



FREMONT COUNTY – COLORADO DEPARTMENT OF PLANNING AND ZONING

615 MACON AVE., CANON CITY, COLORADO

719-276-7360 PH / 719-276-7374 FAX

Email: Planning@fremontco.com

STAFF REPORT

Project Name: Residential 1 - Zone Consolidation and Rewrite

Name(s) Planning and Zoning Director- Daniel Victoria

Request: Zone Consolidation and rewrite.

Planning and Zoning has recognized the need for a review and update to the regulations. This rewrite and consolidation is to address the Agricultural Suburban and Agricultural Estates zone districts.

The proposal in front of you is a consolidation of these two districts into the new Residential 1 (R1) zone district. The changes include reformatting, renaming, a new zone description, the development requirements of the smaller zone district (AS) becoming the standard, consolidating the uses of the two zone districts and adding new uses into the regulations.

Intent.

The intent of this consolidation is to address many issues and deficiencies in the current regulations such as but not limited to.

- 1) Citizens having confusion about the zone district they reside in (6 agricultural zone districts currently with minimal differences).
- 2) Zone district name causing difficulty for individuals to get financing as banks do not like offering loans to agricultural operations.
- 3) Uses needed updating.
- 4) Current regulations propose barriers for housing.
- 5) Consolidation will offer the citizens of Fremont the opportunity to have more opportunities on the land they own.
- 6) Current regulations had descriptions of uses in the allowed uses table. The description of uses has been moved to the General Requirements section or detailed in the Definitions section and will be presented at a later date.

Home

In the attached regulations you will see strike throughs, as well as red and yellow highlighting.

- Strike through details items that were moved to the general requirements section or the definitions section.
- Red details uses by consolidation.
- Yellow details new uses.

Residential One (R1)

This district is established for residential use in addition to agricultural and accessory uses. It provides opportunities for limited business uses and community projects by permitting.

Minimum Lot Size/Area	Minimum Lot Width	Set Back Requirements Principal/Accessory			Max Building Height	Maximum Lot Coverage
		Front	Side	Rear		
15,000 sq. ft with public water & sewer	100'	25'	10/5	20/5	35'	15%
1 acre with public water & OWTS			15' Adjacent to a street 25' Adjacent to a State or Federal Highway	25' Adjacent to a State or Federal Highway		
4.5 acres with well & OWTS			20' for livestock housing	20' for livestock housing		

ALLOWED USES: SUBJECT TO ZONING COMPLIANCE, POSSIBLE LIMITATIONS, AND PERMIT		
USE		CONDITIONS
ACCESSORY BUILDINGS & USES:		
AGRICULTURE		Including livestock, poultry and rabbits. In addition, the sale of agricultural and forestry products produced on the premise provided that no on-street parking is allowed and a minimum one hundred (100) foot setback from all property lines is provided;
ANIMAL UNITS		Refer to section 1.5.6 FCZR
DWELLING UNIT		Single Family Manufactured Home Accessory Dwelling Unit – Refer to section 9 FCZR
Elementary School		
GOLF COURSE		
GROUP HOME		
ORCHARD & VINEYARD		
HOME OCCUPATIONS		Refer to 5.2.1 of this resolution for additional development requirements.
PARK		Mini
ROADSIDE STAND		No agricultural products may be sold that are not produced on the premises

Home

USES SUBJECT TO ISSUANCE OF A SPECIAL REVIEW USE PERMIT		
USE		CONDITIONS
AGRITAINMENT		including livestock, poultry, and rabbits. This use shall not include feedlots, dairy farms, and fur bearing animal farms.
ASSISTED LIVING RESIDENCE		
BED & BREAKFAST		
CEMETERY		
CHILD CARE CENTER		
COMMUNITY BUILDING		
CONTRACTOR'S YARD #1 & #2		Refer to 5.2.6 & 5.2.7 of this Resolution for additional development requirements
FAMILY CHILD CARE HOME		
FIRE, POLICE STATION, & EMS FACILITIES		Lot size may deviate from the minimum lot size development requirements for the zone district.
HOSPITAL		
NURSING HOME		
PARK		Neighborhood
PUBLIC UTILITY BUILDINGS, REGULATORS, & SUBSTATIONS		
RECREATIONAL FACILITY		Urban
RELIGIOUS INSTITUTION		
SCHOOLS		Junior High, & High School
TOWER		Exceeding 50' in height

TEMPORARY USES: Approval as stated below will be required for the following uses: Lots shall be 4 ½ acres or more.

Spectator events, athletic events, organized events, carnivals, circus, concerts, fairs, festivals, flea markets, public recreational events, tent meetings, wedding venues or other similar uses require the issuance of a temporary use permit by the Board.

A temporary use permit will not be required for athletic events, carnivals, circus, concerts, fairs, flea markets, public recreational events, tent meetings, or other similar uses if the event is to be held at an established permanent stadium, athletic field, arena, auditorium, coliseum, fairground, or other similar permanent place of assembly, if such place or facility was constructed and approved for such events. Organized athletic events that do not require roadway closures are exempt from requiring a temporary use permit.

If a temporary use permit is required refer to Section 8.16 for requirements.

Home

4.6 AS — AGRICULTURAL SUBURBAN ZONE DISTRICT — Residential 1

4.6.1 DESCRIPTION: This district is established for limited agricultural purposes with appropriate ~~single-family residence~~ residential and accessory uses. ~~and which~~ It provides separation from ~~opportunities for limited business and industrial uses.~~ **by permitting.**

4.6.2 ALLOWED USES: Note: This zone district is subject to Section 3 “General Regulations” of this Resolution.

4.6.2.1 Accessory buildings and uses;

4.6.2.2 Agriculture, including livestock, poultry and rabbits. This use shall not include feed lots, dairy farms and fur bearing animal farms. In addition, the following shall apply:

4.6.2.2.1 No agricultural products may be sold that are not produced on the premises.

4.6.2.2.2 There shall be fifteen-thousand (15,000) square feet for each such animal unit of permitted livestock on the premises. Any portion of the remaining square footage, after the division of the parcel size by the fifteen-thousand (15,000) square feet, exceeding seven-thousand five-hundred (7,500) square feet will be considered as one (1) additional animal unit.

4.6.2.3 Dwelling, manufactured home (~~does not include manufactured home single wide, refer to Section 1.5.58.6 & 1.5.58.7 of this Resolution for definitions~~);

4.6.2.4 Dwelling, single-family;

4.6.2.5 Elementary school;

4.6.2.6 Group home;

4.6.2.7 Orchard and vineyard;

4.6.2.8 Park, mini;

4.6.2.9 Roadside stand (in conjunction with 4.6.2.2.1 above);

4.6.3 CONDITIONAL USES: ~~Subject to the issuance of a Conditional Use Permit.~~ NONE

4.6.4 SPECIAL REVIEW USES: Subject to the issuance of a Special Review Use Permit.

4.6.4.1 Assisted living residence or residence;

4.6.4.2 Bed and breakfast;

4.6.4.3 Cemetery;

4.6.4.4 Child care center;

4.6.4.5 Community building;

4.6.4.6 Contractor’s yard or building (refer to 5.7.15 of this Resolution for additional development requirements);

4.6.4.7 Family child care home;

4.6.4.8 Fire and/or Police Station;

4.6.4.9 Golf course;

4.6.4.10 High school;

4.6.4.11 Hospital;

4.6.4.12 Junior high school;

4.6.4.13 Nursing home;

4.6.4.14 Park, neighborhood;

4.6.4.15 Public utility buildings, regulators and substations;

4.6.4.16 Recreational facility, Urban;

4.6.4.17 Religious institution;

4.6.4.18 Towers that exceed fifty (50) feet.

4.6.5 DEVELOPMENT REQUIREMENTS:

4.6.5.1 Minimum lot area: Fifteen-thousand (15,000) square feet.

4.6.5.1.1 Lots comprising an area of fifteen-thousand (15,000) square feet or more but less than one (1) acre shall be serviced by public water and public sewer systems. Lots comprising an area of one (1) acre or more but less than four and one half (4 ½) acres shall be serviced by a public domestic water system but may be serviced by an individual sewage disposal system. Lots comprising four and one half (4 ½) acres may be serviced by an individual well and individual sewage disposal system.

4.6.5.2 Maximum lot coverage: Twenty-five (25) percent.

4.6.5.3 Minimum lot width:

4.6.5.3.1 One-hundred (100) feet with public water and sewer service.

4.6.5.3.2 One-hundred and fifty (150) feet with public water service and individual sewage disposal.

4.6.5.3.3 Three-hundred (300) feet with individual well and sewage disposal.

4.6.5.4 Maximum building height: Thirty-five (35) feet.

4.6.5.5 Minimum setback requirements:

4.6.5.5.1 Front yard: Twenty-five (25) feet.

4.6.5.5.2 *Side yard: Ten (10) feet for primary buildings. Five (5) feet for accessory buildings.

4.6.5.5.2.1If side yard is adjacent to a street, fifteen (15) feet.

4.6.5.5.2.2Twenty (20) feet for housing of permitted livestock.

4.6.5.5.3 *Rear yard: Twenty (20) feet for primary buildings.

4.6.5.5.3.1Ten (10) feet for accessory buildings.

4.6.5.5.3.2Twenty (20) feet for housing of permitted livestock.

*NOTE: A minimum twenty-five (25) foot setback is required if property is adjacent to a state or federally designated highway.

4.6.6 TEMPORARY USES: NONE

4.6.7 OFF-STREET PARKING REQUIREMENTS: See 5.3 of this Resolution.

4.6.8 OFF-STREET LOADING REQUIREMENTS: See 5.5 of this Resolution.

4.5 AE – AGRICULTURAL ESTATES ZONE DISTRICT

4.5.1 DESCRIPTION: This district is established for limited agricultural purposes with appropriate single-family residence and accessory uses and provides separation from business and industrial uses.

4.5.2 ALLOWED USES: Note: This zone district is subject to Section 3 “General Regulations” of this Resolution.

4.5.2.1 Accessory buildings and uses;

4.5.2.2 Agriculture, including livestock, poultry, and rabbits. This use shall not include feed lots, dairy farms, and fur bearing animal farms. In addition, the following shall apply:

4.5.2.2.1 No agricultural products may be sold that are not produced on the premises.

4.5.2.2.2 There shall be fifteen-thousand (15,000) square feet for each such animal unit of permitted livestock on the premises. Any portion of the remaining square footage, after the division of the parcel size by the fifteen-thousand (15,000) square feet, exceeding seven-thousand five-hundred (7,500) square feet will be considered as one (1) additional animal unit.

4.5.2.3 Dwelling, manufactured home;

4.5.2.4 Dwelling, manufactured home single-wide;

4.5.2.5 Dwelling, single-family;

4.5.2.6 Elementary school;

4.5.2.7 Group home;

4.5.2.8 Orchard and vineyard;

4.5.2.9 Park, mini;

4.5.2.10 Roadside stand (*in conjunction with 4.5.2.2.1 above*);

4.5.3 CONDITIONAL USES: Subject to the issuance of a Conditional Use Permit. NONE

4.5.4 SPECIAL REVIEW USES: Subject to the issuance of a Special Review Use Permit.

4.5.4.1 Assisted living residence or residence;

4.5.4.2 Bed and breakfast;

4.5.4.3 Cemetery;

4.5.4.4 Child care center;

4.5.4.5 Contractor’s yard or building (*refer to 5.7.15 of this Resolution for additional development requirements*);

4.5.4.6 Family child care home;

4.5.4.7 Fire and/or police station;

4.5.4.8 High school;

4.5.4.9 Hospital;

4.5.4.10 Junior high school;

4.5.4.11 Nursing home;

4.5.4.12 Park, neighborhood;

4.5.4.13 Public utilities buildings, regulators, and substations;

4.5.4.14 Recreational facility, urban;

4.5.4.15 Religious institution;

4.5.4.16 Towers that exceed fifty (50) feet.

4.5.5 DEVELOPMENT REQUIREMENTS:

4.5.5.1 Minimum lot area: Fifteen-thousand (15,000) square feet.

4.5.5.1.1 Lots comprising an area of fifteen-thousand (15,000) square feet or more but less than one (1) acre shall be serviced by public water and public sewer systems. Lots comprising an area of one (1) acre or more but less than four and one-half

4.5.5.1.2 (4 ½) acres shall be serviced by a public domestic water system but may be serviced by an individual sewage disposal system. Lots comprising four and one-half (4 ½) acres or more may be serviced by an individual well and individual sewage disposal system.

4.5.5.2 Maximum lot coverage: Twenty-five (25) percent.

4.5.5.3 Minimum lot width:

4.5.5.3.1 One-hundred (100) feet with public water and sewer service.

4.5.5.3.2 One-hundred and fifty (150) feet with public water.

4.5.5.3.3 Three-hundred (300) feet with individual well and sewage disposal.

4.5.5.4 Maximum building height: Thirty-five (35) feet.

4.5.5.5 Minimum setback requirements:

4.5.5.5.1 Front yard: Twenty-five (25) feet.

4.5.5.5.2 *Side yard: Ten (10) feet for primary buildings. Five (5) feet for accessory buildings.

4.5.5.5.2.1 If side yard is adjacent to a street, fifteen (15) feet.

4.5.5.5.2.2 Twenty (20) feet for housing of permitted livestock.

4.5.5.5.3 *Rear yard: Twenty (20) feet for primary buildings.

4.5.5.5.3.1 Ten (10) feet for accessory buildings.

4.5.5.5.3.2 Twenty (20) feet for housing of permitted livestock.

*NOTE: A minimum twenty-five (25) foot setback is required if property is adjacent to a State or Federally designated highway.

4.5.6 TEMPORARY USES: NONE

4.5.7 OFF-STREET PARKING REQUIREMENTS: See 5.3 of this Resolution.

4.5.8 OFF-STREET LOADING REQUIREMENTS: See 5.5 of this Resolution



FREMONT COUNTY – COLORADO DEPARTMENT OF PLANNING AND ZONING

615 MACON AVE., CANON CITY, COLORADO

719-276-7360 PH / 719-276-7374 FAX

Email: Planning@fremontco.com

STAFF REPORT

Project Name: Residential 2 - Zone Consolidation and Rewrite

Name(s) Planning and Zoning Director- Daniel Victoria

Request: Zone Consolidation and rewrite.

Planning and Zoning has recognized the need for a review and update to the regulations. This rewrite and consolidation is to address the Agricultural Rural and Agricultural Living zone districts.

The proposal in front of you is a consolidation of these two districts into the new Residential 2 (R2) zone district. The changes include reformatting, renaming, a new zone description, the development requirements of the smaller zone district (AR) becoming the standard, consolidating the uses of the two zone districts and adding new uses into the regulations.

Intent.

The intent of this consolidation is to address many issues and deficiencies in the current regulations such as but not limited to.

- 1) Citizens having confusion about the zone district they reside in (6 agricultural zone districts currently with minimal differences).
- 2) Zone district name causing difficulty for individuals to get financing as banks do not like offering loans to agricultural operations.
- 3) Uses needed updating.
- 4) Current regulations propose barriers for housing.
- 5) Consolidation will offer the citizens of Fremont the opportunity to have more opportunities on the land they own.
- 6) Current regulations had descriptions of uses in the allowed uses table. The description of uses has been moved to the General Requirements section or detailed in the Definitions section and will be presented at a later date.

In the attached regulations you will see strike throughs, as well as red and yellow highlighting.

- Strike through details items that were moved to the general requirements section or the definitions section.
- Red details uses by consolidation.
- Yellow details new uses.

Residential Two (R2)

This district is intended to provide low density residential development and retain lands for agriculture, livestock or the raising of crops. Commercial uses will be limited by acreage.

Minimum Lot Size/Area	Minimum Lot Width	Set Back Requirements			Max Building Height	Maximum Lot Coverage
		Front	Side Int./Corner	Rear		
4 1/2 Acres	300'	50'	25'/50'	50'	35'	15%

ALLOWED USES: SUBJECT TO ZONING COMPLIANCE, POSSIBLE LIMITATIONS, AND PERMIT		
USE	MINIMUM ACRES	CONDITIONS
ACCESSORY BUILDINGS & USES		
AGRICULTURE		Including livestock, poultry, and rabbits. This use shall not include feedlots, dairy farms, and fur bearing animal farms.
AGRITAINMENT		Refer to section 5.2.10 FCZR
ANIMAL UNITS		Refer to section 1.5.6 FCZR
CEMETERY	9 ACRES	
CHILD CARE CENTER		
CHRISTMAS TREE CUTTING STORAGE AND SALES		
CONTRACTOR'S YARD #1	9 ACRES	Refer to 5.7.15 of this Resolution for additional development requirements
DWELLING UNIT		Single Family Manufactured Home Accessory Dwelling Unit
ELEMENTARY SCHOOL		
FARM		
GOLF COURSE	9 ACRES	
GOVERNMENT ROAD MAINTENANCE FACILITY		
GREENHOUSE, COMMERCIAL		
GROUP HOME		
HOME OCCUPATIONS		Refer to 5.2 of this resolution for additional requirements.
LIMITED WINERY		Refer to 5.2.8 of this resolution for additional requirements.
NURSERY		
ORCHARD AND VINEYARD		
RANCH		
RIDING ACADEMY		provided that all housing and accessory uses are located at

Home

		least three-hundred (300) feet from property lines;
ROADSIDE STAND		Agricultural products only
STABLE		provided all housing and accessory buildings are located at least three-hundred (300) feet from all property lines;
VETERINARY PREMISES		

CONDITIONAL USE PERMIT: Subject to issuance of a CUP		
USE	MINIMUM ACRES	CONDITIONS
MILLING	9 ACRES	
MINING	9 ACRES	

SPECIAL REVIEW USES: Subject to issuance of a SRU		
USE	MINIMUM ACRES	CONDITIONS
ASSISTED LIVING RESIDENCE OR RESIDENCE		
BED & BREAKFAST		
CEMETERY	4.5-9 ACRES	
COMMERCIAL FIREWOOD	9 ACRES	cutting, splitting, storage, and sales, provided there is no firewood cutting within two hundred (200) feet of any property line,
CONTRACTOR'S YARD #2		<i>Refer to 5.7 of this Resolution for additional development requirements</i>
CORRECTIONAL FACILITY		
FARM & RANCH SUPPLIES & SERVICE		
FEED STORE		
FIRE, POLICE STATION, & EMS FACILITIES		lot size may deviate from the minimum lot size development requirements for the zone district. Refer to section 5.2.11 for development requirements.
FUR BEARING ANIMAL FARM	9 ACRES	
GOLF COURSE		
HIGH SCHOOL		
JUNIOR HIGH SCHOOL		
KENNEL		
MINI-STORAGE FACILITY		
PARK		Regional or Neighborhood
PUBLIC UTILITY BUILDING,		

Home

REGULATORS, & SUBSTATION		
RECREATIONAL FACILITY, RURAL		
RELIGIOUS INSTITUTION		
RESTAURANT WITH OR WITHOUT BREWERY	9 ACRES	
RODEO GROUND	9 ACRES	
SOLAR FIELD	9 ACRES	
TOWERS THAT EXCEED 50' FEET		
TRAVEL TRAILER PARK & CAMPGROUND		Refer to section 5.6
WINERY	9 ACRES	

TEMPORARY USES: Approval as stated below will be required for the following uses:

Trailer incidental in construction on the premises of the principal building. Included with and dependent upon the issuance of a building permit. If a building permit is not required, Department approval will be required.

Spectator events, athletic events, organized events, carnivals, circus, concerts, fairs, festivals, flea markets, public recreational events, tent meetings, wedding venues or other similar uses require the issuance of a temporary use permit by the Board.

A temporary use permit will not be required for athletic events, carnivals, circus, concerts, fairs, festivals, flea markets, public recreational events, tent meetings, wedding venues, or other similar uses if the event is to be held at an established permanent stadium, athletic field, arena, auditorium, coliseum, fairground, or other similar permanent place of assembly, if such place or facility was constructed and approved for such events. Organized athletic events that do not require roadway closures are exempt from requiring a temporary use permit.

If a temporary use permit is required refer to Section 8.16 for requirements.

4.3 AL - AGRICULTURAL LIVING ZONE DISTRICT

4.3.1 DESCRIPTION: This district is established to provide and retain certain lands for agriculture and to provide for orderly low density residential development.

4.3.2 ALLOWED USES: Note: This zone district is subject to Section 3 “General Regulations” of this Resolution.

4.3.2.1 Accessory buildings and uses;

4.3.2.2 Agriculture, including livestock, poultry, and rabbits. This use shall not include feed lots, dairy farms, and fur bearing animal farms;
Agritainment

4.3.2.3 Cemetery;

4.3.2.4 Christmas tree cutting, storage, and sales;

4.3.2.5 Contractor’s yard or building; ~~#1 provided that the following is met:~~

~~**4.3.2.5.1** The outdoor storage area for vehicles and equipment shall be set back a minimum of seventy five (75) feet from all property lines;~~

~~**4.3.2.5.2** The outdoor storage area for vehicles and equipment is contained by an opaque screen (fence or vegetation), in accordance with Section 5.7.15.1 of this resolution, along all portions of the property being used for the outdoor storage area, which do not meet the required seventy five (75) foot setback from the property line;~~

~~**4.3.2.5.3** The outdoor storage area is no more than five thousand (5,000) square feet;~~

~~**4.3.2.5.4** There are no more than five (5) vehicles used in association with the contractor’s yard.~~

4.3.2.6 Dwelling, manufactured home;

ADU

~~**4.3.2.7** Dwelling, manufactured home single wide;~~

~~**4.3.2.8** Dwelling, single family;~~

Elementary School

4.3.2.9 Farm;

4.3.2.10 Golf course;

- 4.3.2.11 Government road maintenance facility;
- 4.3.2.12 Greenhouse, commercial;
- 4.3.2.13 Group home;
- HOME OCCUPATIONS**
- 4.3.2.14 Limited Winery ~~provided the following is met:~~
 - ~~4.3.2.14.1 The production of vinous liquors does not exceed 100,000 gallons annually;~~
 - ~~4.3.2.14.2 The associated structures are no more than five thousand (5,000) square feet;~~
 - ~~4.3.2.14.3 Tasting rooms do not exceed seven hundred fifty (750) square feet in size;~~
 - ~~4.3.2.14.4 Sale rooms do not exceed seven hundred fifty (750) square feet in size;~~
 - ~~4.3.2.14.5 A combined tasting and sales room does not exceed one thousand five hundred (1500) square feet in size;~~
 - ~~4.3.2.14.6 There are no more than five (5) employee vehicles used in association with the limited winery;~~
 - ~~4.3.2.14.7 Off street parking is provided;~~
 - ~~4.3.2.14.8 A State of Colorado Limited Winery License is obtained.~~
- 4.3.2.15 Nursery;
- 4.3.2.16 Orchard and vineyard;
- 4.3.2.17 Ranch;
- 4.3.2.18 Riding academy, provided that all housing and accessory uses are located at least three-hundred (300) feet from all property lines;
- 4.3.2.19 Roadside stand (*agricultural products only*);
- 4.3.2.20 Stable, provided that all housing and accessory uses are located at least three-hundred (300) feet from all property lines;
- 4.3.2.21 Veterinary premises.

4.3.3 CONDITIONAL USES: Subject to the issuance of a Conditional Use Permit.

4.3.3.1 ~~Fur bearing animal farm;~~ **SRU**

4.3.3.2 Milling;

4.3.3.3 Mining.

4.3.4 SPECIAL REVIEW USES: Subject to the issuance of a Special Review Use Permit.

4.3.4.1 ~~Agricultural sales;~~

ASSISTED LIVING RESIDENCE OR RESIDENCE

4.3.4.2 Bed and breakfast;

CEMETERY IF LOT IS UNDER 4.5 ACRES

4.3.4.3 Child care center;

4.3.4.4 Commercial firewood cutting, splitting, storage, and sales;

4.3.4.5 Community building;

4.3.4.6 Contractor's yard or building **# 2** (*refer to 5.7.15 of this Resolution for additional development requirements*);

4.3.4.7 Correctional facility, public and private;

4.3.4.8 Elementary school;

FARM AND RANCH SUPPLIES & SERVICE

4.3.4.9 ~~Family child care home;~~

FEED STORE

4.3.4.10 Fire and/or Police Station (*minimum of four and one-half (4½) acres if platted as outlot which is specifically limited to these uses*);

FUR BEARING ANIMAL FARM

GOLF COURSE

4.3.4.11 High school;

4.3.4.12 Junior high school;

4.3.4.13 Kennel;

4.3.4.14 ~~Limited Winery;~~ **ALLOWED USE**

4.3.4.15 Mini-storage facility;

4.3.4.16 Park, Regional; **NEIGHBORHOOD**

4.3.4.17 Public utility buildings, regulators, or substations;

- 4.3.4.18 Recreational facility, Rural;
- 4.3.4.19 Religious institution;
- 4.3.4.20 Restaurant; **WITH OR WITHOUT BREWERY**
- 4.3.4.21 Rodeo ground;
SOLAR FIELD 9 ACRES OR MORE
- 4.3.4.22 Towers that exceed fifty (50) feet;
- 4.3.4.23 Travel Trailer Park & Campground (refer to Section 5.6 of this resolution for additional development requirements);
- 4.3.4.24 Winery.

4.3.5 DEVELOPMENT REQUIREMENTS:

- 4.3.5.1 Minimum lot size: Nine (9) acres. **4 ½ ACRES**
- 4.3.5.2** Maximum lot coverage: ~~Ten (10) percent.~~ **15%**
- 4.3.5.3 Maximum building height: Thirty-five (35) feet.
- 4.3.5.4 Minimum lot width: Three-hundred (300) feet.
- 4.3.5.5 Minimum setback requirements:
 - 4.3.5.5.1** Front yard: ~~Seventy-five (75) feet.~~ **50**
 - 4.3.5.5.2** Side yards: ~~Fifty (50) feet.~~ **25' INTERIOR LINES AND 50' FOR CORNER LOTS**
 - 4.3.5.5.3 Rear yard: Fifty (50) feet.

4.3.6 TEMPORARY USES: Approval as stated below will be required for the following uses:

- 4.3.6.1 ~~Manufactured home single wide~~ incidental in construction on the premises of the principal building. Included with and dependent upon the issuance of a building permit. If a building permit is not required Department approval will be required.
- 4.3.6.2 Spectator events, athletic events, carnivals, circus, concerts, fairs, flea markets, public recreational events, tent meetings, or other similar uses require the issuance of a temporary use permit by the Board. A temporary use permit will not be required for athletic events, carnivals, circus,

concerts, fairs, flea markets, public recreational events, tent meetings, or other similar uses if the event is to be held at an established permanent stadium, athletic field, arena, auditorium, coliseum, fairground, or other similar permanent place of assembly, if such place or facility was constructed and approved for such events. If a temporary use permit is required refer to Section 8.16 for requirements.

~~4.3.6.3 Tower, temporary: Subject to the issuance of a temporary use permit by the Board or Department.~~

~~4.3.7 OFF-STREET PARKING REQUIREMENTS: See 5.3 of this Resolution.~~

~~4.3.8 OFF-STREET LOADING REQUIREMENTS: See 5.5 of this Resolution.~~

4.4 AR - AGRICULTURAL RURAL ZONE DISTRICT

4.4.1 DESCRIPTION: ~~This district is intended to promote a rural residential environment. Residential uses in the district will be primarily in conjunction with agricultural activities such as the raising of crops and livestock. Commercial uses will be limited to defined home occupations of a professional nature and commercial uses related to agriculture.~~

4.4.2 ALLOWED USES: ~~Note: This zone district is subject to Section 3 “General Regulations” of this Resolution.~~

4.4.2.1 Accessory buildings and uses;

4.4.2.2 Agriculture, including livestock, poultry, and rabbits. This use shall not include feed lots, dairy farms, and fur-bearing animal farms;

~~**4.4.2.2.1** There shall be fifteen thousand (15,000) square feet for each such animal unit of permitted livestock on the premises. Any portion of the remaining square footage, after the division of the parcel size by the fifteen thousand (15,000) square feet, exceeding seventy five hundred (7,500) square feet will be considered as one (1) additional animal unit.~~

Agritainment

4.4.2.2.2 Christmas tree cutting, storage, and sales;

4.4.2.2.3 Dwelling, ~~manufactured home (does not include manufactured home single wide, refer to Section 1.5.58.6 & 1.5.58.7 of this Resolution for definitions);~~

4.4.2.2.4 Dwelling, single family;

ADU

4.4.2.2.5 Elementary school;

FARM

GOLF COURSE

4.4.2.2.6 Government road maintenance facility;

4.4.2.2.7 Greenhouse, commercial;

4.4.2.2.8 Group home;

HOME OCCUPATIONS

4.4.2.2.9 Nursery;

4.4.2.2.10 Limited Winery provided the following is met:

~~**4.4.2.2.10.1** The production of vinous liquors does not exceed 100,000 gallons annually;~~

- ~~4.4.2.2.10.2~~ The associated structures are no more than five thousand (5000) square feet;
- ~~4.4.2.2.10.3~~ Tasting rooms do not exceed seven hundred fifty (750) square feet in size;
- ~~4.4.2.2.10.4~~ Sale rooms do not exceed seven hundred fifty (750) square feet in size;
- ~~4.4.2.2.10.5~~ A combined tasting and sales room does not exceed one thousand five hundred (1500) square feet in size;
- ~~4.4.2.2.10.6~~ There are no more than five (5) employee-vehicles used in association with the limited winery;
- ~~4.4.2.2.10.7~~ Off street parking is provided;
- ~~4.4.2.2.10.8~~ A State of Colorado Limited Winery License is obtained

4.4.2.2.11 Orchard and vineyard;

RANCH

4.4.2.2.12 Roadside stand (*agricultural products only*);

**RIDING ACADEMY WAS AN SRU
STABLE**

4.4.2.2.13 Veterinary premises.

4.4.3 CONDITIONAL USES: Subject to the issuance of a Conditional Use Permit.
NONE

MILLING

MINING

4.4.4 SPECIAL REVIEW USES: Subject to the issuance of a Special Review Use Permit.

4.4.4.1 Assisted living residence or residence;

4.4.4.2 Bed and breakfast;

4.4.4.3 Cemetery;

4.4.4.4 Child care center;

4.4.4.5 Commercial firewood cutting, splitting, storage, and sales;

4.4.4.6 Community building;

4.4.4.7 Contractor's yard or building #2 (*refer to 5.7.15 of this Resolution for additional development requirements*);

4.4.4.8 Correctional facility, public and private;

Agricultural Rural Zone District 4.4 – 4.4.8

ELEMENTARY SCHOOL

4.4.4.9 ~~Family child care home~~

Farm and ranch supplies & service

4.4.4.10 Feed store;

4.4.4.11 Fire and/or police station;

FUR BEARING ANIMAL FARM

4.4.4.12 Golf course;

4.4.4.13 High school;

4.4.4.14 Junior high school;

4.4.4.15 Kennel;

4.4.4.16 ~~Limited Winery~~ **ALLOWED USE**

4.4.4.17 Mini-storage facility;

4.4.4.18 Park, neighborhood; **REGIONAL**

4.4.4.19 Public utility building, regulators, and substations;

4.4.4.20 Recreational facility, rural;

4.4.4.21 Religious institution;

RESTAURANT WITH OR WITHOUT BREWERY

4.4.4.22 ~~Riding academy;~~

RODEO GROUND

4.4.4.23 ~~Stable;~~ **ALLOWED USE**

SOLAR FIELD 9 ACRES OR MORE

4.4.4.24 Towers that exceed fifty (50) feet;

4.4.4.25 Travel Trailer Park & Campground (refer to Section 5.6 of this resolution for additional development requirements).

WINERY

4.4.5 DEVELOPMENT REQUIREMENTS:

4.4.5.1 Minimum lot area: Four and one-half (4 ½) acres.

4.4.5.2 Maximum lot coverage: Fifteen (15) percent.

4.4.5.3 Maximum building height: Thirty-five (35) feet.

4.4.5.4 Minimum lot width: Three-hundred (300) feet.

4.4.5.5 Minimum setback requirements:

4.4.5.5.1 Front yard: Fifty (50) feet.

4.4.5.5.2 Side yards: Twenty-five (25) feet for interior lot lines and fifty (50) feet for corner lot lines.

4.4.5.5.3 Rear yard: Fifty (50) feet.

4.4.6 TEMPORARY USES: Approval as noted below will be required for the following uses:

4.4.6.1 Spectator events, athletic events, carnivals, circus, concerts, fairs, flea markets, public recreational events, tent meetings, or other similar uses require the issuance of a temporary use permit by the Board. A temporary use permit will not be required for athletic events, carnivals, circus, concerts, fairs, flea markets, public recreational events, tent meetings, or other similar uses if the event is to be held at an established permanent stadium, athletic field, arena, auditorium, coliseum, fairground, or other similar permanent place of assembly, if such place or facility was constructed and approved for such events. If a temporary use permit is required refer to Section 8.16 for requirements.

4.4.7 OFF-STREET PARKING REQUIREMENTS: See 5.3 of this Resolution.

4.4.8 OFF-STREET LOADING REQUIREMENTS: See 5.5 of this Resolution.



FREMONT COUNTY – COLORADO

DEPARTMENT OF PLANNING AND ZONING

615 MACON AVE., CANON CITY, COLORADO

719-276-7360 PH / 719-276-7374 FAX

Email: Planning@fremontco.com

STAFF REPORT

Project Name: Residential 3 - Zone Consolidation and Rewrite

Name(s) Planning and Zoning Director- Daniel Victoria

Request: Zone Consolidation and rewrite.

Planning and Zoning has recognized the need for a review and update to the regulations. This rewrite and consolidation is to address the Agricultural Farming and Ranching and Agricultural Forestry zone districts.

The proposal in front of you is a consolidation of these two districts into the new Residential 3 (R3) zone district. The changes include reformatting, renaming, a new zone description, the development requirements of the smaller zone district (AF&R) becoming the standard, consolidating the uses of the two zone districts and adding new uses into the regulations.

Intent.

The intent of this consolidation is to address many issues and deficiencies in the current regulations such as but not limited to.

- 1) Citizens having confusion about the zone district they reside in (6 agricultural zone districts currently with minimal differences).
- 2) Zone district name causing difficulty for individuals to get financing as banks do not like offering loans to agricultural operations.
- 3) Uses needed updating.
- 4) Current regulations propose barriers for housing.
- 5) Consolidation will offer the citizens of Fremont the opportunity to have more opportunities on the land they own.
- 6) Current regulations had descriptions of uses in the allowed uses table. The description of uses has been moved to the General Requirements section or detailed in the Definitions section and will be presented at a later date.

In the attached regulations you will see strike throughs, as well as red and yellow highlighting.

- Strike through details items that were moved to the general requirements section or the definitions section.
- Red details uses by consolidation.
- Yellow details new uses.

Residential Three (R3)

Non-urban areas established primarily for the purpose of efficiently using land to conserve forest resources, protect the natural environment, and to allow for residential, farming and ranching activities.

Minimum Lot Size/Area	Minimum Lot Width	Set Back Requirements Principal/Accessory			Max Building Height	Maximum Lot Coverage
		Front	Side	Rear		
20 Acres	500'	75'	50'	50'	45'	7%

ALLOWED USES: SUBJECT TO ZONING COMPLIANCE		
USE		Conditions
ACCESSORY BUILDINGS AND USES		
AGRICULTURE		Including livestock, poultry and rabbits. In addition, the sale of agricultural and forestry products provided that no on-street parking is allowed and a minimum one hundred (100) foot setback from all property lines is provided;
AGRITAINMENT		Refer to 5.2.10 of this Resolution for additional development requirements
ANIMAL UNITS		Refer to section 1.5.6 FCZR
CEMETERY		Must comply with all state requirements (25-2-111, C.R.S)
CHRISTMAS TREE CUTTING, STORAGE, AND SALES		
COMMERCAIL FIREWOOD		Cutting, splitting, storage, and sales, provided there is no firewood cutting within two hundred (200) feet of any property line,
CONTRACTOR'S YARD #1		Refer to 5.2.6 of this Resolution for additional development requirements
DWELLING UNIT		Single Family Manufactured Home Accessory Dwelling Unit Cabin
FARM		
FARM & RANCH HAND QUARTERS		Refer to 5.2.9 of this Resolution for additional development requirements
FORESTRY		
FUR BEARING ANIMAL FARMS		
GOLF COURSE		

GOVERNMENT ROAD MAINTENANCE FACILITY		
GREENHOUSE, COMMERCIAL		
GROUP HOME		
HOME OCCUPATION		Refer to 5.2.1 of this resolution for additional development requirements.
LIMITED WINERY		Refer to 5.2.8 of this Resolution for additional development requirements
NURSERY		
ORCHARD AND VINEYARD		
RANCH		
RIDING ACADEMY		Provided all housing and accessory buildings are located at least three-hundred (300) feet from all property lines;
ROADSIDE STAND		Agricultural products only.
STABLE		Provided all housing and accessory buildings are located at least three-hundred (300) feet from all property lines;
VETERINARY PREMISES		

ALLOWED USES: SUBJECT TO ISSUANCE OF A CONDITIONAL USE PERMIT		
USE		Conditions
MILLING		
MINING		
RECYCLING FACILITY		
SAWMILL		
TRANSFER STATION		

USES SUBJECT TO ISSUANCE OF A SPECIAL REVIEW USE PERMIT		
USE		Conditions
AIRPORT, PRIVATE		
BED & BREAKFAST		
CHILD CARE CENTER		
COMMUNITY BUILDING		

Home

CONTRACTOR'S YARD #2		<i>Refer to 5.2.7 of this Resolution for additional development requirements</i>
CONVENIENCE STORE		
CORRECTIONAL FACILITY		Public and Private
DAIRY FARM		Provided all animal feeding areas, housing and accessory buildings are located at least three-hundred (300) feet from all property lines;
DISTILLERY		
FARM & RANCH SUPPLIES, SALES, & SERVICE		
FEEDLOT		Provided all animal feeding areas, housing and accessory buildings are located at least three-hundred (300) feet from all property lines;
FIRE, POLICE STATION, & EMS FACILITIES		Lot size may deviate from the minimum lot size development requirements for the zone district. Refer to section 5.2.11 for development requirements.
KENNEL		
LANDFILL		
MINI-STORAGE FACILITY		
MUSEUM		
PARK, regional		
PUBLIC UTILITY BUILDING, REGULATORS, & SUBSTATION		
RECREATION FACILITY, RURAL		
RELIGIOUS INSTITUTION		
RESTAURANT		
RODEO GROUND		
SCHOOLS		Elementary, Junior High, High School
SLAUGHTERHOUSE		
SOLAR FIELD		
TOWERS		Exceeding 50' in height.
TRAVEL TRAILER PARK		<i>Refer to 5.6 of this Resolution for additional development requirements</i>
WILDLIFE, COMMERCIAL PARK		
WINERY		

TEMPORARY USES: Approval as stated below will be required for the following uses:

Home

Property sales office, (i.e.: Manufactured home, or manufactured office building), (on site only). Included with and dependent upon the issuance of a building permit, if required. If a building permit is not required, Department approval will be required.

Trailer incidental in construction on the premises of the principal building. Included with and dependent upon the issuance of a building permit. If a building permit is not required, Department approval will be required.

Spectator events, athletic events, organized events, carnivals, circus, concerts, fairs, festivals, flea markets, public recreational events, tent meetings, wedding venues or other similar uses require the issuance of a temporary use permit by the Board.

A temporary use permit will not be required for athletic events, carnivals, circus, concerts, fairs, flea markets, public recreational events, tent meetings, weddings or other similar uses if the event is to be held at an established permanent stadium, athletic field, arena, auditorium, coliseum, fairground, or other similar permanent place of assembly, if such place or facility was constructed and approved for such events. Organized athletic events that do not require roadway closures are exempt from requiring a temporary use permit.

If a temporary use permit is required refer to Section 8.16 for requirements.

~~4.2 AF & R AGRICULTURAL FARMING & RANCHING ZONE DISTRICT~~

4.2 RESIDENTIAL TWO (R2)

~~4.2.1 DESCRIPTION: Areas where conservation of agriculture resources and common open space is of prime importance. This district is intended to provide and retain certain lands for agriculture, raising of crops and livestock, and provide orderly low density residential development. Commercial uses will be limited by acreage.~~

~~4.2.2 ALLOWED USES: Note: This zone district is subject to Section 3 “General Regulations” of this Resolution.~~

~~4.2.2.1 Accessory buildings and uses;~~

~~4.2.2.1.1 Farm & Ranch Hand Quarters: A manufactured home or a manufactured home single wide will be allowed as an accessory use on a farm or ranch if it will be occupied by persons employed in farming or ranching activities on the property and their immediate families. The following are required in order to qualify for the accessory building and use:~~

~~4.2.2.1.1.1 Agricultural Declaration and documents from the Fremont County Assessor’s Office;~~

~~4.2.2.1.1.2 Letter stating the circumstances requiring the accessory use and building and the terms of employment for the person(s) who will inhabit the accessory building;~~

~~4.2.2.1.1.3 Compliance with the zone district setback, building height, and lot coverage requirements;~~

~~4.2.2.1.1.4 Proof of water, which may be a letter from a public water district indicating that the proposed use can be provided water service, or a letter or a copy of a well permit from the Colorado Division of Water Resources that notes that the proposed use can be serviced by a well;~~

~~4.2.2.1.1.5 Proof of sewage disposal, which may be a letter from a public sewer district or a copy of an individual percolation test for the specified use;~~

~~Only one (1) manufactured home or manufactured home single wide will be allowed as an accessory use per ranch or farm;~~

~~4.2.2.1.1.6~~ A minimum of forty (40) acres is required;

~~4.2.2.1.1.7~~ Upon discontinuance or abandonment of the farming and/or ranching activities, the Farm and Ranch Hand Quarters shall be removed or the property shall be subdivided if all subdivision and zoning development regulations can be met.

4.2.2.2 Agriculture, including livestock, poultry, and rabbits. This use shall not include feedlots, dairy farms, and fur bearing animal farms. ~~In addition, the sale of agricultural products are permitted provided that no on street parking is allowed and a minimum one hundred (100) foot setback from all property lines is provided;~~

Agritainment

Animal Units

4.2.2.3 Cemetery;

4.2.2.4 Christmas tree cutting, storage, and sales;

4.2.2.5 Contractor's yard or building; **#1** ~~provided that the following is met:~~

~~4.2.2.5.1~~ The outdoor storage area for vehicles and equipment shall be set back a minimum of seventy five (75) feet from all property lines;

~~4.2.2.5.2~~ The outdoor storage area for vehicles and equipment is contained by an opaque screen (fence or vegetation), in accordance with Section 5.7.15.1 of this resolution, along all portions of the property being used for the outdoor storage area, which do not meet the required seventy five (75) foot setback from the property line;

~~4.2.2.5.3~~ The outdoor storage area is no more than five thousand (5,000) square feet;

~~4.2.2.5.4~~ There are no more than five (5) vehicles used in association with the contractor's yard.

4.2.2.6 Dwelling, manufactured home;

Accessory Dwelling

Cabin

~~4.2.2.7~~ Dwelling, manufactured home single wide;

4.2.2.8 Dwelling, single-family;

4.2.2.9 Farm;

~~4.2.2.9.1.1 Upon discontinuance or abandonment of the farming and/or ranching activities, the Farm and Ranch Hand Quarters shall be removed or the property shall be subdivided if all subdivision and zoning development regulations can be met.~~

Forestry

Fur Bearing Animal Farms

4.2.2.10 **Commercial** Firewood (~~commercial~~) cutting, splitting, storage, and sales, provided there is no firewood cutting within two hundred (200) feet of any property line,

4.2.2.11 Golf course

4.2.2.12 Government road maintenance facility;

4.2.2.13 Greenhouse, commercial;

4.2.2.14 Group home;

4.2.2.15 Limited Winery ~~provided the following is met~~"

~~4.2.2.15.1 The production of vinous liquors does not exceed 100,000 gallons annually;~~

~~4.2.2.15.2 The associated structures are no more than five thousand (5,000) square feet;~~

~~4.2.2.15.3 Tasting rooms do not exceed seven hundred fifty (750) square feet in size;~~

~~4.2.2.15.4 Sale rooms do not exceed seven hundred fifty (750) square feet in size;~~

~~4.2.2.15.5 A combined tasting and sales room does not exceed one thousand five hundred (1500) square feet in size;~~

~~4.2.2.15.6 There are no more than five (5) employee vehicles used in association with the limited winery;~~

~~4.2.2.15.7 Off street parking is provided;~~

~~4.2.2.15.8 A State of Colorado Limited Winery License is obtained.~~

4.2.2.16 Nursery;

4.2.2.17 Orchard and vineyard;

4.2.2.18 Ranch;

4.2.2.19 Riding academy, provided that all housing and accessory uses are located at least three-hundred (300) feet from property lines;

Roadside Stand (agricultural products only)

4.2.2.20 Stable, provided all housing and accessory buildings are located at least three-hundred (300) feet from all property lines;

4.2.2.21 Veterinary premises.

4.2.3 CONDITIONAL USES: Subject to the issuance of a Conditional Use Permit.

4.2.3.1 Milling;

4.2.3.2 Mining;

4.2.3.3 Recycle facility;

4.2.3.4 Transfer station;

SAWMILL

4.2.4 SPECIAL REVIEW USES: Subject to the issuance of a Special Review Use Permit.

4.2.4.1 Airport, private;

4.2.4.2 Bed & breakfast;

4.2.4.3 Child care center;

4.2.4.4 Community building;

4.2.4.5 Contractor's yard or building #2 (*refer to 5.7.15 of this Resolution for additional development requirements*);

4.2.4.6 Convenience store;

4.2.4.7 Correctional facility, public and private;

4.2.4.8 Dairy farm;

4.2.4.9 Elementary school;

4.2.4.10 Farm and ranch supplies sales and service;

4.2.4.11 Feedlot

- 4.2.4.12 Fire and/or Police Station (~~minimum of four and one half (4½) acres if platted as outlot which is specifically limited to these uses~~);
- 4.2.4.13 Fur bearing animal farm; **Allowed use**
- 4.2.4.14 High school;
- 4.2.4.15 Junior high school;
- 4.2.4.16 Kennel;
- 4.2.4.17 Landfill;
- 4.2.4.18 Limited Winery; **Allowed Use**
- 4.2.4.19 Mini-storage facility;
- 4.2.4.20 Museum;
- 4.2.4.21 Park, Regional;
- 4.2.4.22 Public utility building, regulators, and substations;
- 4.2.4.23 Recreational facility, Rural;
- 4.2.4.24 Religious institution;
- 4.2.4.25 Restaurant;
- 4.2.4.26 Rodeo ground;
- 4.2.4.27 Slaughterhouse;
Solar Field
- 4.2.4.28 Towers that exceed fifty (50) feet;
- 4.2.4.29 Travel Trailer Park & Campground (refer to Section 5.6 of this resolution for additional development requirements);
Wildlife, Commercial Park
- 4.2.4.30 Winery

4.2.5 DEVELOPMENT REQUIREMENTS:

- 4.2.5.1 Minimum lot area: Twenty Acres (20).

4.2.5.2 Maximum lot coverage: Seven (7) percent.

4.2.5.3 Maximum building height: Thirty-five (35) feet.

4.2.5.4 Minimum lot width: Five Hundred (500).

4.2.5.5 Minimum setback requirements:

4.2.5.5.1 Front yard: Seventy-Five Feet (75)

4.2.5.5.2 Side yard: Fifty (50) feet

Rear yard: Fifty (50) feet.

4.2.6 **TEMPORARY USES:** Approval as stated below will be required for the following uses:

4.2.6.1 ~~Manufactured home single wide, incidental in construction on the premises of the principal building. Included with and dependent upon the issuance of a building permit. If a building permit is not required, Department approval will be required.~~

4.2.6.2 Trailer incidental in construction on the premises of the principal building. Included with and dependent upon the issuance of a building permit. If a building permit is not required, Department approval will be required.

4.2.6.3 Spectator events, athletic events, carnivals, circus, concerts, fairs, flea markets, public recreational events, tent meetings, or other similar uses require the issuance of a temporary use permit by the Board. A temporary use permit will not be required for athletic events, carnivals, circus, concerts, fairs, flea markets, public recreational events, tent meetings, or other similar uses if the event is to be held at an established permanent stadium, athletic field, arena, auditorium, coliseum, fairground, or other similar permanent place of assembly, if such place or facility was constructed and approved for such events. If a temporary use permit is required refer to Section 8.16 for requirements.

4.2.6.4 Tower, temporary: Subject to the issuance of a temporary use permit by the Board or Department.

4 DISTRICT REGULATIONS & PRINCIPAL PERMITTED USES

4.1 AF - AGRICULTURAL FORESTRY ZONE DISTRICT

4.1.1 DESCRIPTION: Non-urban areas established primarily for the purpose of efficiently using land to conserve forest resources, protect the natural environment, and preserve uninhabited areas and to allow for farming and ranching activities.

4.1.2 ALLOWED USES: Note: This zone district is subject to Section 3 “General Regulations” of this Resolution.

4.1.2.1 Accessory buildings and uses.

~~4.1.2.1.1 Farm & Ranch Hand Quarters: A manufactured home or a manufactured home single wide, will be allowed as an accessory use on a farm or ranch if it will be occupied by persons employed in farming or ranching activities on the property and their immediate families. The following are required in order to qualify for the accessory building and use:~~

~~4.1.2.1.1.1 Agricultural Declaration and documents from the Fremont County Assessor’s Office;~~

~~4.1.2.1.1.2 Letter stating the circumstances requiring the accessory use and building, and the terms of employment for the person(s) who will inhabit the accessory building;~~

~~4.1.2.1.1.3 Compliance with the zone district setback, building height, and lot coverage requirements;~~

~~4.1.2.1.1.4 Proof of water, which may be a letter from a public water district indicating that the proposed use can be provided water service, or a letter or a copy of a well permit from the Colorado Division of Water Resources, which notes that the proposed use can be serviced by a well;~~

~~4.1.2.1.1.5 Proof of sewage disposal, which may be a letter from a public sewer district or a copy of an individual percolation test for the specific use;~~

~~4.1.2.1.1.6 Only one (1) manufactured home or manufactured home single wide will be allowed as an accessory use per lot, parcel, or tract;~~

~~4.1.2.1.1.7 A minimum of forty (40) acres is required; (minimum of seventy (70) acres for future subdivision),~~

~~4.1.2.1.1.8 Upon discontinuance or abandonment of the farming and/or ranching activities, the Farm and Ranch Hand Quarters shall be removed or the property shall be subdivided if all subdivision and zoning development regulations can be met.~~

4.1.2.2 Agriculture, including livestock, poultry and rabbits. In addition, the sale of agricultural and forestry products provided that no on-street parking is allowed and a minimum one-hundred (100) foot setback from all property lines is provided;

Agritainment

Animal Units

4.1.2.3 Cemetery;

Christmas Tree Cutting, Storage, and Sales

4.1.2.4 Commercial firewood cutting, splitting, storage, and sales, provided there is no firewood cutting within two hundred (200) feet of any property line;

4.1.2.5 Contractor's yard or building; #1 provided that the following is met:

~~4.1.2.5.1 The outdoor storage area for vehicles and equipment shall be set back a minimum of seventy five (75) feet from all property lines;~~

~~4.1.2.5.2 The outdoor storage area for vehicles and equipment is contained by an opaque screen (fence or vegetation), in accordance with Section 5.7.15.1 of this resolution, along all portions of the property being used for the outdoor storage area, which do not meet the required seventy five (75) foot setback from the property line;~~

~~4.1.2.5.3 The outdoor storage area is no more than five thousand (5,000) square feet;~~

~~4.1.2.5.4 There are no more than five (5) vehicles used in association with the contractor's yard.~~

4.1.2.6 Dwelling, cabin;

Accessory Dwelling

- 4.1.2.7 Dwelling, manufactured home;
- ~~4.1.2.8 Dwelling, manufactured home single-wide;~~
- 4.1.2.9 Dwelling, single-family;
- 4.1.2.10 Farm;
- 4.1.2.11 Forestry;
- 4.1.2.12 Fur bearing animal farms;
- 4.1.2.13 Golf course;
- 4.1.2.14 Government road maintenance facility;
- 4.1.2.15 Greenhouse, commercial;
- 4.1.2.16 Group Home;
- 4.1.2.17 Limited Winery provided the following is met:
 - ~~4.1.2.17.1 The production of vinous liquors does not exceed 100,000 gallons annually;~~
 - ~~4.1.2.17.2 The associated structures are no more than five thousand (5,000) square feet;~~
 - ~~4.1.2.17.3 Tasting rooms do not exceed seven hundred fifty (750) square feet in size;~~
 - ~~4.1.2.17.4 Sale rooms do not exceed seven hundred fifty (750) square feet in size;~~
 - ~~4.1.2.17.5 A combined tasting and sales room does not exceed one thousand five hundred (1500) square feet in size;~~
 - ~~4.1.2.17.6 There are no more than five (5) employee vehicles used in association with the limited winery;~~
 - ~~4.1.2.17.7 Off street parking is provided;~~
 - ~~4.1.2.17.8 A State of Colorado Limited Winery License is obtained;~~
- 4.1.2.18 Nursery;
- 4.1.2.19 Orchard and vineyard;
- 4.1.2.20 Ranch;

4.1.2.21 Riding academy, provided all housing and accessory buildings are located at least three-hundred (300) feet from all property lines;

4.1.2.22 Stable, provided all housing and accessory buildings are located at least three-hundred (300) feet from all property lines;

Roadside Stand

4.1.2.23 Veterinary premises.

4.1.3 CONDITIONAL USES: Subject to the issuance of a Conditional Use Permit.

4.1.3.1 Milling;

4.1.3.2 Mining;

4.1.3.3 Recycle facility;

4.1.3.4 Sawmill;

4.1.3.5 Transfer station.

4.1.4 SPECIAL REVIEW USES: Subject to the issuance of a Special Review Use Permit.

4.1.4.1 Airport, private;

4.1.4.2 Bed and breakfast;

4.1.4.3 Child care center;

4.1.4.4 Community building;

4.1.4.5 Contractor's yard or building #2 (refer to 5.7.15 of this Resolution for additional development requirements);

4.1.4.6 Convenience store;

4.1.4.7 Correctional facility, public and private;

4.1.4.8 Dairy farm, provided all animal feeding areas, housing and accessory buildings are located at least three-hundred (300) feet from all property lines;

4.1.4.9 Elementary school;

4.1.4.10 Farm and ranch supplies sales and service;

- 4.1.4.11 Feedlot, provided all animal feeding areas, housing and accessory buildings are located at least three-hundred (300) feet from all property lines;
- 4.1.4.12 Fire and/or Police Station (minimum of four and one-half (4½) acres if platted as outlot which is specifically limited to these uses);
- 4.1.4.13 High school;
- 4.1.4.14 Junior high school;
- 4.1.4.15 Kennel;
- 4.1.4.16 Landfill;
- ~~4.1.4.17 Limited Winery~~ Allowed Uses
- 4.1.4.18 Mini-storage facility;
- 4.1.4.19 Museum;
- 4.1.4.20 Park, regional;
- 4.1.4.21 Public utility building, regulators, and substations;
- 4.1.4.22 Recreational facility, Rural;
- 4.1.4.23 Religious institution;
- 4.1.4.24 Restaurant;
- 4.1.4.25 Rodeo ground;
- 4.1.4.26 Slaughterhouse;
Solar Field
- 4.1.4.27 Towers that exceed fifty (50) feet;
- 4.1.4.28 Travel Trailer Park & Campground (refer to Section 5.6 of this resolution for additional development requirements);
- 4.1.4.29 Wildlife, Commercial Park;
- 4.1.4.30 Winery.

4.1.5 DEVELOPMENT REQUIREMENTS:

4.1.5.1 Minimum lot area: Thirty-five (35) acres. **20 Acres**

4.1.5.2 Maximum lot coverage: Five (5) percent. **7%**

4.1.5.3 Maximum building height: Forty-five (45) feet. **35'**

4.1.5.4 Minimum lot width: Five-hundred (500) feet.

4.1.5.5 Minimum setback requirements:

4.1.5.5.1 Front yard: Seventy-five (75) feet.

4.1.5.5.2 Side yard: Fifty (50) feet.

4.1.5.5.3 Rear yard: Fifty (50) feet.

4.1.6 **TEMPORARY USES:** Approval as stated below will be required for the following uses:

~~4.1.6.1 Manufactured home single wide, incidental in construction on the premises of the principal building. Included with and dependent upon the issuance of a building permit. If a building permit is not required, Department approval will be required.~~

4.1.6.2 Trailer incidental in construction on the premises of the principal building. Included with and dependent upon the issuance of a building permit. If a building permit is not required, Department approval will be required.

4.1.6.3 Property sales office, (i.e.: Manufactured home, ~~manufactured home single wide~~ or manufactured office building), (on site only). Included with and dependent upon the issuance of a building permit, if required. If a building permit is not required, Department approval will be required.

4.1.6.4 Spectator events, athletic events, carnivals, circus, concerts, fairs, flea markets, public recreational events, tent meetings, or other similar uses require the issuance of a temporary use permit by the Board. A temporary use permit will not be required for athletic events, carnivals, circus, concerts, fairs, flea markets, public recreational events, tent meetings, or other similar uses if the event is to be held at an established permanent stadium, athletic field, arena, auditorium, coliseum, fairground, or other similar permanent place of assembly, if such place or facility was constructed and approved for such events. If a temporary use permit is required refer to Section 8.16 for requirements.

4.1.6.5 Tower, temporary: Subject to the issuance of a temporary use permit by the Board or Department.

4.1.7 OFF-STREET PARKING REQUIREMENTS: See 5.3 of this Resolution.

4.1.8 OFF-STREET LOADING REQUIREMENTS: See 5.5 of this Resolution.