

**Chapter 12
DEFINITIONS AND TERMS**

§12.1 | Terms Defined

- A1-30, AE** (Flood Hazard Zone): Area of special flood hazards with base flood elevations determined.
- AH** (Flood Hazard): Area of special flood hazards having shallow water depths and/or unpredictable flow paths between one and three feet, and with water surface elevations determined.
- A0** (Flood Hazard Zone): Area of special flood hazards having shallow water depths (usually sheet flow) between one and three feet and with water surface elevations determined. Areas of alluvial fan flooding, velocities also determined.
- Abut/Abutting:** To physically touch or border upon; or to share a common property line or border.
- Access:** A way or means of approach to provide safe, adequate and usable physical entrance and exit to a property, use, or parking space.
- Accessory Use:** a use or structure that:
- A. is clearly incidental to and customarily found in connection with a principal structure or use;
 - B. is subordinate in area, extent and purpose to the principal building or use;
 - C. contributes to the comfort, convenience or necessity of occupants of the principal use; and
 - D. is located on the same lot and in the same zoning district as the principal use.
- Adjacent:** Same as “abutting.”
- Adult Bookstore:** Any establishment that sells or rents **Adult Material** including but not limited to books, magazines, movies, films, slides, or other photographic or written material and/or devices.
- Adult Cabaret, Restaurant or other Business:** A cabaret, restaurant or place of business that features topless or bottomless dancers, waitresses, waiters, or entertainers.
- Adult Entertainment Establishment:** Any establishment that conducts as a principal use of the premises or as a significant or substantial adjunct to another use of the premises, the sale, rental, display or other offering of live entertainment, dancing or material that is distinguished or characterized by its emphasis on depicting, exhibiting, describing or relating to **Specified Sexual Activities** or **Specified Anatomical Areas** as an attraction to the premises, including but not limited to **Adult Bookstores, Adult Hotels/Motels, Adult Motion Picture Theaters, Adult Restaurants, Adult Cabarets** or **other Adult Businesses**.
- Adult Hotel or Motel:** Any hotel or motel in which the presentation of **Adult Material** is the primary or a principal attraction.

Adult Material: Any material including, but not limited to books, magazines, newspapers, movie films, slides, or other photographic or written materials, video tapes or devices that are distinguished by their emphasis on depicting, describing or relating to **Specified Anatomical Areas** or **Specified Sexual Activities**.

Adult Motion Picture Theater: Any fully enclosed theater in which the presentation of **Adult Material** is the primary or principal attraction.

Air Navigation Facility: Any facility, other than one owned and operated by the United States, used in, available for use in, or designed for use in aid of air navigation, including any structures, mechanisms, lights, beacons, markers, communicating systems, or other instrumentalities or devices used or useful as an aid, or constituting an advantage or convenience to the safe take-off, navigation, and landing of aircraft, or the safe and efficient operation or maintenance of an airport, and any combination of any or all of such facilities.

Airport: Any area of land or water which is used, or intended for use, for the landing and takeoff of aircraft, and any appurtenant areas which are used, or intended for use, for airport buildings or other airport facilities or rights-of-way, together with all airport buildings and facilities located thereon however financed. Such facilities may also include land and buildings, together with all appurtenances necessary or convenient thereto for the accommodation or convenience of the public, whether or not the members of the public so accommodated are directly or indirectly engaged in transportation by air, including, but not limited to, parking, dining, recreational, and hotel facilities.

Airport Environs: The geographic area that is affected by the airport air traffic operations and defined on the basis of those lands immediately affected by the 65 Ldn and greater noise exposure area from the Airport Environs Overlay Maps (adopted as Section 7.21.3). For purposes of conveyance of aviation easements, the airport environs shall also include the area identified as the Airport Area of Influence (Subdistrict A).

Amateur Radio: Radio communications, which are licensed or regulated as such by the Federal Communications Commission.

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

Animal Confinement: Any building, corral, pen or other enclosure used for the feeding or care of 20 to 1,000 animal units. Any sorting pens, alleyways, milking parlors, shelters, scales, or other equipment and buildings directly related to the operation shall be considered accessory uses to the animal confinement.

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

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

Animal Unit: A unit of measurement used to determine the animal capacity of an animal-feeding operation containing one or more species of animals. The animal unit capacity of an operation is determined by multiplying the number of animals of each species

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by the appropriate equivalency factor from the following table and summing the resulting totals for all animal species contained in the operation.

Animal Species	Equivalency Factor Based on Animal Unit = 1,000 lb. Cow	4 animal units/acre RSFR District	3 animal units/acre Other Urban Districts	1,000 Animal Units Feedlot Threshold
Alpaca or Llama	0.50	8	6	2,000
Bison, buffalo (under 2 years old)	0.80	5	3.75	1,250
Bison, buffalo	1.00	4	3	1,000
Bison, buffalo - cow w/calf	1.00	4	3	1,000
Burro, Donkey	1.00	4	3	1,000
Burro, Donkey - Miniature	0.50	8	6	2,000
Cattle, Beef Slaughter and Feed (under 2 years old)	0.80 (1-2 yrs)	5	3.75	1,250
Cattle, Beef - Slaughter and Feed	1.00 (>2 yrs)	4	3	1,000
Calves (under 6 months)	0.00	-	-	-
Cattle, Beef - cow w/calf	1.00	4	3	1,000
Cattle, Dairy (bulls or cows)	1.40 (>2 yrs)	2.9	2.1	714
Chickens, Broiler	0.02	200	150	50,000
Chickens, Layer	0.02	200	150	50,000
Elk, domestic (under two years old)	0.50	8	6	2,000
Elk, domestic	0.80	5	3.75	1,250
Elk, domestic - cow w/calf	0.80	5	3.75	1,250
Emu less than 100 lbs	0.10	40	30	10,000
Emu more than 100 lbs	0.20	20	15	5,000
Fallow Deer	0.50	8	6	2,000
Geese, ducks, swans, turkeys, fowl	0.03	133	100	33,333
Goat, feeder (less than 80 lbs.)	0.10	40	30	10,000
Goat, mature broodstock	0.20	20	15	5,000
Goat, nanny w/kids	0.20	20	15	5,000
Goat, miniature	0.05	80	60	20,000
Horses, mules	1.30	3.1	2.3	769
Horses - mare w/foal	1.00	4	3	1,000
Horses - miniature	0.50	8	6	2,000
Ostrich	0.30	13.3	10	3,333
Rabbit, fryer and mature	0.02	200	150	100,000
Sheep, feeder less than 80 lbs	0.10	40	30	10,000

Animal Species	Equivalency Factor Based on Animal Unit = 1,000 lb. Cow	4 animal units/acre RSFR District	3 animal units/acre Other Urban Districts	1,000 Animal Units Feedlot Threshold
Sheep, feeder more than 80 lbs	0.20 (1 yr+)	20	15	5,000
Sheep, mature broodstock	0.20	20	15	5,000
Sheep ewes w/lambs	0.20	20	15	5,000
Swine, feeders (less than 50 lbs)	0.10	40	30	10,000
Swine, feeders (50 lbs to market)	0.20	20	15	5,000
Swine, mature broodstock	0.40	10	7.5	2,500
Swine, sow with litters	0.40	10	7.5	2,500

Animal Waste Collection System: A system, including pipelines, conduits, pumping stations, force mains, and all other construction, devices, appurtenances, and facilities, used for collecting or conducting wastes to an ultimate point for treatment or disposal.

Animal Waste Treatment Facility: An animal waste receiving facility designed to digest or alter animal waste either mechanically or biologically.

Antenna: Any device designed and intended for transmitting or receiving television, radio, microwave signals, or other electromagnetic waves. An antenna includes all mounting and stabilizing items such as a tower, a pole, a bracket, guy wires, hardware, connection equipment and related items.

Antenna Array: One or more rods, panels, discs or similar devices used for the transmission or reception of radio frequency signals, which may include omni-directional antenna (rod), directional antenna (panel) and parabolic antenna (disc). It does not include a “telecommunications support structure.”

Apartment: (see Dwelling, Multiple-Family)

Area of shallow flooding (for floodplain regulation): A designated AH or AO zone with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Avigation Easement: An avigation easement limits construction and heights of vegetation, and grants the right of flight over the surface together with the right, subject to the applicable local, state, and federal laws (such as noise pollution laws) to cause noise, vibrations, smoke, fumes, glare, dust, fuel particles, and other effects of aircraft operations.

Base Flood: The flood having a 1 (one) percent chance of being equaled or exceeded in any given year.

Basement: That portion of a building that is partly or completely below grade.

Bed and Breakfast: A facility of residential character that provides sleeping accommodations and breakfast for hire on a day-to-day basis in which the proprietor resides.

Best Management Practices (BMP): Practical activities, procedures, or practices necessary for achieving minimum compliance with appropriate standards (e.g., air quality, odor, water quality, etc.).

Business Residence: Dwelling unit(s) on the site of a nonresidential use.

Building (or Structure): Anything constructed, erected or placed, which requires a permanent location on the ground or is anchored to the ground, or attached to something having a permanent location on the ground. This includes, but is not limited to advertising signs (on- or off-premise), antennas, satellite dishes, wind generators, and buildings, whether for storage or occupancy.

Building/Structure, Principal: The building or structure that is occupied by the principal use.

Cemetery: Land used for burial of the dead, whether human or animal, including a mausoleum or columbarium.

Channel: A natural or artificial low-lying area of perceptible extent, with a definite bed and banks, which confines and conducts continuous or periodic flows of water.

Cluster Development: A development design technique that concentrates buildings in specific areas on a site to allow the remaining land to be used for recreation, common open space, preservation of environmentally sensitive areas or agricultural uses.

Co-location: The location of wireless communication facilities on an existing structure, tower, or building in a manner so that an additional tower, structure or facility is not required.

Common plan of development or sale (larger): A contiguous area where multiple separate and distinct construction activities will take place at different times on different schedules under one plan. An example would be a commercial development with multiple separate buildings constructed over the course of multiple construction schedules.

Confined Animal Feeding Operation (also known as Feedlots): An agricultural operational unit that meets all of the following criteria: (1) is designed to confine more than 1,000 animal units, (2) animals are confined, fed, and maintained for 45 consecutive days or more between May 15 and September 15, (3) crop or forage growth is not maintained in the area of confinement, (4) a majority of the crops or forage used to feed the animals is not grown on the same property, and (5) generates an average of more than five truck trips per week transporting animals to or from the confinement area (see also, “**Animal Confinement**”).

Concealed, or Stealth: Any tower or telecommunications facility which is designed to enhance compatibility with adjacent land, buildings, structure and uses, including, but not limited to, architecturally screened roof-mounted antennas, antennas integrated into architectural elements and towers designed to not look like a Tower such as light poles, power poles and trees. The term Stealth does not necessarily exclude the use of uncamouflaged lattice, guyed or monopole Tower designs.

Conservation Easement: A Deed Restriction placed on property that restricts its owner to specific limited uses of the property, typically agriculture or as passive, private open space.

Cooperative Planning Area: An area defined in:

- 1) an Intergovernmental Agreement between Mesa County, the City of Fruita, and the City of Grand Junction, and as shown on the "TDR Sending Area" map contained within the Transfer of Development Rights/Credits Program Agreement between Mesa County and the City of Fruita, or
- 2) an Intergovernmental Agreement between Mesa County, the Town of Palisade, and the City of Grand Junction.

A Cooperative Planning Area is also commonly known as a Community Separator and Buffer Zone.

Day-night sound level (Ldn): A cumulative aircraft noise index that estimates the exposure of aircraft to noise at a certain geographic point and relates the estimated exposure to an expected community response.

Decision Making Body (Decision-Maker): the entity (Board of County Commissioners, Planning Commission, other board or commission or department head) that is authorized to finally approve or deny an application or permit required under this Land Development Code.

Dedication: The grant of an interest in property to the public for public use and benefit.

Deed: A legal document conveying ownership or other interests in real property.

Deed Restriction: A legal document, recorded with the County Clerk describing restricted activities on a property, which may or may not include a Conservation Easement.

Designated Floodplain: An area designated by official action by the Board of County Commissioners.

Development: Any man-made change to improved or unimproved real estate, including but not limited to the construction, reconstruction, conversion, or enlargement of any structure; and any mining, dredging, filling, grading, paving excavation or drilling operation.

Development Right/Credit: The ability to build one dwelling unit in a Sending Area, as such ability is created and administered pursuant to an Intergovernmental Agreement and/or Section 9.8 of this Code. For purposes of its use in Section 9.8 of this Code, the term Development Right is also known as a Development Credit.

Domestic Livestock: Those animals listed on the Table of Animal Unit Equivalents in Section 5.3.4, Animals, within this Code.

Driveway: A paved or unpaved area used for the ingress and/or egress of vehicles, and allowing access from a street to a building or other structure or facility.

Dwelling, Attached: A dwelling attached to one or more other dwellings by common walls.

Dwelling, Detached: A dwelling having open space on all sides.

Dwelling, Duplex/Two-Family: two dwelling units structurally attached, located on the same lot and designed to be occupied by two households living independently of each other.

Dwelling, Multiple-Family/Multi-Family: A building containing three or more dwelling units, designed for occupancy by three or more households living independently of each other. All of the units are located on one lot under one ownership with accessory uses limited to common office, laundry and recreational facilities used by the occupants. Also called an apartment.

Dwelling, Single-Family, Attached: One of two or more residential buildings, each of which is located on a separate lot and is separated from the others by common fire-resistant walls.

Dwelling, Single Family, Detached: A building containing one dwelling unit, designed to be occupied by one household, entirely surrounded by open space on the same lot.

Dwelling, Townhouse: Attached or semi attached dwelling, containing a single dwelling unit and located on a separate lot.

Dwelling Unit: A building or portion of it designed and used for residential occupancy by a single household and that includes exclusive sleeping, cooking, eating and sanitation facilities. Buildings with more than one kitchen shall be considered multi-dwelling structures.

Dwelling, Zero Lot Line: A single-family detached dwelling that does not have a common wall, but has one wall built on one side property line.

Easement: An interest or right in land owned by another that entitles its holder to a specific limited use which is reserved, conveyed or granted by the property owner to and for the use of the public, a utility, a corporation or other persons, without the transfer of fee title.

Electrical Transmission Line: Means any electric transmission line and appurtenant facilities which emanate from a power plant or a substation and terminate at a substation and which are designed for or capable of the transmission of electricity at 115 kilovolts or greater.

Feedlot (Also known as Confined Animal Feeding Operation): An agricultural operational unit that meets all of the following criteria: (1) is designed to confine more than 1,000 animal units, (2) animals are confined, fed, and maintained for 45 consecutive days or more between May 15 and September 15, (3) crop or forage growth is not maintained in the area of confinement, (4) a majority of the crops or forage used to feed the animals is not grown on the same property, and (5) generates an average of more than five truck trips per week transporting animals to or from the confinement area (see also, “**Animal Confinement**”).

Fence: A barrier constructed to mark a boundary or to prevent exit from or entry onto or into premises or property to screen premises or property from view or noise. A fence may be constructed of any material not otherwise prohibited herein, provided that the height of the fence is equal to or less than six feet (unless it is a wild or domestic game fence, in which case the height of the fences is equal to or less than eight feet) and the thickness of the fence, excluding poles, posts, pillars, or columns is less than 16 inches. A fence shall not be constructed of tires, bottles, cans, machinery parts or appliances. Nothing in this definition, including the width restriction, shall prohibit the agricultural practice of fencing using field stone or woody vegetation removed from the property upon which the fence is constructed. Nothing in this definition shall prohibit the use of antique wagon or antique agricultural machinery wheel for fencing.

Field office headquarters for oil and gas field operators: Land uses which provide central oil and gas field office facilities for operators of oil and gas wells, gathering lines, and gas processing and compression facilities shall be subject to Conditional Use Permit review. Oil and gas field office facilities are for the purpose of allowing these operators to locate and maintain personnel and equipment headquarters in close proximity to their areas of operations. These land uses may be allowed in locations in the more remote rural areas of Mesa County. They may not be permitted near municipalities or rural communities where location within urban zone districts is preferable based on available facilities and services and where, by locating within Mesa County, annexation is circumvented. Field office facilities include buildings with offices for employees, day rooms for unexpected overnight stays by personnel caused by unforeseen weather and operational circumstances (not for routine occupancy), temporary office space for employees and contractors, warehouses, outdoor storage of equipment, supplies, fuel and chemicals necessary for oil and gas field operations on the site, lay down yards, maintenance shops for vehicles, equipment and prefabrication of oil and gas facilities, and private communication towers and satellite dish communication equipment. This use is not intended to replace those uses more appropriately permitted under Oil and Gas Support Services.

Fill: A deposit of material or obstruction of any kind which is placed, stored, or dumped within an area subject to flooding.

Flea market: Commercial activities held in an open area or enclosed structure in which stalls or sales areas are set aside, and rented or otherwise provided, and which are intended for use by various individuals where goods are offered for sale to the general public by individual sellers. This does not including shopping centers, individual retail operations, or sales conducted by a nonprofit or charitable organization. Flea markets are also known as swap meets, auctions or open-air markets or other similarly named or labeled activities. Garage sales, rummage sales, and events defined in Section 5.4.2 are not considered to be flea markets.

Flood: Temporary rise in a watercourse, flow, or stage, that results in water overlapping its banks and inundating areas adjacent to the channel.

Flood Fringe District: The area within the 100-year floodplain in which the flood waters are relatively shallow, and move at velocities in the neighborhood of one to four feet per second.

Flood Fringe: The area, other than the stream channel and floodway, which occupies the remainder of the 100-year floodplain, and receives shallower waters and less velocities, as defined by the Federal Emergency Management Agency.

Flood Insurance Study: An official report provided by the Federal Emergency Management Agency (Federal Emergency Management Agency) that includes profiles, the Floodplain and Floodway Boundary Maps, and the water surface elevation of the 100-year flood.

Flood Insurance Rate Map (FIRM): An official map of a community on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

Flood of One Hundred Year Frequency (100-Year Flood): A flood, the magnitude of which has a one percent chance of being equaled or exceeded in any given year, as determined by probability analysis of historical and hydrological data.

Flood Profile (Cross Section): Hydrological conclusions, based upon historical facts and engineering principles, represented graphically, and showing the relationship of the water surface elevation during a 100-year flood to the channel and adjacent topography.

Flood Prone Area: An area adjoining a watercourse, which may be considered subject to flooding during the 100-year flood on the basis of historical information, topography, vegetation, and other naturally occurring indicators, but where precise dimensions of the 100-year floodplain have not been delineated by Flood Insurance Studies.

Flood Proofing: A combination of provisions, changes, or adjustments to structures and movable objects, or to surrounding areas, primarily for the reduction or elimination of flood damages.

Flood Regulatory Area: That portion of the floodplain that is subject to inundation by the 100-year flood. This area may be divided into the **Floodway District** and the **Flood Fringe District**.

Floodplain: The floodplain is made up of three parts, the stream channel, the floodway, and the flood fringe, as defined by the Federal Emergency Management Agency.

Floodway District: That portion of the designated floodplain which is required to carry and discharge a 100-year flood without cumulatively increasing the water surface elevation more than one foot at any point.

Floodway, Regulatory: The flood corridor of a river or other watercourse that is reserved in order to discharge the 100-year flood, as described by the Federal Emergency Management Agency.

Floor Area: Measurement in determining the minimum floor area of a building/structure. All measurements shall be made along the outside enclosing walls, except that the garage and carport areas shall not be included as a part of the required floor area.

Floor Area Ratio (FAR): The gross floor area of all buildings, divided by the lot area.

Forestry: A land use which creates, conserves and manages forests and forest lands for the continuing use of both commodity and non-commodity benefits.

Forestry Support Services: Land uses which provide support service for forestry land uses in that they contract with private land owners and public land managers to harvest trees. Forestry support services' sites include office space, storage and maintenance of equipment used to harvest and transport forest trees, and storage of harvested trees. Wood grinding/chipping may be allowed as an accessory use.

Frontage: The length of any one property line of a premise, which property line abuts a legally accessible street right-of-way.

Full Cutoff Light Fixture: a light fixture in which no more than 2.5 percent (two and one-half) of its total output is emitted above 90 degrees from the vertical pole or building wall on which it is mounted.

Greenhouse/Nursery: An establishment engaged principally in the cultivation of and sale of trees, shrubs, flowers, or other plants. Accessory uses may include but are not limited to the sale of materials commonly used for landscaping purposes such as soil, rock, mulch, packaged fertilizers or chemicals. The seasonal sale of locally produced fruits and vegetables (produced on the Western Slope) is permitted as an accessory use.

Grade: (a) The slope of a road, street or other public way, specified in percentage terms, and (b) The average elevation adjoining all the walls at ground level of the buildable area, i.e. the area conforming to all setback requirements, of a lot, tract or parcel of land.

Hazardous Substance: Any material as described in 40 CFR 300.5.

Hazardous Substance User: A nonresidential use that consumes or produces in the course of its activities, or as a byproduct of its activities, over 1,000 pounds of any hazardous substance within any one year.

Heavy Equipment: Any vehicle with a gross weight greater than 15,000 pounds which is used primarily for commercial purposes, including but not limited to trucks, earthmovers, backhoes and loaders, but not including recreational vehicles or farm equipment.

High Water Mark: The ordinary high water level of bank of a stream, river, lake, or impoundment which, in the absence of evidence to the contrary, shall be presumed to be the edge of vegetation growing along the shore.

Home Occupation: A business, profession, occupation or trade conducted for gain, conducted within a dwelling unit for gain or support by a resident of the dwelling unit.

Household: Any one of the following:

- A. One or more persons related by blood, marriage, adoption, or legal guardianship, including foster children, living together in a dwelling unit; or
- B. A group of not more than five persons not related by blood, marriage, adoption, or legal guardianship living together in a dwelling unit; or
- C. Two unrelated persons and their children living together in a dwelling unit.

Impervious Surface: Any material that substantially reduces or prevents the infiltration of stormwater or other water into previously undeveloped land.

Improvement: Any man-made, immovable item which becomes part of, placed upon, or is affixed to, real estate.

Individual Sewage Disposal System (ISDS): A septic tank, seepage tile-sewage disposal system, or any other approved on-lot sewage treatment device.

Junk: Used, old, or second-hand or scrap: machinery; dismantled machinery, equipment, vehicles, and parts; ferrous and non-ferrous metals; paper or paper products; fibers or fabrics; wood or wood products; tires or tire parts; manufactured rubber or plastic products; tools; appliances; implements or portions thereof; glass, clay, or porcelain products; trash or similar materials; cordage, building materials, dismantled machinery or other waste that has been abandoned from its original use.

Junk Yard: Any lot, site, yard, building, structure or other place, covered or uncovered, used for any one or all of the following purposes:

The collection, storage, keeping, abandonment or sale of junk whether of value or valueless.

The collection, storage, keeping, abandonment or sale of metal parts or scrap metals or any other scrap materials whether of the same source or kind; and/or,

The collection, storage, keeping, abandonment, wrecking, salvage, sale or exchange or abandonment of automobiles or parts thereof or of any other machinery or parts thereof, except as otherwise may be permitted in these regulations.

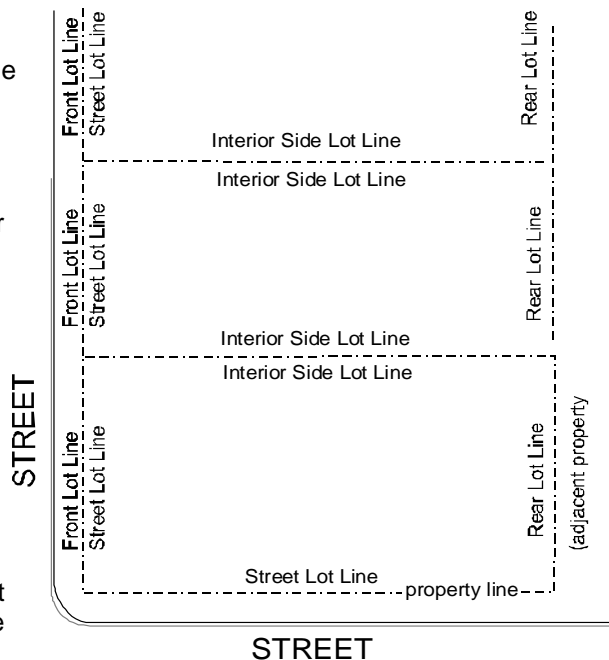
Kenel: Any place or premises used in whole or in part for the purpose of keeping, boarding, breeding or sale of domesticated dogs and/or cats in which five (5) or more domestic animals exist, and all of which exceed four (4) months in age, to include animal pounds and shelters.

Land Surveyor, Registered Professional: A land surveyor licensed and registered in the State of Colorado.

Large Construction Project: Any project hauling 4500 tons of material within a one month time frame. Note: This averages over ten 12-yard dump trucks a day for a one month period -20 work days a month.

Ldn: Interior Day-Night Average Noise Level

Ldn contour: A line linking together a series of points of equal cumulative noise exposure based on the Ldn metric. Such contours are based on aircraft flight patterns, number of daily aircraft operations by type of aircraft and time of day, noise characteristics of each aircraft, and typical runway use patterns.



Lot: A platted parcel of land intended to be separately owned, developed, and otherwise used as a unit.

Lot Line Adjustment: A change in lot or parcel boundaries that does not create additional lots or parcels. (Note: Can apply to platted or unplatted lands) **LOT LINES**

Lot Lines: The property lines along the edge of a lot or site.

Lot Line, Front: The shortest lot line of all street lot lines. If all street lot lines are the same length, then all shall be considered front lot lines.

Lot Line, Rear: A lot line that is opposite a front lot line, but which does not abut a street. A triangular lot has two side lot lines but no rear lot line. For other irregularly shaped lots, the rear lot line is all lot lines that are most nearly opposite the front lot line.

Lot Line, Side: Any lot line except a street or rear lot line.

Side Line, Interior: A side lot line that does not abut a street.

Lot Line, Street: Any lot line that abuts a street. Street lot line does not include lot lines that abut an alley. On a corner lot, there are two (or more) street lot lines. Street lot lines can include front lot lines and side lot lines.

Lot Area (or Lot Size): The total horizontal area included within lot lines.

Lot, Corner: A lot located at the intersection of and abutting two or more streets.

Lot Depth: The average distance from the front lot line to the rear lot line, measured in the general direction of the side lot lines, that is, from the direction the lot faces and is addressed by.

Lot, Double Frontage: A lot having a frontage on two streets that do not intersect at the boundaries of the lot, as distinguished from a corner lot.

Lot, Flagpole: A lot not meeting minimum frontage requirements and where the access to the public or private road is by a narrow private right-of-way or driveway, also known as a flagpole. The length of the flagpole shall be measured from the frontage line to the nearest point of intersection with the property line parallel or most nearly parallel to the frontage line. The area of the flagpole shall not be included determining the site area of a flagpole lot.

Lot Frontage: That dimension of a lot or a portion of a lot abutting a street right-of-way, excluding the exterior side dimension of a corner lot.

Lot, Interior: A lot other than a corner lot.

Lot of Record: A lot which is part of an approved plat, the map of which has been recorded in the office of the Mesa County Clerk and Recorder.

Lot, Reverse Frontage: A double frontage lot which is designed to be developed with the rear yard abutting a major street and with the primary means of ingress and egress provided on a minor street.

Lot Width: The distance between the side lot lines, measured at the required street setback line.

Lowest Floor: The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this regulation.

Manufactured Home: Single-family detached housing that is built to the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401), which became effective June 15, 1976 (i.e. HUD approved). The structure, transportable in one or more sections, which, in the traveling mode, is eight (8) body feet or more in width or 30 body feet in length, or, when erected on site is 360 or more square feet, and which is built on a permanent chassis and designed to be used for human occupancy with or without a permanent foundation and includes the plumbing, heating, air conditioning, and electrical systems contained therein.

Manufactured Home Park: A unified development of mobile home or manufactured home spaces arranged on a tract of land for the purpose of renting or leasing spaces or manufactured homes or mobile homes meeting the requirements of these regulations.

Manufactured Home Subdivision: A unified development of manufactured home lots arranged on a tract of land for the purpose of selling or leasing lots meeting the requirements of these regulations.

Manufactured Home Park or Subdivision, Existing: A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before June 18, 1973, the effective date of the floodplain management regulations adopted by Mesa County.

Manufactured Home Park or Subdivision, New: A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after June 18, 1973, the effective date of the floodplain management regulation adopted by Mesa County.

Manufactured Home Park or Subdivision, Expansion: The preparation of additional sites to an Existing Manufactured Home Park or Subdivision by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

Mesa County Master Plan: includes the Mesa Countywide Land Use Plan, the Mesa County Land Use and Development Policies and other plans and policies adopted pursuant to C.R.S. §30-28-108 as elements of a Master Plan.

Mineral: An inanimate constituent of the earth, in either solid, liquid, or gaseous state which, when extracted from the earth, is usable in its natural form or is capable of conversion into usable form as a metal, a metallic compound, a chemical, an energy source, a raw material for manufacturing or construction material. This definition does not include surface or ground water useable for domestic, agricultural, or industrial purposes, nor does it include geothermal resources subject to regulation under C.R.S. §37-90.5-101 et seq. or oil and gas resources subject to regulation under C.R.S. §34-60-101, et seq.

Mineral Deposit, Commercial: An area in which minerals are located in sufficient concentrations in veins, deposits, bodies, beds, seams, fields, pools or otherwise capable of economic recovery.

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

Minor Entertainment Events: Events such as weddings, reunions or other social or business gatherings scheduled and held as a business enterprise on a property in a rural zone district. Activities may be held indoors and/or outdoors.

Mixed Use District: The Mixed Use District accommodates mixed use buildings with local retail, service and other uses on the ground floor and residential uses in the upper

stories. The Mixed Use District also permits a mix of residential and retail/service uses in close proximity to each other.

Municipal Separate Storm Sewer System: A conveyance or the system of conveyances, including roads with drainage systems, municipal streets, curbs, gutters, ditches, drainage inlets, catch basins, pipes, tunnel, culverts, channels, detention basins and ponds owned and operated by a municipality or county and designed or used for collecting or conveying stormwater that is not a combined sewer or used for collecting or conveying sanitary sewage.

Neighborhood Association, Registered: Any group that has filed required registration forms and map and description of its boundaries with the Planning Director.

New Construction, related to Floodplain Management: For the purpose of determining flood insurance rates, structures for which the “start of construction” commenced on or after the effective date of an initial FIRM (Flood Insurance Rate Map) or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, “new construction” means structures for which the “start of construction” commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

Nonconforming Lot: A lot that was legally established but that no longer complies the dimensional standards that apply within the zoning district in which the lot is located.

Nonconforming Signs: Signs that were legally established but that no longer comply with the sign regulations of Chapter 8.

Nonconforming Structures: Buildings or structures, not including signs, that were legally established but that no longer comply with the dimensional standards that apply within the zoning district in which the building or structure is located.

Nonconforming Uses: Uses that were legally established but that no longer comply with the use regulations that apply within the zoning district in which the use is located.

Nuisance Conditions: “public nuisance” as defined by common and case law.

Obstructions: Any dam, wall, embankment, levee, dike, pile, abutment, projection, excavation, channel rectification culvert, building, fence, stockpile, refuse, fill, structure or matter, in, along, across, or projecting into any drain way, channel, or watercourse, which might impede, retard or change the direction or flow of water, either by itself or by catching or collecting debris carried by such water, or which is placed where the 100-year flood may carry the debris downstream.

Occupied: The word “occupied” includes arranged, designed, built, altered, converted, rented or leased, or intended to be occupied.

Off-Site Improvement: Any utility, paving, grading, drainage, structure or modification of topography which is, or will be located on property that is (a) not within the boundary of the property to be developed or (b) on or under any perimeter roadway surrounding the property to be development.

Open Space: An outdoor, unenclosed area, located on the ground, designed and accessible for outdoor living, recreation, pedestrian access or landscaping, but not including roads, parking areas, driveways, or other areas intended for vehicular travel.

- Open Space, Common:** Open space within a development that is owned in common by a Property Owners' Association and which is designed and intended for the common use or enjoyment of the residents or occupants of the development. Common Open Space does not include areas used for streets, alleys, driveways, or off-street parking or loading areas. However, the area of recreational activities such as swimming pools, tennis courts, and other recreation facilities may be counted as common open space.
- Operator:** The mineral estate owner, mineral estate lessee, drilling contractor, production company, or any party or parties acting on behalf of any of the above that has control or management of operations of the oil and gas well.
- Overburden:** All of the earth and other materials which lie above natural mineral deposits of limestone used for construction purposes, coal, sand, gravel, and quarry aggregate, and also means such earth and other materials disturbed from their natural state in the process of open mining.
- Parcel:** An area of land described as one entity in a legal document and in the possession of, or owned by, or recorded as the property of, the same person or persons. Not to be confused with a tax parcel.
- Pasture:** Land, including fenced fields, where plants, including but not limited to hay, grass, alfalfa, or corn are cultivated and irrigated or watered and are grown for the purpose of grazing. Fenced yards for dwellings cannot be used as pasture. Weeds (including plants which are not being planted, cultivated and watered or irrigated) cannot be used as pasture. Areas where animals are tied or contained in a pen, corral or building are not considered pasture areas. Any rangeland or forested lands that can be used for grazing shall be considered pasture.
- Permanent Monument:** Any structure of masonry and/or metal permanently placed on or in the ground, including those expressly placed for surveying reference.
- Plan, Concept:** A map of a proposed land subdivision showing the character and proposed layout of the tract in sufficient detail according to these regulations to indicate the suitability of the proposed subdivision.
- Planning Area, Rural:** The Area designated in the Mesa County Master Plan as the "Rural Planning Area."
- Plat, Final:** A map of a land subdivision prepared according to applicable laws of the State of Colorado and these regulations having the necessary affidavits for filing, dedications and acceptances, and with complete bearings and dimensions of all lines defining lots and blocks, streets and alleys, public areas and other dimensions of land.
- Potable Water:** Water which complies with all requirements of the Colorado State Health Department for drinking water and related to chemical and bacterial content and which, in addition, complies with other potability standards which may be imposed by the Board of County Commissioners, by resolution, from time to time.
- Private Utility:** A business or service which is engaged in regularly supplying the public with some commodity or service which is of public consequences and need, such as electricity, gas, transportation or communication.
- Property Line:** The lines bounding the property.

Property Line Adjustment: A change in parcel boundaries that does not create additional parcels.

Property Owners' Association: A private, nonprofit corporation of property owners for the purpose of owning, operating and maintaining various common properties and irrigation facilities.

Public Improvement: Any improvement, facility or service together with its associated public site, right-of-way or easement necessary to provide transportation, drainage, public private utilities, parks or recreational, energy or similar essential services.

Receiving Area: An area designated in urban or urbanizing areas with available infrastructure and services that can accommodate higher density development, as shown on the TDR/C Receiving Area Map(s), the official copy of which is on file in the Mesa County Planning and Development Department, and incorporated herein by reference. Receiving Areas also include those portions of the Grand Junction Comprehensive Plan area, located in the RSF-R, RSF-E, RSF-1, RSF-2, RSF-4, RMF-8 and RMF-24 Zoning Districts, and the Rural Communities of Gateway, Loma, Mack, Mesa, Powderhorn, and Whitewater. Each Receiving Area has a corresponding specifically identified Sending Area.

Receiving Site: An eligible property (pursuant to Section 9.8.2 of this Code) located within a Receiving Area.

Reclamation: The employment, during and after, an open mining operation of procedures reasonably designed to minimize as much as practicable and disruptive from the open mining operation and to provide for the rehabilitation of any such surface resources adversely affected by such opening operations through the rehabilitation of plant cover, soil stability, water resources and other measures appropriate to the subsequent beneficial use of such mined and reclaimed lands.

Reclamation, Final: That part of mined land reclamation that occurs after the mining activity ceases and completes the reclamation effort.

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

Registered Neighborhood Association: Any organization representing or purporting to represent a defined geographic region of the County and that has registered with the Planning Director on forms available in the County Planning Office.

Regulatory Flood Protection Elevation: An elevation equal to the elevation level of the projected water surface during a 100-year flood.

Re-subdivision: A change in lot boundaries in a previously platted subdivision.

Review Body: the entity (County department head, board or commission) that is authorized to recommend approval or denial of an application or permit required under this Land Development Code.

Right-of-way (Easement): A strip of land, either public or private, recorded or apparent, for which rights of use exist.

Right-of-way (Street): A strip of land dedicated by a recorded plat to the public, or a warranty deed with a qualifying statement, for which the interest is fee simple ownership.

Rural Community: An area designated as a “Rural Community” in the **Mesa County Master Plan**.

Rural Planning Area: The area designated as the “Rural Planning Area” in the **Mesa County Master Plan**.

Satellite Dish: An antenna, consisting of radiation element(s) that transmit or receive radiation signals, that is supported by a structure with or without a reflective component to the radiating dish, usually circular in shape with a parabolic curve design constructed of a solid or open mesh surface and intended for transmitting or receiving television, radio, microwave signals or other electromagnetic waves to or from earth satellites.

Sending Area: An area designated for limited development or to remain undeveloped, as shown on the TDR/C Sending Area Map, the official copy of which is on file in the Mesa County Planning and Development Department, and incorporated herein by reference. Sending Areas also include those portions of the Rural Planning Area of the County that are within the AFT and AF35 Zoning Districts and not located within the Rural Communities of Gateway, Loma, Mack, Mesa, Powderhorn, and Whitewater. Each Sending Area has a corresponding specifically identified Receiving Area.

Sending Site: An eligible property (pursuant to Section 9.8.1 of this Code) located within a Sending Area.

Setback: An open space at grade between a building and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward except as otherwise expressly stated.

Setback, Street (see also Lot Line, Street): A setback extending along the full width of a street lot line between side lot lines and from the street lot line to the building line in depth.

Setback, Rear: A setback extending across the full width of the lot and lying between the rear lot line and the nearest line of the building. Rear setback depth shall be measured at right angles to the rear line of the lot.

Setback, Side: A setback lying between the side lot line and the nearest point of the building and extending from the street setback to the rear setback, or in absence of either such street or rear setback, to the street or rear lot lines. Side setback width shall be measured at right angles to the side lines of the lot.

Setback Line: A line or lines within a property defining the minimum horizontal distance required between a building/structure and property line.

Sidewalk: A paved surface area usually paralleling and separate from the roadway, used as a pedestrian way.

Sign: A structure or device designed or intended to convey information to the public in written or pictorial form.

Sign Area: The entire area within a continuous perimeter, enclosing the extreme limits of the sign display, including any frame or border. Curved, spherical, or any other shaped sign face shall be computed on the basis of actual surface area. The copy of signs composed of individual letters, numerals or other devices shall be the sum of the area of the smallest rectangle or other geometric figure encompassing each of said letter or devices. The calculation for a double-faced sign shall be the area of one

face only. Double-faced signs shall be so constructed that the perimeter of both sign faces coincide and are parallel.

Sign, Awning, Canopy, or Marquee: A sign painted, stamped, perforated or stitched or otherwise applied on the valance of an awning.

Sign, Commercial: Any sign advertising a product or service offered for sale or lease.

Sign, Electronic Message Board: Any sign that uses changing lights to form a sign message wherein the sequence of messages and the rate of change is electronically programmed and can be modified by electronic processes.

Sign Facing/Surface: The surface of the sign upon, against or through which the message is displayed or illustrated on the sign.

Sign, Flashing: Any sign, which, by method or manner of illumination, flashes of and on, winks or blinks with varying light intensity, shows motion, or creates the illusion of motion or revolves in a manner to create the illusion of being on or off.

Sign, Free-standing: A sign supported by one or more upright poles, columns, or braces placed in or on the ground and not attached to any building or structure.

Sign, Identification: Such signs shall refer only to the principal use of the lot upon which such signs are located.

Sign, Illuminated: A sign lit in any manner by an artificial light source.

Sign, Noncommercial: Any sign that is not a "Commercial Sign."

Sign, Off-premises: A sign that identifies or communicates a commercial or non-commercial message related to an activity conducted, a service rendered, or a commodity sold at a location other than where the sign is located.

Sign, Portable: Any sign that is not permanently affixed to a building, other unmovable structure or the ground.

Sign, Projecting: Any sign other than a wall sign that is attached to and projects from the wall or face of a building or structure, including an arcade/marquee sign.

Sign, Roof: Any sign erected upon, against, or directly above a roof or roof eave, or on top or above a parapet, or on a functional architectural appendage above the roof or roof eave.

Sign, Temporary: A sign intended for use for only a limited period of time.

Sign, Wall: A sign painted on the outside of a building, or attached to, and erected parallel to the face of a building and supported throughout its length by such building.

Sign, Window: A sign painted, stenciled or affixed on a window, which is visible from the right-of-way.

Site Plan: A plan, prepared to scale, showing accurate and with complete dimensioning, the boundaries of a site and all other information required by these regulations.

Skyline: The visual line where the earth or vegetation and the sky seem to meet.

SLD Fee: The fee in lieu of school land dedication imposed pursuant to this Land Development Code.

Specified Anatomical Areas: any of the following that are less than completely and opaquely covered: (a) human genitals and pubic region; (b) buttocks; (c) the human female breast or breasts to a point immediately below the top of the areola; and (d) human male genitals in a discernibly turgid state even if completely and opaquely covered.

Specified Sexual Activities or Sexual Conduct: (a) human genitals in a state of sexual stimulation or arousal; (b) actual or simulated acts of sexual intercourse, masturbation, sodomy, bestiality, cunnilingus, fellatio, anilingus or any sexual acts that are prohibited by law; and (c) touching or fondling of the human breasts, buttocks, anus or genitals.

Start of construction (for floodplain regulation): Includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement, or other improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of a structure on a site, such as the pouring of slabs or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Stream Channel: The area of the floodplain which carries the normal course of the watercourse.

Street: A public or private right-of-way which is used, or intended to be used for passage or travel of motor vehicles.

Structure: Anything constructed or erected, which requires location on the ground or attached to something having a location on the ground, but not including ditches and their appurtenances nor used as fences that are less than six (6) feet in height, poles, lines or other transmission or distribution facilities of public utilities or services.

Structure (for floodplain regulation): A walled and roofed building or manufactured home that is principally above ground.

Structure (or Building): Anything constructed, erected or placed, which requires a permanent location on the ground or is anchored to the ground, or attached to something having a permanent location on the ground. This includes, but is not limited to advertising signs (on- or off-premise), antennas, satellite dishes, wind generators, and buildings, whether for storage or occupancy. It does not include fences that are less than six feet in height, poles, lines or other transmission or distribution facilities of public utilities or services.

Subdivision: Subdivision shall have the meaning given in C.R.S. §30-28-101.

Substantial damage (for floodplain regulation): Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial Improvement: Any rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the “start of construction” of the improvement. This term includes structures which have incurred “substantial damage,” regardless of the actual repair work performed. The term does not, however, include either: (1) Any project for improvement of a structure to correct existing violation of state or local health, sanitary or safety code specification which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions or (2) Any alteration of a “historic structure.”

Telecommunication Facilities: Any cables, wires, lines, wave guides, antennas and any other equipment or facilities associated with the transmission or reception of communications which a person seeks to locate or has installed upon or near a Tower or Antenna Support Structure.

Telecommunication Facility, Attached: An array that is attached to an existing building or structure, including utility poles, signs, water towers, and similar structures with any associated connection cables, and an equipment facility which may be located either inside or outside of the attachment structure.

Telecommunications Support Structure: A structure designed and constructed specifically to support an antenna array, and may include a monopole, self supporting (lattice) tower, guy-wire support tower and other similar structures. Any device used solely to attach an attached telecommunications facility to an existing building or structure shall be excluded from this definition.

Tire, Used or Waste: An inflatable rubber or synthetic casing, or any part thereof, designed to be sealed to a wheel rim under pressure, which has been applied to a given purpose, or which has been discarded from its original use.

Tower: A self-supporting lattice, guyed or monopole structure constructed from grade which supports Telecommunications Facilities. The term Tower shall not include amateur radio operators' equipment, as licensed by the FCC.

Transfer of Development Credits: The conveyance of development rights by deed, easement, or other legal instrument authorized by law to another parcel of land and the recording of that conveyance.

Transferable Development Right/Credit (TDR/C): A Development Right/Credit which has been severed or extinguished from a Sending Site by Deed Restriction, Conservation Easement, or other legal instrument authorized by law and the recording of that instrument, and which is transferable to a Receiving Site within a specified Receiving Area.

Transferable Development Right/Credit Certificate: A negotiable certificate issued by Mesa County evidencing the legal right of the holder thereof to use such certificate to obtain bonus density on a Receiving Site within a specified Receiving Area.

Urban Development Boundary of the Grand Junction Comprehensive Planning Area: That area planned for urban land uses as depicted on the Future Land Use map in the Grand Junction Comprehensive Plan.

Use: The purpose for which land or the building is designed, arranged or intended, or for which is or may be occupied or maintained; also any activity, occupation, business or operation which is carried on, in or on a structure or on a tract of land.

Watercourse: A natural or man-made channel through which water flows.

Waters of the State: All streams, lakes, rivers, ponds, wells, impounding reservoirs, watercourses, springs, drainage systems, and irrigation systems; all sources of water such as snow, ice, and glaciers; and all other bodies or accumulations of water, surface and underground, natural or artificial, public or private, located wholly or partly within or bordering upon the State of Colorado and within the jurisdiction of the State of Colorado.”

Water Surface Elevation: The height, in relation to the National American Vertical Datum (NAVD) of 1988 (or other datum where specified), of floods of various magnitudes and frequencies in the floodplains of riverine areas.

Zoning District: A portion of territory of the County, within which certain uses of land, premises and buildings are permitted by a uniform set of regulations.

§12.2 | Use Categories

12.2.1 | Basis for Classifications

Use categories classify land uses and activities into use categories based on common functional, product, or physical characteristics. Characteristics include the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered and site conditions. The use categories provide a systematic basis for assigning present and future land uses into appropriate zoning districts.

12.2.2 | Principal Use Characteristics

Principal uses are assigned to the category that most closely describes the nature of the principal use. The “Characteristics” subsection of each use category describes the common characteristics of each principal use.

12.2.3 | Considerations Used in Categorizing Principal Uses

The following considerations shall be used to determine what category a use is in and whether the activities are to be considered principal or accessory uses:

- A. the actual or projected characteristics of the activity in relationship to the stated characteristics of each use category;
- B. the relative amount of site area or floor space and equipment devoted to the activity;
- C. relative amounts of sales from each activity;
- D. the customer type for each activity;
- E. the relative number of employees in each activity;
- F. hours of operation;
- G. building and site arrangement;
- H. vehicles used with the activity;
- I. the relative number of vehicle trips generated by the use;
- J. signs;
- K. how the use advertises itself; and
- L. whether the activity is likely to be found independent of the other activities on the site.

12.2.4 | Developments with Multiple Principal Uses

When all principal uses of a development fall within one use category, the entire development is assigned to that use category. A development that contains a coffee shop, bookstore and bakery, for example, would be classified in the Retail Sales and Service category because all of the development's principal uses are in that category. When the principal uses of a development fall within different use categories, each principal use is classified in the applicable category and each use is subject to all applicable regulations for that category.

12.2.5 | Accessory Uses

Accessory uses are allowed by-right in conjunction with a principal use unless otherwise stated in the regulations. Also, unless otherwise stated, accessory uses are subject to the same regulations as the principal use. Common accessory uses are listed as examples in the use category descriptions.

12.2.6 | Use of Examples

The "Examples" subsection of each use category lists common examples of uses included in the respective use category. The names of these sample uses are generic. They are based on common meanings and not on what a specific use may call itself. For example, a use that calls itself "Wholesale Warehouse" but that sells mostly to consumers, is included in the Retail Sales and Service category rather than the Wholesale Sales category. This is because the actual activity on the site matches the description of the Retail Sales and Service category.

§12.3 | Residential Use Categories

12.3.1 | Group Living

A. Characteristics

Group Living is characterized by the residential occupancy of a structure by a group of people who do not meet the definition of Household Living. Tenancy is arranged on a monthly or longer basis, and the size of the group may be larger than a family. Uses where tenancy may be arranged for a shorter period are not considered residential. They are considered to be a form of lodging (see the "Retail Sales and Service" and "Community Service" categories). Generally, Group Living structures have a common eating area for residents. The residents may receive care, training, or treatment, as long as the care givers also reside at the site.

B. Accessory Uses

Accessory uses commonly associated with Group Living are recreational facilities and parking of vehicles for occupants and staff.

C. Examples

The Group Living category is further broken down into the following specific uses:

1. Assisted Living Facility

A residence for up to eight unrelated individuals, none of which are receiving on-site medical or psychological treatment, therapy, or counseling, but some or all of whom are receiving on-site physical assistance with day-to-day living activities. The limit of eight individuals is exclusive of staff. Provided that the use otherwise complies with this definition and size restriction, an Assisted Living Facility may include any of the following:

- a. a nonprofit group home for the aged or an owner-occupied group home for the aged, as defined in CRS § 30-28-215(2)(b),
- b. a state-licensed group home for the developmentally disabled, as defined in CRS §30-28-115(2)(a),
- c. a state-licensed group home for persons with mental illness, as defined in CRS § 30-28-115(2)(b.5).

2. Treatment Facility

A residence for up to eight unrelated individuals, some or all of whom are receiving on-site medical or psychological treatment, therapy, or counseling. The limit of eight individuals is exclusive of staff. Provided that the use otherwise complies with this definition and size restriction, a Treatment Facility may include any of the following:

- a. a nursing home;
- b. a nursing facility, as defined in CRS § 26-4-103 (11);
- c. institutions providing life care, as defined in CRS § 12-13-101 (5);
- d. a state-licensed group home for the developmentally disabled, as defined in CRS §30-28-115(2)(a);
- e. a state-licensed group home for persons with mental illness, as defined in CRS § 30-28-115(2)(b.5);
- f. an adult day treatment facility; and
- g. a physical/mental rehabilitation home.

3. Small Group Living Facility

A residence for up to eight unrelated individuals, none of which are receiving on-site medical or psychological treatment, therapy, counseling, or physical assistance with day-to-day living activities. The restriction to eight individuals is exclusive of staff. Provided that the use otherwise complies with this definition and size restriction, a Small Group Living Facility use may include, without limitation:

- a. a family care home, as defined in CRS § 26-6-102(4);
- b. a state-licensed residential child care facility, as defined in CRS § 26-6-102(8);
- c. an adult foster home;
- d. a family foster home; and
- e. a receiving home.

4. Large Group Living Facility

Any residence for more than eight unrelated individuals, and any residence for up to eight unrelated individuals that does not meet the definition of "Treatment Facility," "Assisted Living Facility" or "Small Group Living Facility." Provided that the use complies with this definition and size restriction of this definition, a Large Group Living Facility may include, without limitation:

- a. a secure residential treatment center, as defined in C.R.S. § 26-6-102(9);
- b. a shelter for homeless persons; and
- c. a group home including persons assigned to such home in lieu of being sentenced to a correctional facility, or upon their release from a correctional facility.

D. Exceptions

- 1. Lodging where tenancy may be arranged for periods of less than 30 days is to be considered a hotel or motel use and classified in the Retail Sales and Service category.
- 2. Lodging where the residents meet the definition of Household and where tenancy is arranged on a month-to-month basis, or for a longer period is classified as Household Living.
- 3. Facilities for people who are under judicial detainment and under the supervision of sworn officers are included in the Detention Facilities category.

12.3.2 | Household Living

- A. **Characteristics**
Household Living is characterized by the residential occupancy of a dwelling unit by a household. Tenancy is arranged on a month-to-month or longer basis. Uses where tenancy may be arranged for a shorter period are not considered residential. They are considered to be a form of transient lodging (see the Retail Sales and Service and Community Service categories).
- B. **Accessory uses**
Accessory uses commonly associated with household living are recreational activities, raising of pets, gardens, personal storage buildings, hobbies, parking of the occupants' vehicles, and accessory dwellings. Home occupations and accessory dwellings are accessory uses that are subject to additional regulations of this Land Development Code.
- C. **Examples**
Uses include living in single family dwellings, duplexes, triplexes, fourplexes and other multi-dwelling structures, retirement center apartments, manufactured housing and other structures with self-contained dwelling units.
- D. **Exceptions**
Lodging in a dwelling unit or where less than two thirds of the units are rented on a monthly or longer basis is considered a hotel or motel use and is classified in the Retail Sales and Service category.

§12.4 | Institutional and Civic Use Categories

12.4.1 | Colleges

- A. **Characteristics**
This category includes colleges and other institutions of higher learning that offer courses of general or specialized study leading to a degree. Colleges tend to be in campus-like settings or on multiple blocks.
- B. **Accessory Uses**
Accessory uses include offices, housing for students, food service, laboratories, health and sports facilities, theaters, meeting areas, parking, maintenance facilities and support commercial uses.
- C. **Examples**
Examples include universities, liberal arts colleges, community colleges, nursing and medical schools not accessory to a hospital and seminaries.
- D. **Exceptions**
Business and trade schools are classified as Retail Sales and Service.

12.4.2 | Community Services

- A. **Characteristics**
Community Services are uses of a public, nonprofit, or charitable nature, generally providing a local service to people of the community. Generally, they provide the service on-site or have employees at the site on a regular basis. The service is ongoing, not just for special events. Community centers or facilities that have membership provisions are open to the general public to join at any time, (for instance, any senior citizen could join a senior center). The use may provide special counseling, education, or training of a public, nonprofit or charitable nature.

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- B. Accessory Uses
Accessory uses may include offices; meeting areas; food preparation areas; parking, health and therapy areas; and athletic facilities.
- C. Examples
Examples include libraries, museums, senior centers, community centers, publicly owned swimming pools, youth club facilities, hospices, social service facilities, temporary shelters, vocational training for persons with physical or mental disabilities, crematoriums, columbariums and mausoleums.
- D. Exceptions
 1. Private lodges, clubs and private or commercial athletic or health clubs are classified as Retail Sales and Service. Commercial museums are classified as Retail Sales and Service.
 2. Parks are classified as Parks and Open Areas.
 3. Uses where tenancy is arranged on a month-to-month basis, or for a longer period are residential and are classified as Household or Group Living.

12.4.3 | Day Care

- A. Characteristics
Day Care uses provide care, protection and supervision for children or adults on a regular basis away from their primary residence for less than 24 hours per day. There are three types of day care:
 1. Home-Based Day Care (Regular)
A home-based day care provides care protection and supervision for up to a certain number individuals established by the State of Colorado.
 2. Limited Day Care (Large)
A limited day care provides care protection and supervision for more individuals than a “Regular” facility up to a number individuals established by the State of Colorado.
 3. General Day Care
A general day care provides care protection and supervision for more individuals than a “Limited” facility.
- B. Accessory Uses
Accessory uses include offices, recreation areas and parking.
- C. Examples
Examples include preschools, nursery schools, latch key programs and adult day care programs. “Child Care Centers,” as defined in C.R.S. §26-6-102(1), are classified as “day care” uses under this Land Development Code.
- D. Exceptions
Day Care does not include public or private schools or facilities operated in connection with an employment use, shopping center or other principal use, where children are cared for while parents or guardians are occupied on the premises or in the immediate vicinity.

12.4.4 | Hospitals

- A. Characteristics
Hospitals include uses providing medical or surgical care to patients and offering overnight care.

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- B. **Accessory Uses**
Accessory uses include out-patient clinics, offices, laboratories, teaching facilities, meeting areas, cafeterias, parking, maintenance facilities and housing facilities for staff or trainees.
- C. **Examples**
Examples include medical centers and hospitals.
- D. **Exceptions**
 1. Uses that provide exclusive care and planned treatment or training for psychiatric, alcohol, or drug problems, where patients are residents of the program, are classified in the Group Living category.
 2. Medical clinics that provide care where patients are generally not kept overnight are classified as Office.
 3. Emergency medical clinics are classified as Retail Sales and Service.

12.4.5 | Parks and Open Areas

- A. **Characteristics**
Parks and Open Areas are uses of land focusing on natural areas, large areas consisting mostly of vegetative landscaping or outdoor recreation, community gardens, or public squares. Lands tend to have few structures.
- B. **Accessory Uses**
Accessory uses may include club houses, maintenance facilities, concessions, caretaker's quarters and parking.
- C. **Examples**
Examples include parks, golf courses, cemeteries, public squares, plazas, playgrounds, ballfields, recreation areas, recreational trails, botanical gardens, nature preserves and land used for grazing that is not part of a farm or ranch.

12.4.6 | Religious Institutions

- A. **Characteristics**
Religious Institutions primarily provide meeting areas for religious activities.
- B. **Accessory Uses**
Accessory uses include Sunday school facilities, parking, caretaker's housing and group living facilities such as convents.
- C. **Examples**
Examples include churches, temples, synagogues and mosques.

12.4.7 | Safety Services

- A. **Characteristics**
Safety Services are uses that provide public safety and emergency response services. They often need to be located in or near the area where the service is provided. Employees are regularly present on-site.
- B. **Accessory Uses**
Accessory uses include offices and parking.

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- C. Examples
Examples include fire stations, police stations, and emergency medical and ambulance stations.

12.4.8 | Schools

- A. Characteristics
This category includes public and private schools at the primary, elementary, middle, junior high, or high school level that provide state-mandated basic education.
- B. Accessory Uses
Accessory uses include play areas, cafeterias, recreational and sport facilities, auditoriums and before- or after-school day care.
- C. Examples
Examples include public and private daytime schools, boarding schools and military academies.
- D. Exceptions
 1. Preschools are classified as Day Care uses.
 2. Business and trade schools are classified as Retail Sales and Service.

12.4.9 | Utilities, Basic

- A. Characteristics
Basic Utilities are infrastructure services that need to be located in or near the area where the service is provided. Basic Utility uses generally do not regularly have employees at the site. Services may be publicly or privately provided.
- B. Accessory Uses
Accessory uses may include parking and control, monitoring, data or transmissio equipment.
- C. Examples
Examples include water and sewage pump stations; electrical substations; water towers and reservoirs; public and private water treatment facilities; stormwater retention and detention facilities; telephone exchanges; recycling drop-off stations; and park-and-ride facilities for mass transit.
- D. Exceptions
 1. Services where people are generally present are classified as Community Services, Offices, or Safety Services.
 2. Utility offices where employees or customers are generally present are classified as Offices.
 3. Bus barns are classified as Warehouse and Freight Movement.

12.4.10 | Utility Corridors

- A. Characteristics
This category includes public or private passageways, including easements, for the express purpose of transmitting or transporting electricity, gas, oil, water, sewage, communication signals, or other similar services on a regional level.

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- B. Examples
Examples include major utility transmission lines and pipelines, including 115kV or larger electrical transmission lines and gas compressor and transfer stations.
- C. Exceptions
Utility corridors located within public rights-of-way are not included.

§12.5 | Commercial Use Categories

12.5.1 | Entertainment Event, Major

- A. Characteristics
Major Entertainment Event uses are characterized by activities and structures that draw large numbers of people to specific events or shows. Activities are generally of a spectator nature.
- B. Accessory Uses
Accessory uses may include restaurants, bars, concessions, parking and maintenance facilities.
- C. Examples
Examples include stadiums, sports arenas, coliseums, auditoriums, exhibition and meeting areas and fairgrounds.
- D. Exceptions
 1. Exhibition and meeting areas with less than 20,000 square feet of total event area are classified as Retail Sales and Service.
 2. Banquet halls that are part of hotels or restaurants are accessory to those uses, which are included in the Retail Sales and Service category.
 3. Theaters, including drive-in theaters, are classified as Retail Sales and Service.
 4. Recreation or entertainment uses conducted on a continuous basis are classified as Outdoor Recreation and Entertainment or Retail Sales and Service uses.

12.5.2 | Office

- A. Characteristics
Office uses are characterized by activities conducted in an office setting and generally focusing on business, government, professional, medical, or financial services.
- B. Accessory Uses
Accessory uses may include cafeterias, health facilities, parking, or other amenities primarily for the use of employees in the firm or building.
- C. Examples
Examples include professional services such as lawyers, accountants, engineers, or architects; financial businesses such as lenders, brokerage houses, bank headquarters, or real estate agents; data processing; sales offices; government offices and public utility offices; TV and radio studios; medical and dental clinics, medical and dental labs; and blood-collection facilities.
- D. Exceptions
 1. Offices that are part of and located with a principal use in another category are considered accessory to the firm's primary activity. Headquarters offices, when in conjunction with or adjacent to a principal use in another category, are considered part of the other category.

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2. Contractors and others who perform services off-site are included in the Office category if equipment and materials are not stored on the site and fabrication, services, or similar work is not carried on at the site.

12.5.3 | Parking, Commercial

- A. **Characteristics**
Commercial Parking facilities provide parking that is not accessory to a specific use. A fee may or may not be charged. A facility that provides both accessory parking for a specific use and regular fee parking for people not connected to the use is also classified as a Commercial Parking facility.
- B. **Accessory Uses**
In a parking structure only, accessory uses may include gasoline sales, car washing and vehicle repair activities if these uses provide service only to vehicles parked in the garage.
- C. **Examples**
Examples include short- and long-term fee parking facilities and mixed parking lots (partially accessory to a specific use, partly for rent to others).
- D. **Exceptions**
 1. Parking facilities that are accessory to a use, but that charge the public to park for occasional events nearby, are not considered Commercial Parking facilities.
 2. Parking facilities that are accessory to a principal use are not considered Commercial Parking uses, even if the operator leases the facility to the principal use or charges a fee to the individuals who park in the facility.
 3. Public transit park-and-ride facilities are classified as Basic Utilities.

12.5.4 | Recreation and Entertainment, Outdoor

- A. **Characteristics**
Outdoor Recreation and Entertainment uses are large, generally commercial uses that provide continuous recreation or entertainment-oriented activities. They primarily take place outdoors. They may take place in a number of structures that are arranged together in an outdoor setting.
- B. **Accessory Uses**
Accessory uses may include concessions, restaurants, parking, caretaker's quarters and maintenance facilities.
- C. **Examples**
Examples include riding academies, roping arenas, equestrian arenas, amusement parks, theme parks, golf driving ranges, miniature golf facilities and zoos.
- D. **Exceptions**
 1. Golf courses are classified as Parks and Open Space.
 2. Uses that draw large numbers of people to periodic events, rather than on a continuous basis, are classified as Major Entertainment Events.

12.5.5 | Retail Sales and Service

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A. Characteristics

Retail Sales and Service firms are involved in the sale, lease or rent of new or used products to the general public. They may also provide personal services or entertainment, or provide product repair or services for consumer and business goods.

B. Accessory Uses

Accessory uses may include offices, storage of goods, manufacture or repackaging of goods for on-site sale and parking.

C. Examples

Examples include uses from the four following groups:

1. Sales-Oriented:

Stores selling, leasing, or renting consumer, home and business goods (including art, art supplies, bicycles, clothing, dry goods, electronic equipment, fabric, furniture, garden supplies, gifts, groceries, hardware, home improvements, household products, jewelry, pets, pet food, pharmaceuticals, plants, printed material, stationary and videos); food sales, sales or leasing of consumer vehicles (including passenger vehicles, motorcycles, light and medium trucks and other recreational vehicles); wineries, retail plant nurseries, flea markets, and fruit and vegetable stands.

2. Personal Service-Oriented:

Branch banks; emergency medical care; laundromats; photographic studios; photocopy and blueprint services; hair, tanning and personal care services; business, martial arts and other trade schools; dance or music classes; taxidermists; mortuaries; veterinarians; and animal grooming.

3. Entertainment-Oriented:

Restaurants, cafes, delicatessens, bars and taverns; indoor continuous entertainment activities (such as bowling alleys, ice rinks and game arcades); pool halls; dance halls; indoor firing ranges; theaters, health clubs, gyms, membership clubs and lodges; hotels, motels, recreational vehicle parks and other temporary lodging with an average length of stay of less than 30 days.

4. Repair-Oriented:

Repair of TVs, bicycles, clocks, watches, shoes, guns, appliances and office equipment; photo or laundry drop-off; tailor; locksmith; and upholsterer.

D. Exceptions

1. Lumber yards and other building material sales that sell primarily to contractors and do not have a retail orientation are classified as Wholesale Sales.

2. Repair and service of consumer motor vehicles, motorcycles and light and medium trucks is classified as Vehicle Repair. Repair and service of industrial vehicles and equipment and heavy trucks is classified as Industrial Service.

3. Sales, rental, or leasing of heavy trucks and equipment or manufactured housing units are classified as Wholesale Sales.

4. Hotels, restaurants and other services that are part of a truck stop are considered accessory to the truck stop which is classified as Industrial Service.

5. In certain situations, hotels and motels may be classified as a Community Service use, such as short-term housing or mass shelter. See "Community Services."

6. Wholesale plant nurseries are classified as “Agriculture.”

12.5.6 | Self-Service Storage

- A. **Characteristics**
Self-Service Storage uses provide separate storage areas for individual or business uses. The storage areas are designed to allow private access by the tenant for storing or removing personal property.
- B. **Accessory Uses**
Accessory uses may include living quarters for a resident manager or security and leasing offices. Use of the storage areas for sales, service and repair operations, or manufacturing is not considered accessory to the Self-Service Storage use. The rental of trucks or equipment is also not considered accessory to a Self-Service Storage use.
- C. **Examples**
Examples include facilities that provide individual storage areas for rent. These uses are also called mini-warehouses.
- D. **Exceptions**
A transfer and storage business where there are no individual storage areas or where employees are the primary movers of the goods to be stored or transferred is in the Warehouse and Freight Movement category.

12.5.7 | Vehicle Repair

- A. **Characteristics**
Vehicle Repair firms service passenger vehicles, light and medium trucks and other consumer motor vehicles such as motorcycles, boats and recreational vehicles. Generally, the customer does not wait at the site while the service or repair is being performed.
- B. **Accessory Uses**
Accessory uses may include offices, sales of parts and vehicle storage.
- C. **Examples**
Examples include vehicle repair, transmission or muffler shop, auto body shop, alignment shop, auto upholstery shop, auto detailing and tire sales and mounting.
- D. **Exceptions**
Repair and service of industrial vehicles and equipment and of heavy trucks; towing and vehicle storage; and vehicle wrecking and salvage, are classified as Industrial Service.

12.5.8 | Vehicle Service, Limited

- A. **Characteristics**
Limited Vehicle Service uses provide direct services to motor vehicles where the driver or passengers generally wait in the car or nearby while the service is performed.
- B. **Accessory Uses**
Accessory uses may include auto repair and tire sales.
- C. **Examples**
Examples include full-service, mini-service and self-service gas stations, car washes, and quick lubrication services.

D. Exceptions

1. Truck stops are classified as Industrial Service.
2. Refueling facilities for vehicles that belong to a specific use (fleet vehicles) are considered accessory uses if they are located on the site of the principal use.

§12.6 | Industrial Use Categories

12.6.1 | Industrial Service

A. Characteristics

Industrial Service firms are engaged in the repair or servicing of industrial, business or consumer machinery, equipment, products or by-products. Firms that service consumer goods do so by mainly providing centralized services for separate retail outlets. Contractors and building maintenance services and similar uses perform services off-site. Few customers, especially the general public, come to the site.

B. Accessory Uses

Accessory activities may include offices, parking and storage.

C. Examples

Examples include welding shops; machine shops; tool repair; electric motor repair; repair of scientific or professional instruments; sales, repair, storage, salvage or wrecking of heavy machinery, metal and building materials; towing and vehicle storage; auto and truck salvage and wrecking; heavy truck servicing and repair; tire retreading or recapping; truck stops; building, heating, plumbing or electrical contractors; printing, publishing and lithography; exterminators; janitorial and building maintenance services; fuel oil distributors; solid fuel yards; research and development laboratories; laundry, dry-cleaning and carpet cleaning plants; and photofinishing laboratories.

D. Exceptions

1. Contractors and others who perform services off-site are included in the Office category, if major equipment and materials are not stored at the site and fabrication, or similar work is not carried on at the site.
2. Hotels, restaurants and other services that are part of a truck stop are considered accessory to the truck stop.

12.6.2 | Manufacturing and Production

A. Characteristics

Manufacturing and Production firms are involved in the manufacturing, processing, fabrication, packaging, or assembly of goods. Natural, man-made, raw, secondary, or partially completed materials may be used. Products may be finished or semi-finished and are generally made for the wholesale market, for transfer to other plants, or to order for firms or consumers. Goods are generally not displayed or sold on site, but if so, they are a subordinate part of sales. Relatively few customers come to the manufacturing site.

B. Accessory Uses

Accessory activities may include offices, cafeterias, parking, employee recreational facilities, warehouses, storage yards, repair facilities, truck fleets and caretaker's quarters.

C. Examples

Examples include processing of food and related products; catering establishments; slaughter houses and meat packing; weaving or production of textiles or apparel; lumber mills, pulp and

paper mills and other wood products manufacturing; woodworking, including cabinet makers; production of chemical, rubber, leather, clay, bone, plastic, stone, or glass materials or products; movie production facilities; concrete batching and asphalt mixing; electric power generation plants; production or fabrication of metals or metal products including enameling and galvanizing; manufacture or assembly of machinery, equipment, instruments (including musical instruments), vehicles, appliances, precision items and other electrical items; production of artwork and toys; sign making; and production of prefabricated structures, including manufactured homes.

D. Exceptions

1. Manufacturing of goods to be sold primarily on-site and to the general public are classified as Retail Sales and Service.
2. Manufacture and production of goods from composting organic material is classified as Waste-Related uses.

12.6.3 | Warehouse and Freight Movement

A. Characteristics

Warehouse and Freight Movement firms are involved in the storage or movement of goods for themselves or other firms. Goods are generally delivered to other firms or the final consumer, except for some will-call pickups. There is little on-site sales activity with the customer present.

B. Accessory Uses

Accessory uses may include offices, truck fleet parking and maintenance areas.

C. Examples

Examples include separate warehouses used by retail stores such as furniture and appliance stores; household moving and general freight storage; cold storage plants (including frozen food lockers); storage of weapons and ammunition; major wholesale distribution centers; truck or air freight terminals; bus barns; parcel services; major post offices; grain terminals; and the stockpiling of sand, gravel, or other aggregate materials.

D. Exceptions

1. Uses that involve the transfer or storage of solid or liquid wastes are classified as Waste-Related uses.
2. Mini-warehouses are classified as Self-Service Storage uses.

12.6.4 | Waste-Related

A. Characteristics

Waste-Related uses are characterized by uses that receive solid or liquid wastes from others for disposal on the site or for transfer to another location; uses that collect sanitary wastes; or uses that manufacture or produce goods or energy from the composting of organic material. Waste-Related uses also includes uses that receive hazardous wastes from others.

B. Accessory Uses

Accessory uses may include recycling of materials, offices and repackaging and transshipment of by-products.

C. Examples

Examples include sanitary landfills, tire disposal or recycling, waste composting, recycling processing facilities, incinerators, energy recovery plants, sewage treatment plants, brine disposal/storage and hazardous-waste-collection sites.

- D. Exceptions
Disposal of dirt, concrete, asphalt and similar non-decomposable materials is considered fill.
Recycling drop-off stations (no on-site processing) are basic utility uses.

12.6.5 | Wholesale Sales

- A. Characteristics
Wholesale Sales firms are involved in the sale, lease, or rent of products primarily intended for industrial, institutional, or commercial businesses. The uses emphasize on-site sales or order taking and often include display areas. Businesses may or may not be open to the general public, but sales to the general public are limited. Products may be picked up on-site or delivered to the customer.
- B. Accessory Uses
Accessory uses may include offices, product repair, warehouses, parking, minor fabrication services and repackaging of goods.
- C. Examples
Examples include sale or rental of machinery, equipment, heavy trucks, building materials, special trade tools, welding supplies, machine parts, electrical supplies, janitorial supplies, restaurant equipment and store fixtures; mail order houses; and wholesalers of food, clothing, auto parts, building hardware.
- D. Exceptions
 1. Firms that engage primarily in sales to the general public or on a membership basis are classified as Retail Sales and Service.
 2. Firms that are primarily storing goods with little on-site business activity are classified as Warehouse and Freight Movement.

§12.7 | Other Use Categories

12.7.1 | Agriculture

- A. Characteristics
Agriculture includes activities that primarily involve raising, producing or keeping plants or animals.
- B. Accessory Uses
Accessory uses include dwellings for operators and employees of the use, animal training, retail and wholesale sales of products produced on-site, sorting and packaging of fruit and vegetables, “farmkill” of livestock, feed processing, equipment repair and maintenance; and other activities that are secondary or minor parts of the operation but necessary functions of the operation.
- C. Examples
Examples include breeding or raising of fowl or other animals; dairy farms; stables; riding academies; kennels or other animal boarding places; farming, orchards, vineyards, truck gardening, forestry, forestry support services, tree farming; and wholesale and retail plant nurseries.

D. Exceptions

1. Processing of animal or plant products that is the primary use of the operation on the premises are classified as Manufacturing and Production.
2. Livestock auctions are classified as Wholesale Sales.

12.7.2 | Aviation and Surface Passenger Terminals

A. Characteristics

Aviation and Surface Passenger Terminals include facilities for the landing and takeoff of flying vehicles, including loading and unloading areas. Aviation facilities may be improved or unimproved. Aviation and Surface Passenger Terminals also includes passenger terminals for aircraft, regional bus service and regional rail service.

B. Accessory Uses

Accessory uses include freight handling areas, concessions, offices, parking, and maintenance and fueling facilities.

C. Examples

Examples include airports, bus passenger terminals for regional bus service, railroad passenger stations for regional rail service, and helicopter landing facilities.

D. Exceptions

1. Bus and rail passenger stations for subregional service such as mass transit stops and park-and-ride facilities are classified as Basic Utilities.
2. Private helicopter landing facilities that are accessory to another use, are considered accessory uses. However, they are subject to all the regulations and approval criteria for helicopter landing facilities.

12.7.3 | Detention Facilities

A. Characteristics

Detention Facilities includes facilities for the judicially required detention or incarceration of people. Inmates and detainees are under 24 hour supervision by sworn officers, except when on an approved leave.

B. Accessory Uses

Accessory uses include offices, recreational and health facilities, therapy facilities, maintenance facilities and hobby and manufacturing activities.

C. Examples

Examples include prisons, jails, probation centers, and juvenile detention homes.

D. Exceptions

Programs that provide care and training or treatment for psychiatric, alcohol, or drug problems, where patients are residents of the program, but where patients are not supervised by sworn officers are classified as Group Living. Programs that provide transitional living experience for former offenders, such as halfway houses, where residents are not supervised by sworn officers, are also classified as Group Living.

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12.7.4 | Mining

- A. **Characteristics**
Mining includes mining or extraction of mineral or aggregate resources from the ground for off-site use regardless of whether or not the State of Colorado requires a Reclamation Permit for the activity.
- B. **Accessory Uses**
Accessory uses include storage, sorting, stockpiling, or transfer off-site of the mined material.
- C. **Examples**
Examples include quarrying or dredging for sand, gravel or other aggregate materials; mining; and oil, gas, or geothermal drilling, also included are support services for drilling or mining such as temporary employee housing; parking, storage and maintenance of exploration, production or workover equipment, pipe and production equipment; equipment and storage yards for road and pipeline construction contractors and production unit set-up and maintenance contractors; and field offices used by production related personnel.

12.7.5 | Telecommunications Facilities

- A. **Characteristics**
Telecommunications facilities include all devices, equipment, machinery, structures or supporting elements necessary to produce nonionizing electromagnetic radiation within the range of frequencies from 100 KHz to 300 GHz, and operating as a discrete unit to produce a signal or message. Facilities may be self supporting, guyed, mounted on poles, other structures, light posts, power poles, or buildings. Facilities shall also include intertie and interconnection translators, connections from over-the-air to cable, fiber optic, or other landline transmission system.
- B. **Accessory Uses**
Accessory uses may include transmitter facility buildings.
- C. **Examples**
Examples include broadcast towers, communication towers, point-to-point microwave towers and all FCC licensed commercial wireless telecommunications services including cellular, personal communication services (PCS), specialized mobile radio (SMR), enhanced specialized mobile radio (ESMR), paging, and similar services that currently exist or that may in the future be developed.
- D. **Exceptions**
 1. Receive-only antennas and amateur radio facilities that are owned and operated by a federally-licensed amateur radio station operator are not included in this category.
 2. Radio and television studios are classified in the Office category.
 3. Radio and television broadcast facilities that are public safety facilities are classified as Basic Utilities.

END OF LAND DEVELOPMENT CODE TEXT