

RESOLUTION NO. _____, SERIES OF 2023

RESOLUTION ADOPTING THE 18TH AMENDMENT TO THE FREMONT COUNTY ZONING RESOLUTION FOR FREMONT COUNTY, COLORADO

WHEREAS, on January 13, 2009, the Fremont County Board of County Commissioners adopted Resolution No. 9, Series of 2009, which readopted the Fremont County Zoning Resolution and incorporated all amendments since the initial adoption on January 1, 1994; and

WHEREAS, the 2009 Fremont County Zoning Resolution remains in full force and effect, together with seventeen amendments to date; and

WHEREAS, on September 26, 2023 the Fremont County Board of County Commissioners considered an 18th Amendment to the Zoning Resolution, which recommended certain changes, additions and deletions to the regulations and provisions regarding, AGRICULTURAL SUBURBAN, AGRICULTURAL ESTATES, AGRICULTURAL LIVING, AGRICULTURAL RURAL, AGRICULTURAL FORESTRY, and AGRICULTURAL FARMING & RANCHING zone districts attached hereto as Exhibit A through Exhibit C and incorporated herein by reference; and

WHEREAS, the Board of Commissioners held a Public Hearing on the proposed 18th amendment on September 26, 2023, and considered all public input regarding the proposed 18th Amendment; and

WHEREAS, the Board is persuaded that the proposed 18th Amendment is reasonable and will promote the health, safety and welfare of the citizens of Fremont County and should be approved and adopted.

NOW, THEREFORE, BE IT RESOLVED that Exhibit A, will delete all of sections 4.5 & 4.6, and will consolidate section 4.5 Agricultural Suburban & section 4.6 Agricultural Estates into the Residential One Zone district. the 18th Amendment to the Fremont County Zoning Resolution, is hereby approved and adopted, and shall be incorporated into the Fremont County Zoning Resolution, to be effective as of April 15th, 2024 and continuing in full force and effect until amended, deleted or superseded by subsequent action of the Fremont County Board of County Commissioners.

NOW, THEREFORE, BE IT RESOLVED that Exhibit B, will delete all of sections 4.3 & 4.4, and will consolidate section 4.3 Agricultural Living & section 4.4 Agricultural Rural into the Residential Two Zone district. the 18th Amendment to the Fremont County Zoning Resolution, is hereby approved and adopted, and shall be incorporated into the Fremont County Zoning Resolution, to be effective as of April 15th, 2024 and continuing in full force and effect until amended, deleted or superseded by subsequent action of the Fremont County Board of County Commissioners.

NOW, THEREFORE, BE IT RESOLVED that Exhibit C, will delete all of sections 4.1 & 4.2, and will consolidate section 4.1 Agricultural Forestry & section 4.2 Agricultural Farming & Ranching into the Residential Three Zone district. the 18th Amendment to the Fremont County Zoning Resolution, is hereby approved and adopted, and shall be incorporated into the Fremont County Zoning Resolution, to be effective as of April 15th, 2024 and continuing in full force and effect until amended, deleted or superseded by subsequent action of the Fremont County Board of County Commissioners.

Commissioner Bell moved the adoption of the foregoing Resolution, seconded by Commissioner McFall and approved by roll call vote as follows:

Commissioner Grantham Aye / Nay / Abstain / Absent

Commissioner Bell: Aye / Nay / Abstain / Absent

Commissioner McFall: Aye / Nay / Abstain / Absent

The Resolution was declared to be duly adopted.

DATE: _____

BOARD OF COUNTY COMMISSIONERS
OF FREMONT COUNTY

ATTEST:

By: _____
Chairman

By: _____
Clerk to the Board

Exhibit A

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		
4.5 acres with well & OWTS			25' Adjacent to a State or Federal Highway	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

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.

Exhibit B

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 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	

<u>GOLF COURSE</u>		
<u>HIGH SCHOOL</u>		
<u>JUNIOR HIGH SCHOOL</u>		
<u>KENNEL</u>		
<u>MINI-STORAGE FACILITY</u>		
<u>PARK</u>		Regional or Neighborhood
<u>PUBLIC UTILITY BUILDING, REGULATORS, & SUBSTATION</u>		
<u>RECREATIONAL FACILITY, RURAL</u>		
<u>RELIGIOUS INSTITUTION</u>		
<u>RESTAURANT WITH OR WITHOUT BREWERY</u>	9 ACRES	
<u>RODEO GROUND</u>	9 ACRES	
<u>SOLAR FIELD</u>	9 ACRES	
<u>TOWERS THAT EXCEED 50' FEET</u>		
<u>TRAVEL TRAILER PARK & CAMPGROUND</u>		Refer to section 5.6
<u>WINERY</u>	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.

Exhibit C

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			Max Building Height	Maximum Lot Coverage	
		Principal/Accessory	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		
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:

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.