribution plant, ice and cold storage, bottling plant and food commissary.
29. Drive-in business where persons are served in automobiles, such as a refreshment stand, restaurant and food store.
30. Drug store.
31. Dry cleaning plant.
32. Dwelling, as a custodial function to another permitted use or approved conditional use in the District.
33. Exploratory drilling, production drilling, or monitoring well drilling for a mineral resource, excluding seismograph exploration, in accordance with noticing provisions of Section 485-7. (Amended 8/18/83)
34. Farm implement sales and service.
35. Feed store.
36. Finance office.
37. Florist or gift shop.
38. Foundry casting lightweight non-ferrous metal not causing noxious fumes or odors.
39. Furniture store or warehouse.
40. Grocery, fruit or vegetable store; wholesale and farmer's market.
41. Hardware, electrical appliance or electronic store.
42. Hotel or motel.
43. Jewelry store.

44. Liquor store.
45. Laundromat; laundry or dry-cleaning agency; laundry.
46. Manufacturing, compounding, processing, packaging or treatment of such products as bakery goods, candy, cosmetics, dairy products or ice cream.
47. Manufacturing, compounding, assembling or treatment of articles of merchandise from the following previously prepared materials: cellophane, canvas, cloth, cork, felt, fiber, fiberglass, glass, paper, plastics, precious or semi-precious stones, shell, textiles, wood, (excluding planing mills), yarns and paints not employing the boiling process.
48. Manufacture of pottery and figurines or other similar ceramic products using only previously pulverized clay.
49. Manufacture and maintenance of electric and neon signs, bill boards, commercial advertising structures, light sheet metal products such as heating and ventilating ducts and equipment, cornices, eaves and the like for wholesale use only.
50. Meat market, processing plant or delicatessen store.
51. Mortuary.
52. Offices.
53. Parcel delivery center.
54. Parking areas, for customers and employees, and/or for the public.
55. Printing and publishing enterprise.
56. Public building, as defined in this Resolution. (Amended 8/18/83)
57. Public safety facility, as defined in this Resolution. (Amended 8/18/83)
58. Public utility, as defined in this Resolution. (Amended 8/18/83)
59. Recreational vehicles sales and service.
60. Restaurant or tavern.
61. Second hand store.
62. Service station.
63. Shoe store or shoe repair shop.
64. Shooting gallery, if conducted wholly within a completely enclosed building.
65. Sign shop.
66. Storage yard, when developed with paved or graveled access aisles.
67. Studio: art, dance, photography, etc.
68. Theater or amusement center.
69. Tire shop.
70. Travel trailer park.
71. Trucking freight depot or terminal. Adequate off-street loading space shall be provided for the transfer and handling of merchandise and adequate parking space constructed for empty or loaded vans awaiting removal.
72. Truck stop.
73. Upholstery shop.
74. Veterinary or animal hospital and kennel.
75. Welding shop.
76. Wholesale business, storage building or warehouse.
77. The following uses if conducted wholly within a completely enclosed building or within an area enclosed on all sides with a solid fence or compact hedge not less than 6 feet in height:
 - (a) Contractor's equipment storage yard or plant for the rental of equipment commonly used by contractors;
 - (b) Retail lumberyard, including incidental millwork, building material sales yard, the sale of sand and gravel and other incidental material, but excluding ready-mix concrete plants or mixing operations;
 - (c) The storage of pipe, wire cable, drilling equipment or oil well supplies.

78. Temporary corralling or penning of livestock for auction purposes. Director's Classification 5/16/84)
79. Such other uses the Director may classify as consistent with the provisions of Section 455 and those uses already listed as permitted uses in this District. The Director's classification shall be administered in accordance with Section 605.

SECTION 455.2 - PERMITTED ACCESSORY USES

The following accessory uses are permitted in the "C" District, subject to the Property Development Standards in Section 450.2:

1. Any accessory building, structure or use which is in addition to and in conjunction with any permitted use or approved conditional use in the District.
2. The storage of automobiles, light trucks, recreational vehicles, and non-hazardous commercial vehicles, for use in conjunction with any permitted use or approved conditional use in the District. (Amended 8/18/83)
3. Solar collector designed to supply energy for use on the premises.

SECTION 455.3 - CONDITIONAL USES

The following uses may be permitted in the "L-I" District, subject to a Conditional Use Permit, as provided for in Section 405.3:

1. Licensed child care facility for 5 or more children.
2. Mineral or natural resource exploration, extraction and related facilities, but excluding exploration or production drilling and minor exploratory excavations. Drilling operations shall be permitted in accordance with Section 485-7.
3. Planned Unit Development(PUD), in accordance with the provisions of Section 485-2.
4. Sewage disposal plant.
5. Wind generator or other energy collection device in excess of 35 feet in height, designed to supply energy for use on the premises.
6. Trade, technical or vocational school.
7. Medium security correctional facility. (Amended 2/29/84)
8. Concrete batch plant. (Amended 5/9/85)
9. Such other uses as the Director may classify as consistent with the provisions of Section 455 and those uses already listed as conditional uses in this District. The Director's classification shall be administered in accordance with Section 605.

SECTION 455.4 - TEMPORARY USES

The following uses may be permitted in the "L-I" District on a temporary basis, subject to the time limits specified:

1. Construction office and yard incidental to construction on the premises. Time limit: 12 months
2. Carnival, circus, bazaar, or fair. Time limit: 2 weeks
3. Tent meeting or crusade. Time limit: 2 weeks
4. Parking for another temporary use. Time limit: Same as temporary use for which it is required.
5. Concrete or asphalt batching plant. Time limit: 6 months
6. Signs erected only for political campaigns. Time limit: 2 months

7. Building or use, not otherwise in violation of this Zoning Resolution or State and County Health and Safety Regulations, established to conduct business for an interim period while plans are finalized and permits sought for a permanent use. Time limit: 6 months. (Amended 4/30/86)

SECTION 455.5 - PROPERTY DEVELOPMENT STANDARDS

The following property development standards shall apply to all land and structures in the "L-I" District:

1. Lot Size

No requirement, except that each lot hereafter created shall abut a dedicated public right-of-way, constructed to County standards.

2. Population Density

No requirement.

3. Building Height

No building or structure hereafter erected in this District shall exceed 35 feet in height.

Flagpoles, chimneys, smokestacks, and radio and television masts are excepted, provided that the vertical height of a structure may not exceed the horizontal distance from the structure to the nearest property line, utility easement or dwelling.

4. Building Floor Area

No requirement, except as specified in the Uniform Building Code.

5. Yards

Yards are required to extend the full width or depth of the lot, as provided below:

a. Front Yard

Each lot shall have a front yard setback of not less than 25 feet from the street right-of-way or 55 feet from the street easement center line.

b. Side Yard

Each lot shall have a side yard setback of not less than 10 feet from the property line.

c. Rear Yard

Each lot shall have a rear yard setback of not less than 15 feet from the property line.

d. Accessory Buildings and Structures

Accessory buildings and structures shall conform to the required yard setbacks.

e. Permitted Projections into Required Yards

The following items and other similar architectural features may extend or project into a required yard not more than 6 inches for each required foot of yard setback.

(1) Uncovered and unenclosed porches, patios and decks;

(2) Open, unenclosed stairways or balconies not covered by a roof or canopy.

f. Corner Lots

The side adjacent to the street shall have the same setback as the front yard.

No solid fence, wall, tree, hedge or shrubbery over 3 feet in height, shall be permitted within the triangular area of a corner lot formed by two lines extending 15 feet from the corner along the front and side property lines and a connecting diagonal line measuring 21.2 feet long, in order to provide a clear field of view of crossing traffic for vehicles negotiating the intersection. (Amended 8/18/83)

6. Fences, Hedges and Walls

Fences, hedges and walls, not greater than 6 feet in height, shall be permitted on or within all front, rear and side property lines.

7. Off-Street Parking

Off-street parking shall be provided in accordance with the provisions of section 470.

8. Outdoor Advertising

Outdoor advertising may be permitted in accordance with the provisions of Section 475.

9. Non-Conforming Buildings and Uses

Non-conforming buildings and uses shall be regulated in accordance with the provisions of Section 480.

10. General Conditions

General conditions, as provided in Section 485, shall apply to the "L-I" District.

SECTION 460 "H-I" HEAVY INDUSTRIAL DISTRICT

The "H-I" District is intended to provide for the manufacture, fabrication and/or processing of any commodity, including those that usually create excessive amounts of smoke, noise, fumes, vibration, or other deleterious effects. Where possible, the District shall not abut a residential or business district. All regulations for this District are deemed the minimum necessary for the mutual protection of industrial users and for the securing of the health, safety and general welfare of the public.

SECTION 460.1 - PERMITTED USES

The following uses shall be permitted in the "H-I" District. All uses shall be subject to the Property Development Standards in Section 460.5.

1. Advertising signs or structures and bill boards.(See Signs and Outdoor Advertising Devices).
2. Alcohol manufacture.
3. Assembly of electrical appliances.
4. Automobile, trailer and other motor vehicle assembly, painting, upholstering, rebuilding, reconditioning, body and fender works, truck repairing or overhauling, tire retreading or recapping,
5. Battery manufacture and production of automobile accessories.
6. Blacksmith shop, welding shop, or machine shop involving punch presses over 20 tons rated capacity, drop hammers and automatic screw machines.
7. Boiler works.
8. Brick, tile or terra cotta manufacture.
9. Carpenter shop.
10. Concrete or asphalt batching plant.
11. Concrete or cement products manufacture.
12. Distribution plant, parcel delivery, ice and cold storage, or bottling plant.
13. Dry cleaning plant.
14. Dwelling, as a custodial function to another permitted use or approved conditional use in the District.
15. Exploratory drilling, production drilling, or monitoring well drilling for a mineral resource, excluding

seismograph exploration, in accordance with the noticing provisions of Section 485-7.
(Amended 8/18/83)

16. Farm implement sales and service.
17. Feed store or grain elevator.
18. Foundry, iron or steel; fabrication plant and heavy weight casting.
19. Lumber yard; lumber or saw mill, including planing mill.
20. Manufacturing, compounding, processing, packaging or treatment of cosmetics.
21. Manufacturing, compounding, assembling or treatment of articles of merchandise from the following previously prepared materials: cellophane, canvas, cloth, cork, felt, fiber, fiberglass, glass, paper, plastic, precious or semi-precious stones, shell, textiles, wood, yarns and paint.
22. Manufacturing, compounding, processing, packaging or treatment of such products as fish or meat products or byproducts; fruit or vegetable product manufacture, canning or packing.
23. Manufacturing, compounding, assembling or treatment of articles of merchandise from the following previously prepared materials: bone, feather, fur, horn or leather.
24. Manufacture of pottery and figurines or other similar ceramic products using only a previously pulverized clay.
25. Manufacture and maintenance of electric and neon signs, bill boards, commercial advertising structures, light sheet metal products such as heating and ventilating ducts and equipment, cornices, eaves and the like, for wholesale use only.
26. Parking areas, for customer and employees, and/or for the public.
27. Paving processing.
28. Printing and publishing enterprise.
29. Public building, as defined in this Resolution. (Amended 8/18/83)
30. Public safety facility, as defined in this Resolution. (Amended 8/18/83)
31. Public utility, as defined in this Resolution. (Amended 8/18/83)
32. Rolling mill.
33. Storage yard, when developed with paved or graveled access aisles.
34. Trucking freight depot terminal. Adequate off-street loading space shall be provided for the transfer and handling of merchandise and adequate parking space constructed for empty or loaded vans awaiting removal.
35. Truck stop.
36. Veterinary or animal hospital and kennel.
37. Wholesale storage and/or sales building or warehouse.
38. Wool processing and storage.
39. The following uses if conducted wholly within a completely enclosed building or within an area enclosed on all sides with a fence or compact hedge not less than 6 feet in height:
 - (1) Contractor's equipment storage yard or plant for the rental of equipment commonly used by contractors;
 - (2) The storage of pipe, wire cable, drilling equipment or oil well supplies.
40. Such other uses as the Director may classify as consistent with the provisions of Section 460 and those uses already listed as permitted uses in this District. The Director's classification shall be administered in accordance with Section 605.

SECTION 460.2 - PERMITTED ACCESSORY USES

The following accessory uses are permitted in the "H-1" District, subject to the Property Development Standards in Section 460.2:

1. Any accessory building, structure or use which is in addition to and in conjunction with any permitted use or approved conditional use in the District.
2. The storage of automobiles, recreational vehicles, trucks and agricultural equipment, including hazardous commercial vehicles, for use in conjunction with any permitted use or approved conditional use in the District. (Amended 8/18/83)
3. Solar collector designed to supply energy for use on the premises.

SECTION 460.3 - CONDITIONAL USES

The following uses may be permitted in the "H-I" District, subject to a Conditional Use Permit, as provided for in section 405.3:

1. Chemical manufacture or processing.
2. Dumping, storage, sorting or collecting of waste material.
3. Electric power generating plant.
4. Explosive manufacture.
5. Gases: manufacture or storage.
6. Junk yard, including auto wrecking, when surrounded by an 8 foot screening fence.
7. Mineral and natural resources exploration, extraction and related facilities, but excluding exploratory or production drilling and minor exploratory excavations. Drilling operations shall be permitted in accordance with Section 485-7.
8. Livestock sales facility.
9. Paint, shellac, turpentine or varnish manufacture.
10. Petroleum products manufacture or wholesale storage of petroleum; gas manufacturing and petroleum refining.
11. Planned unit development (PUD), in accordance with the provisions of Section 485-2.
12. Sewage disposal plant.
13. Trade, technical or vocational school.
14. Wind generator or other energy collection device in excess of 35 feet in height.
15. Hazardous waste disposal site, as defined in Title 25, Article 15, Part 2, Colorado Revised Statutes. The Conditional Use Application shall be administered concurrently and in conjunction with the Certificate of Designation application, pursuant to the Moffat County Hazardous Waste Siting Regulations adopted November 10, 1983.(Amended 11/10/83)
16. Synthetic fuels processing plant.(Directors Classification 9/14/84)
17. Such other uses as the Director may classify as consistent with the provisions of Section 460 and those uses already listed as a conditional use in this District. The Director's classification shall be administered in accordance with Section 605.

SECTION 460.4 - TEMPORARY USES

The following uses may be permitted in the "H-I" District on a temporary basis, subject to the time limits specified:

1. Construction office and yard incidental to construction on the premises. Time limit: 12 months
2. Carnival, circus, bazaar, or fair. Time limit: 2 weeks
3. Tent meeting or crusade. Time limit: 2 weeks
4. Parking for another temporary use. Time limit: Same as temporary use for which it is required.
5. Signs erected only for political campaigns. Time limit: 2 months
6. Building or use, not otherwise in violation of this Zoning Resolution or State and County Health and Safety Regulations, established to conduct business for an interim period while plans are finalized and permits sought for a permanent use. Time limit: 6 months (Amended 4/30/86)

SECTION 460.5 - PROPERTY DEVELOPMENT STANDARDS

The following property development standards shall apply to all land and structures in the "H-I" District:

1. Lot Size

No requirement, except that each lot hereafter created shall abut a dedicated public right-of-way, constructed to County standards.

2. Population Density

No requirement.

3. Building Height

No building or structure hereafter erected in this District shall exceed 35 feet in height. Flagpoles, chimneys, smokestacks, and radio and television masts are excepted, provided that the vertical height of a structure may not exceed the horizontal distance from the structure to the nearest property line, utility easement or dwelling.

4. Building Floor Area

No requirement, except as specified in the Uniform Building Code.

5. Yards

Yards are required to extend the full width or depth of the lot, as provided below:

a. Front Yard

Each lot shall have a front yard setback of not less than 50 feet from the street right-of-way or 80 feet from the street easement center line. Uses permitted under a Conditional Use Permit which are found to be obnoxious or offensive because of odor, dust, smoke, gas, noise, or vibration may require a buffer zone of up to 600 feet.

b. Side Yard

Each lot shall have a side yard setback of not less than 30 feet from the property line. Uses permitted under a Conditional Use Permit which are found to be obnoxious because of odor, dust, smoke, gas, noise or vibration may require a buffer zone of up to 600feet.

c. Rear Yard

Each lot shall have a rear yard setback of not less than 25 feet from the property line. Uses permitted under a Conditional Use Permit which are found to be obnoxious or offensive because of odor, dust, smoke, gas, noise or vibration may require a buffer zone of up to 600 feet.

d. Accessory Buildings and Structures

Accessory buildings and structures shall conform to the required yard setbacks.

e. Permitted Projections into Required Yards

The following items and other similar architectural features may extend or project into a required yard not more than 6 inches for each required foot of yard setback:

- (1) Uncovered or unenclosed porches, patios and decks;
- (2) Open, unenclosed stairways or balconies not covered by a roof or canopy.

f. Corner Lot

No solid fence, wall, tree, hedge or shrubbery over 3 feet in height shall be permitted within the triangular area of a corner lot formed by two lines extending 15 feet from the corner along the front and side property lines and a connecting diagonal line measuring 21.2 feet long, in order to provide a clear field of view of crossing traffic for vehicles negotiating the intersection. (Amended 8/18/83)

6. Fences, Hedges and Walls

Fences, hedges and walls shall be permitted on or within all rear, side and front property lines, providing that a clear field of view is not obstructed for vehicles traveling on public roads or entering from private access roads. Uses permitted under a Conditional Use Permit which are found to be obnoxious or offensive because of odor, dust, smoke, gas, noise or vibration may require fencing or screening to a minimum height of 8 feet.

7. Off-Street Parking

Off-street parking shall be provided in accordance with the provisions of Section 470.

8. Outdoor Advertising

Outdoor advertising may be permitted in accordance with the provisions of Section 475.

9. Non-Conforming Buildings and Uses

Non-conforming buildings and uses shall be regulated in accordance with the provisions of Section 480, except that nonconforming residential uses may not be continued in the District.

10. General Conditions

General conditions, as provided in Section 485, shall apply to the "H-I" District.

SECTION 465 "0" OPEN DISTRICT

The "0" District is intended to provide for permanent open space in the County where the limitation of development is desired in order to protect the public in areas of flood hazard, fire hazard, geologic hazard, or other areas of public safety concern. Recreation facilities, wildlife preserves, transportation facilities, and other appropriate open uses are desirable in the "0" District. All regulations for this District are deemed necessary for the protection of special hazard areas and for the securing of the health, safety and general welfare of the public.

SECTION 465.1 - PERMITTED USES

The following uses shall be permitted in the "0" District. All uses shall be subject to the Property Development Standards in Section 465.5.

1. Agriculture.
2. Fisheries.
3. Airports
4. Cemeteries.
5. Recreation, but including only such structures as approved by the Planning Commission.
6. Exploration drilling, production drilling or monitoring well drilling for a mineral resource, excluding seismograph exploration, in accordance with noticing provisions of Section 485-7.(Amended 8/18/83)
7. Such other uses as the Director may classify as consistent with the provisions of Section 465 and those uses already listed as permitted uses in this District. The Director's classification shall be administered in accordance with Section 605.

SECTION 465.2 - PERMITTED ACCESSORY USES

The following accessory uses are permitted in the "0" District.

1. Parking areas sized to serve a permitted use or approved conditional use only.

SECTION 465.3 - CONDITIONAL USES

The following uses may be permitted in the "0" District, subject to a Conditional Use Permit, as provided for in Section 405.3:

1. Mineral and natural resource exploration, extraction and related facilities, but excluding exploratory or production drilling and minor exploratory excavations. Drilling operations shall be permitted in accordance with Section 485-7.
2. Public buildings, as defined in this Resolution. (Amended 8/18/83)
3. Public safety facilities, as defined in this Resolution. (Amended 8/18/83)
4. Public utilities, as defined in this Resolution.
5. Sanitary landfill.
6. Sewage disposal plant.
7. Dwelling, but only as a custodial function to another permitted use or approved conditional use in the District.
8. Such other uses as the Director may classify as consistent with the provisions of Section 465 and those uses already listed as conditional uses in this District. The Director's classification shall be administered in accordance with Section 605.

SECTION 465.4 - TEMPORARY USES

The following uses may be permitted in the "O" District on a temporary basis, subject to the time limits specified:

1. Construction office and yard incidental to construction on the premises. Time limit: 12 months
2. Carnival, circus, bazaar, or fair. Time limit: 2 weeks
3. Tent meeting or crusade. Time limit: 2 weeks
4. Parking for another temporary use. Time limit: Same as temporary use for which it is required.
5. Signs erected only for political campaigns. Time limit: 2 months

SECTION 465.5 - PROPERTY DEVELOPMENT STANDARDS

The following property development standards shall apply to all land and structures in the "O" District:

- 1. Lot Size**
No requirement.
- 2. Population Density**
No requirement.
- 3. Building Height**
No building or structure hereafter erected in this District shall exceed 35 feet in height. Flagpoles, chimneys, smokestacks, and radio and television masts are excepted, provided that the Vertical height off a structure may not exceed the horizontal distance from the structure to the nearest property line, utility easement or dwelling.

4. Building Floor Area

Each dwelling hereafter erected or constructed in this District shall have a minimum floor area of 600 square feet.

5. Yards

Yards are required to extend the full width or depth of the lot, as required below:

a. Front Yard

Each yard shall have a front yard setback of not less than 60 feet, as measured from the street right-of-way line, or 90 feet as measured from the street easement center line.

b. Side Yard

Each lot shall have a side yard setback of not less than 60 feet from the property line.

c. Rear Yard

Each lot shall have a rear yard setback of not less than 60 feet from the property line.

d. Accessory Buildings and Structures

Accessory buildings and structures shall conform to the required yard setbacks.

e. Permitted Projections into Required Yards

The following items and other similar architectural features may extend or project into a required yard not more than 6 inches for each required foot of yard setback.

(1) Uncovered and unenclosed porches, patios and decks.

(2) Open, unenclosed stairways or balconies not covered by a roof or canopy.

6. Fences, Hedges, Walls and Corrals

Fences, hedges, walls and corrals, shall be permitted on or within all rear, side and front property lines, providing that a clear view is not obstructed for vehicle traveling on public roads or entering from private access roads.

7. Off-Street Parking

Off-street parking shall be provided sufficient to eliminate the parking of vehicles or equipment within the public right-of-way.

8. Outdoor Advertising

Outdoor advertising may be permitted in accordance with the provisions of Section 475.

9. Non-Conforming Buildings and Uses

Non-conforming buildings and uses shall be regulated in accordance with the provisions of Section 480.

10. General Conditions

Section 485-3, -4, -6 and -7 of the General Conditions shall apply in the "0" District.

SECTION 470 OFF-STREET PARKING REQUIREMENTS

For every building hereafter erected or structurally altered in the Business, Commercial or Industrial Districts, off-street parking spaces shall be provided. Each space shall measure at least 9 feet in width and 20 feet in length (18 feet, if suitable overhang space is available beyond wheel stops). Off-street parking areas shall be paved for all uses in the Business and Commercial Districts and shall be paved or graveled for all uses in the Industrial Districts.

Areas included in driveways or otherwise required to move vehicles in and out of parking spaces shall not be considered to meet off-street parking space requirements. Where more than one use is

conducted on a single lot, parking shall be required for each use, even though one use is accessory to another.

Parking areas shall be marked to clearly indicate individual parking spaces and shall be maintained in good condition.

SECTION 470.1 - SPECIFIC PARKING STANDARDS

The following types of uses shall require the designated number of off-street parking spaces for both principal and accessory uses, and shall include adequate staff and employee parking:

1. Medical offices and clinics: 3 spaces per examine room.
2. Hospitals: 1 space per bed.
3. Funeral homes, mortuaries, churches, auditoriums, theaters or other places of assembly: 1 space for each 6 seats.
4. Restaurants and lounges: 1 space for each 3 seats.
5. Hotels and motels: 1 space per guest room, plus 2 spaces for manager's unit.
6. Drive-in and walk-up restaurants and similar types of eating establishments: 1 space per 50 ft. gross floor area and space for each 3 seats if provided.
7. Bowling alley: 3 spaces per lane.
8. Service stations: 4 spaces, plus 2 spaces for each enclosed service bay.
9. Beauty shops; barber shops: 2 spaces for each customer chair.
10. Industrial uses: Adequate space for company vehicles and equipment, plus 1 space for each employee on a shift plus adequate visitor parking.
Nursing homes: 1 space for each 3 beds
11. Schools: Day care centers, nursery, elementary, junior high: 1 space per employee
High schools and colleges: 1 space per employee plus adequate student parking.
12. Drive-in restaurants and convenience food stores: sufficient off- street space shall be provided to allow an automobile to exit, maneuver and exit without backing onto any public right of way

SECTION 470.2 - GENERAL PARKING STANDARDS

For those retail, service and office establishments not specifically identified in Section 470.1, sufficient parking shall be provided to meet the projected demand of the use with which the parking is associated. "Sufficient parking" shall mean one parking space for each employee at the projected peak daily employment level, plus .8 of a parking space for each customer at the projected peak daily business level.

SECTION 470.3 - LOADING SPACE STANDARDS

Loading spaces shall be provided and maintained for the purpose of loading or off-loading goods and material for any business, commercial or industrial property. When the lot abuts an alley, such loading spaces shall adjoin or have access from said alley, but in no case shall any part of an alley or street be used for providing the required loading space. Where a loading space is adjacent to a residential district, loading shall be done only between the hours of 8:00 A.M. and 6:00 P.M., unless the loading area is located not less than 100 feet from such district or is completely enclosed. Loading spaces shall be not less than 40 feet in length, 12 feet in width, and shall have 14 feet of vertical clearance.

The following off-street loading spaces shall be provided:

	Total Square Feet of Building Space (gross floor area)	Loading Spaces Required
Hospitals and Similar Institutions	0- 3,000	0
	3,001- 20,000	1
	20,001- 50,000	2
	50,001- 80,000	3
	80,001- 110,000	4
	110,001 & over	5
Hotels and Office Buildings	0- 5,000	0
	5,001- 50,000	1
	50,001- 100,000	2
	100,001 & over	3
Business and Commercial Buildings	0- 3,500	0
	3,501- 15,000	1
	15,001- 45,000	2
	45,001- 75,000	3
	75,001- 100,000	4
	100,001 & over	5
Industrial Buildings and Uses	0- 3,500	0
	3,501- 40,000	1
	40,001- 80,000	2
	80,001- 120,000	3
	120,001- 160,000	4
	160,001 & over	5

SECTION 475 SIGNS AND OUTDOOR ADVERTISING DEVICES

Signs or outdoor advertising devices shall hereafter be erected, altered, maintained or moved only when such sign or device shall conform with the following schedule of uses, types and classifications of signs permitted. In no case shall a sign be erected that will constitute a visual obstruction to vehicular traffic, nor will it encroach on a public right-of-way. In no case shall a flashing or rotating sign be erected.

SECTION 475.1- SCHEDULE OF USES AND TYPES (Amended 8/18/83)

DISTRICT:	USES:	TYPE:
A	Agricultural	A,B,D,E,F
-R, R-C		
R-1 ,MH-1	Residential Public/Institutional	A,F A,B,D,F
R-2, MH-2	Residential	A,B,D,F

	Public/Institutional	A,B,D,F
B	Business Residential	A, B, C, D, F A,B,D,F
C, L-I	Commercial/Industrial Residential	A,B,C,D,E,F A,B,D,F
H-I	Commercial/Industrial	A,B,C,D,E,F
O	Agricultural Public/Institutional	A, B, D,E, F, A,B,D,F

SECTION 475.2 - CLASSIFICATION OF SIGNS PERMITTED

The classification of signs or outdoor advertising devices is as follows:

1. Type A - Identification Signs

- a. Purpose: To identify premises, occupants of premises or home occupation performed thereon; (Amended 8/18/83)
- b. Size: 3 square feet maximum, per sign;
- c. Number: 1 for each street upon which the property faces;
- d. Illumination: None, except for identification of house numbers;
- e. Height: No higher than the roof line or parapet of the highest building on the premises;
- f. Setback: No sign shall be constructed nearer than 2 feet from the nearest property line unless mounted flush to the building wall, in which case the sign shall not exceed 12 inches in thickness.

2. Type B - Directional Signs

- a. Purpose: To direct the flow of traffic;
- b. Size: 4 square feet maximum, per sign;
- c. Number: 2 for each premise upon which such sign is necessary, plus 2 for each street or road upon which each premise faces;
- d. Illumination: Indirect, except that direct illumination is permitted where such signs measure 2 feet square maximum and do not face into an A, R-R, R-C, R-1, MH-1, or MH-2 District within 100 feet of the face of the sign, measured perpendicularly.(Amended 8/18/83)
- e. Height: No higher than the roof line or parapet of the highest building on the premises;
- f. Setback: No sign shall be constructed nearer than 2 feet from the nearest property line unless mounted flush to the building wall, in which case the sign shall not exceed 12 inches in thickness.

3. Type C - Business Signs

- a. Purpose: To announce the name of a business or service establishment and/or to indicate the type of goods sold or services performed;
- b. Size: 50 square feet maximum, per sign;
- c. Number: 2 per premise;
- d. Illumination: Indirect, except that in the B, C, L-I, and H-I Districts, direct illumination is permitted where such signs would not face into an A, R-R, R-C, R-1, R-2, MH-1 or MH-2 District within 100 feet from the face of the sign, measured perpendicularly; (Amended 8/18/83)

- e. Height: No higher than the roof line or parapet of the highest building on the premises, except that in the B, C, L-I, or H-I Districts a sign may exceed by a maximum of 18 feet the maximum height of the roof or parapet wall;
- f. Setback: No sign shall be constructed nearer than 2 feet from the nearest property line unless mounted flush to the building wall, in which case the sign shall not exceed 12 inches in thickness.

4. Type D - Identification Signs

- a. Purpose: To announce the name, location, sponsor or occupant of a building or premise, to include bulletin boards for announcement purposes; (Amended 8/18/83)
- b. Size: 15 square feet maximum, per sign;
- c. Number: 2 signs per street upon which the premise faces;
- d. Illumination: Indirect, except that in the B, C, L-I and H-I District direct illumination is permitted where such signs would not face into an A, R-R, R-C, R-1, R-2, MH-1 or MH-2 District within 100 feet from the face of the sign, measured perpendicularly; (Amended 8/18/83)
- e. Height: No higher than the roof line or parapet of the highest building on the premise;
- f. Setback: No sign shall be constructed nearer than 2 feet from the nearest property line unless mounted flush to the building wall, in which case the sign shall not exceed 12 inches in thickness.

5. Type E - Outdoor Advertising Sign or Device

- a. Purpose: To advertise goods and services that may or may not be sold on the premises;
- b. Size: Not to exceed 5 square feet for every 1 foot of street frontage of the property upon which the sign is located, but in no case to exceed 300 square feet per sign;
- c. Number: 1 for each street frontage upon which the property face and placed so that only 1 sign faces each street;
- d. Illumination: Indirect only;
- e. Height: In the B, C, L-I and H-I Districts a sign may exceed by a maximum of 18 feet the maximum height of the roof or parapet wall. For ground signs, the height shall not exceed the distance from the sign to the nearest point on the property line;
- f. Setback: No sign shall be constructed nearer than 2 feet from the nearest property line unless mounted flush to the building wall, in which case the sign shall not exceed 12 inches of thickness.

6. Type F - Temporary Signs

- a. Purpose: To announce the sale or leasing of a property or building; to announce a public event; to identify the builder, architect or tenant of a proposed building or property; election campaigns;
- b. Size: 20 square feet maximum, per sign;
- c. Number: 1 for each street frontage upon which the property faces and placed so that only 1 sign faces each street;
- d. Illumination: None
- e. Time limit: 12 months;
- f. Height: Not to exceed 5 feet;
- g. Setback: No sign shall be constructed nearer than 2 feet from the nearest property line unless mounted flush to the building wall, in which case the sign shall not exceed 12 inches of thickness.

SECTION 475.3 - NON-CONFORMING SIGNS

All signs in all districts that become non-conforming at the time of the passage of this Resolution may be maintained and kept in a state of good repair, so long as such signs are not relocated, replaced or structurally altered.

SECTION 480 NON-CONFORMING BUILDINGS AND USES

Non-conforming buildings and uses shall be those buildings and uses lawful when established, but which do not conform to subsequently established zoning or building regulations. It is the intent and purpose of this Section to declare such buildings and uses to be non-conforming, for the purpose of protecting the health, safety and general welfare, and to regulate their further use under such non-conformity.

SECTION 480.1 - NON-CONFORMING BUILDINGS

A building or structure which is non-conforming at the date of passage of this Resolution may be maintained, except as otherwise provided in this Section;

- 1. Repairs and Alterations:** Repairs and alterations may be made to non-conforming buildings and structures provided no structural alterations shall be made which will alter the nature or use of the building. Repairs and alterations made to non-conforming buildings shall be confined to those necessary for upkeep or replacement due to obsolescence;
- 2. Additions and Enlargements:** Buildings or structures, non-conforming as to use regulations, shall not be added to or enlarged in any manner unless the existing building or structure, as well as any additions or enlargements, are made to conform to all regulations of the zone in which it is located;
- 3. Parking:** A building or structure lacking sufficient automobile parking space or loading area may be altered or enlarged to permit additional parking or loading, provided that such alterations do not affect or otherwise influence the use of the building;
- 4. Moving:** A non-conforming building or structure shall not be moved, in whole or in part, to any other location on the lot unless every portion of the building or structure is made to conform to all regulations of the zone in which it is located;
- 5. Restoration of Damaged Buildings:** A structure or building with a non-conforming use which is destroyed or damaged by earthquake, fire, flood, wind or calamity or act of God or by the public enemy, may be reconstructed and such non-conforming use may be continued. Such restoration or reconstruction shall conform to the Uniform Building Code.

SECTION 480.2 - NON-CONFORMING USE OF LAND

The non-conforming use of land, where no building is involved, existing at the time this Resolution becomes effective, may be continued after the passage of this Resolution, provided:

1. That no such non-conforming use of land shall be expanded or extended in any way on the same or adjoining land;
2. That if such non-conforming use of land or any portion thereof is discontinued or changed, any future use of such land shall be in conformity with the use provisions of the zone in which it is located.

SECTION 480.3 - RECLASSIFICATION

The foregoing provisions shall also apply to buildings, structures, land or uses which hereafter become non-conforming due to any reclassification of zones. Where a period of years is specified by the Board of County Commissioners for the removal of non-conforming uses, such period shall be computed from the date of the reclassification of the zone.

SECTION 480.4 - REMOVAL

Removal of a non-conforming structure or building shall also discontinue any associated non-conforming uses. When initiated by a complain in writing from an adjoining property owner, the Board of County Commissioners may, where significant injury is found, require the removal of a non-conforming building or use within a period of not less than 5 years. Such Notice of Removal shall be filed with the County Clerk and recorded as a restriction on the property.

SECTION 485. GENERAL CONDITIONS

The following general conditions, where applicable, shall apply in all districts:

1. **Predominant Setback:** A predominant setback shall prevail in any district where lots comprising 50% or more of the block frontage are developed with a front yard either greater or lesser in depth than that prescribed for the district.
2. **Planned Unit Development:** A Planned Unit Development (PUD) may be permitted in any district, except the Agriculture District, on sites of not less than 2 acres in area (net), provided that the Planning Commission and the Board of County Commissioners are able to make a finding that the proposed development is likely to produce a more functional, enduring and desirable environment than would otherwise be possible and that no adverse effect to adjacent properties would result there from.

A pre-application discussion should be held between the applicant and the County Planning staff. The following sequence shall be followed for application approval:

- a. Sketch Plan in accordance with Subdivision Regulations, with associated site plans and building elevations;
- b. Preliminary Plat in accordance with Subdivision Regulations, with revised site plans, building elevations and rezoning application, where needed;
- c. Final Plat in accordance with Subdivision Regulations, with restrictive covenants, as applicable.

The interval between Preliminary Plat approval and Final Plat Approval shall be subject to a 1 year time limit, with 2 extensions of 1 year each possible with Planning Commission approval.

3. **Exercise of Rights:** The exercise of rights granted by a zone change or conditional use permit shall be commenced within 2 years after the date of final approval. Failure to exercise the rights granted by such approval shall cause the original application to be reconsidered by the Planning Commission and the Board of County Commissioners.
4. **Fortification Creek:** No structure or building shall be constructed or erected nearer than 62 ½ feet from the center of Fortification Creek, provided that nothing herein shall prohibit within this area parks, picnic grounds, recreational trails, or the growing and preservation of trees, nursery stock and shrubbery for sale.

5. **Weed Control:** Within all non-agricultural districts a weed control program shall be conducted by the property owner on an annual basis. Such program shall be for the purpose of reducing fire hazard, refuge for insects, spread of weed seed, and visual blight. Weeds subject to control under such a program shall be those identified as primary noxious weeds and secondary noxious weeds under the Colorado Pure Seed Law and such other weeds as may be identified as problem weeds by the Moffat County Weed Control Board. Such control program shall consist of cutting and/or spraying as appropriate for the species involved.

Failure to conduct an annual weed control program as required shall cause the County Planning Department to issue a Notice of Compliance. Failure to comply with such notice within 15 days of Receipt shall cause the County of Moffat to initiate the appropriate control measures at the expense of the property owner.

6. **Floodplain Regulations:** Development within a designated floodplain shall conform to the standards and restrictions contained in the Floodplain Regulations for Moffat County, Colorado (Unincorporated Areas), adopted June 10, 1982, and any amendments thereto as they apply to properties located adjacent to Fortification Creek, San Gulch, Sand Gulch Tributary, Brotherton Gulch, Cedar Mountain Gulch, Pine Ridge Gulch, Lay Creek, and the Yampa River.

7. **Intent to Drill:** Drilling programs for the purpose of exploration (excluding seismograph exploration), extraction of a mineral resource, or installation of a monitoring well, shall be permitted by right in all districts, subject to the filing of an "Intent to Drill" data sheet and a copy of the Multi-Point Program, or such other application information as may be required by the applicable State regulatory agency, with the County Planning Department. Notification of the following entities, as applicable, is also MOCOZO.DOC required prior to commencement of drilling operations: (Amended 8/18/83)

- a. Surface owner(s) of the drilling site;
- b. Surface owner(s) of the access road(s);
- c. Water District Commissioner, if water source is a flowing waterway;
- d. Water rights owner, if water source is a well, stock pond, irrigation ditch, etc;
- e. County Road Department, if access is off of a County road;
- f. State Highway Department, if access is off a State highway.

8. **Home Occupations:** A home occupation shall be allowed as a conditional use in residential districts, subject to the following conditions:
- a. Such use shall not change the outside appearance of the dwelling or accessory building;
 - b. Such use shall not generate traffic in noticeably greater volumes than would normally be expected in the neighborhood.
 - c. Such use shall provide additional off-street parking sufficient to accommodate the need created by the home occupation;
 - d. Such use shall not create a hazard to person or property, result in electrical interference, or become a nuisance;
 - e. Such use shall not result in the outside storage of any materials or products;
 - f. Such use shall not include the retail sales of products or supplies, except where such products or supplies are incidental to the home occupation or where a home products distributor primarily conducts sales off the premises;
 - g. Such use shall not exhibit any exterior advertising or displays other than an identification sign in accordance with Section 475.2-1;
 - h. Such use shall not produce any offensive noise, vibration, smoke, dust, odors, heat or glare noticeable at or beyond the property line;

- i. Such use shall not involve the use of commercial vehicles for delivery of materials to or from the premises, other than a vehicle owned by the operator of the home occupation, and which shall meet the requirements for storage of a commercial vehicle in said district.

A conditional use permit for a home occupation shall be issued only to the individual or individuals who regularly inhabit the dwelling unit and shall not be transferable to any other person, entity or property. If the permittee violates any of the conditions of the permit approval, or if the permittee ceases to engage in the approved home occupation, the permit may be withdrawn after giving the permittee notice and opportunity to be heard.

One or more of the above listed conditions may be waived where an unnecessary hardship is shown to exist. (An unnecessary hardship may include, but is not limited to, a physical handicap or an isolated location.

A conditional use application for a home occupation conducted within an area not exceeding 150 square feet of floor space may be reviewed and approved by the Planning Director unless, in the opinion of the Director, special conditions exist that would warrant review and approval by the Planning Commission and the Board of County Commissioner. Home occupations that exceed 150 square feet of floor area shall be reviewed and approved by the Planning Commission and the Board of County Commissioners, accordance with procedures enumerated in Section 405.3. (Amended 8/31/84)

9. **Bed & Breakfast Inn:** A bed & Breakfast Inn shall be allowed as a conditional use in designated districts subject to the following conditions.
 - a. Such use shall not exhibit any exterior advertising or displays other than identification signs in accordance with Section 475.2-4.
 - b. Such use shall require connection to a waste water disposal system sized for the proposed use in accordance with Moffat County sewage disposal regulations.
 - c. Such use shall be approved only upon submission of a satisfactory Biological Water Test from the Colorado Department of Health.

A conditional use permit for a Bed & Breakfast Inn shall be issued only to the owner. Said use permit shall have a time limit of one year and shall be renewable annually in the month of July by the County Planning Director upon the submission of a satisfactory Biological Water Test from the Colorado Department of Health.

SECTION 490 MINIMUM SIZE OF NEW DISTRICTS

No amendment to the Official Zoning Map shall be made that would create or allow to remain a zoned area of less than the following gross areas for a new district:

1. A - Agriculture: 35 acres
2. R-R - Rural Residence: 35 acres
3. R-C - Rural Community: 35 acres (Adopted 7/20/83)
4. R-1 - Low Density Residential: 20 acres
5. R-2 - Medium Density Residential: 5 acres (Amended 8/18/83)

6. MH-1 - Mobile Home Subdivision: 20 acres
7. MH-2 - Mobile Home Park: 5 acres
8. B - Business: 5 acres
9. C - Commercial: 5 acres
10. L-I - Light Industrial: 5 acres
11. H-I - Heavy Industrial: 35 acres
12. Open: No minimum

Districts smaller than the approved areas may be initiated by the Planning Commission or the Board of County Commissioners when such districts are determined to be in the public interest.