

CHAPTER 18 – ZONING REGULATIONS

Chapter 18 Section 1 Zoning Regulations

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18.1.1 GENERAL PROVISIONS

- 1) This Section, as amended from time to time, together with the Official Zoning Map as adopted by Ordinance May 16, 2023, as amended from time to time, may be cited as the Town's Zoning Regulations or Zoning Ordinance or Zoning Code.
- 2) The purpose of these Zoning Regulations is to promote public health, safety, and welfare.
- 3) Whenever there is any conflict between these Regulations and any other ordinance, code, provision, regulation, or law, the more restrictive or higher standard shall apply.
- 4) These regulations and the Official Zoning Map shall constitute a part of the Town's Comprehensive Master Plan. These regulations are enforceable in accordance with Subsection 18.1.22, however, the Master Plan is advisory in nature.
- 5) Day calculation: Business days shall be used to calculate days one (1) to fourteen (14). Calendar days shall be used to calculate days over fifteen (15) including day fifteen (15). Day one is defined as the first complete 24-hour day.

18.1.2 DEFINITIONS

ACCESSORY USE: A use which is subordinate to, clearly incidental to, customarily in connection with, and ordinarily located on the same premises as the permitted use. Home occupations which meet the criteria set out in Subsection 18.1.16(2), including daycare facilities with five (5) or fewer children, shall be considered an accessory use to a residence in all districts.

ADULT ENTERTAINMENT ESTABLISHMENT: An adult arcade, adult bookstore, adult novelty store, adult video store, adult cabaret, adult model studio, adult motel, adult motion picture theater, adult mini motion picture theater, adult massage parlor, adult theater, and all other adult entertainment based business.

ARCHITECTURAL FEATURE: A part, portion, or projection of a building or a structure that contributes to its character or style, exclusive of signs, that is not necessary for the structural integrity of the building or structure or to make a building habitable.

ASSISTED LIVING FACILITY: A residential facility, licensed by the State of Colorado, where accessory services, primarily for older adults or others with special needs, are provided to help with normal daily activities. Nursing and medical care are not usually provided on site. This term shall be synonymous with the terms “Assistive Living,” “Continuing Care Community,” “Senior Independent Living,” “Senior Living Community,” “Senior Housing and Care,” and other similar terminology.

BED AND BREAKFAST: A single-family detached dwelling in which the owner provides, for compensation, sleeping accommodation and one (1) or more meals on a day-to-day basis, for a period of no more than thirty (30) days. The owner of such a dwelling must reside on the premises.

BOARDING OR ROOMING HOUSE: A building, or portion thereof, which is used to accommodate, for compensation, three (3) or more boarders or roomers, not including members of the owner’s immediate family, who are occupying such building. “Compensation” includes compensation in money, services, or other things of value.

BUILDING HEIGHT: The vertical distance between the preconstruction grade or undisturbed natural ground level to: (1) the highest point of the roof surface for a flat roof; (2) the deck line of a mansard roof; or (3) the highest ridge of a gable, hip, gambrel, or pitched roof.

BUILDING ENVELOPE: The three-dimensional space within which a structure is permitted to be built on a lot after all zoning and other applicable municipal requirements have been met. (Figure 18.7: Setbacks)

BUILDING LINE: A line parallel to a property line beyond which no exposed portion of a building extends. The first three (3) feet of unroofed terraces or patios, sills, cornices, and chimneys, temporary awnings, free standing walls, steps, rails, or fences; the first one (1) foot of a roof eave; and the first four (4) feet of an open fire escape need not be considered in determining the building line.

BULK PETROLEUM STORAGE: A business engaged in the storage and wholesale distribution (not for direct sale to the public) of gasoline, propane, butane, and/or other petroleum products.

CAMPGROUND: Land with campsites for temporary overnight occupation in tents and/or recreational vehicles, whether or not compensation is provided for the use of such sites. This shall also include provision of tiny homes, yurts, and/or glamping tents for temporary overnight occupation. Accessory uses may include restrooms, showers, fire pits/grills, potable water, utility outlets, picnic/shade structures, and/or parking areas.

CHILDCARE CENTER: A commercial or non-profit establishment not within the owner, operator, or manager’s home, licensed by the State of Colorado that offers care and supervision for five (5) or more children, under the age of sixteen (16) years, not related to the owner, operator, or manager of the establishment, for less than twenty-four (24) hours per calendar day. Accessory uses may include offices, recreation areas, and/or parking.

CHILDCARE, HOME: A dwelling used for the care and supervision of five (5) or less children, other than the owner’s own children. Home childcare shall be considered a home occupation.

COMMERCIAL BUILDING: Buildings where commercial activities take place, such as office space or retail space, and have no residential unit.

COMMUNITY CENTER: A public or quasi-public facility that is open and available to the community and is typically used for recreational, social, educational, nonprofit, and/or cultural activities.

COTTAGE COURT: A group of at least two (2) cottage dwellings, often arranged around a shared court that is accessible to an abutting public street.

DWELLING: A building, or portion thereof, used for residential occupancy, not including motels, hotels, or other overnight lodging accommodations. This definition includes factory-built housing that does not meet the definition of a manufactured home, provided the structure meets all applicable building and safety codes and is mounted on a permanent foundation and connected to all required utilities.

DWELLING, COTTAGE: A small, detached dwelling that contains less than 864 square feet of ground floor, habitable living area. Cottages shall be grouped together in groups of at least two (2) cottages to form a cottage court.

DWELLING, DUPLEX: A single structure containing two (2) dwelling units, neither of which meets the definition of a townhouse dwelling or an accessory dwelling unit. (Figure 18.1: Sample Types of Dwellings)

DWELLING, FOURPLEX: A single structure containing four (4) dwelling units, none of which meets the definition of a townhouse dwelling unit or an accessory dwelling unit.

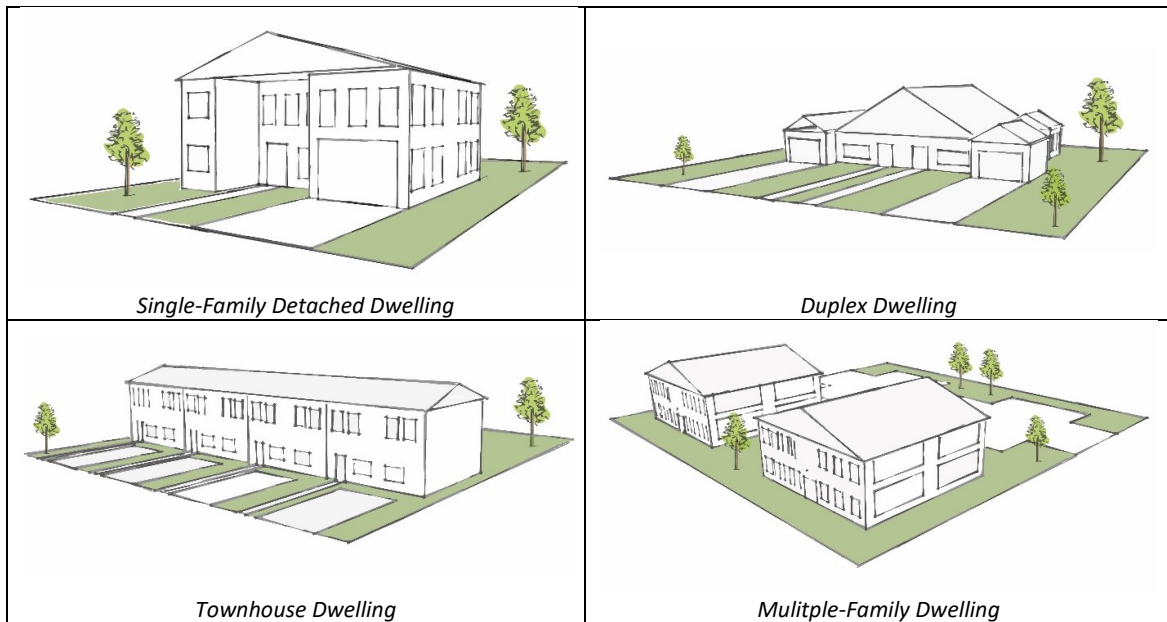
DWELLING, MULTIPLE-FAMILY (3-4): Three or four dwelling units within a single building, including apartments, condominiums triplex and four-plex. (Figure 18.1: Sample Types of Dwellings)

DWELLING, MULTIPLE-FAMILY (5+): Five or more dwelling units within a single building, including apartments and condominiums. (Figure 18.1: Sample Types of Dwellings)

DWELLING, SINGLE-FAMILY DETACHED: A dwelling unit located on a separate lot or tract that has no physical attachment to any other building containing a dwelling unit located on any other lot or tract, and that does not meet the definition of a manufactured home. (Figure 18.1: Sample Types of Dwellings)

DWELLING, TOWNHOUSE: A single-family dwelling that is attached to at least one (1) other single-family dwelling at least two (2) stories in height, separated by an unpenetrated fireproof vertical wall running from ground level or below ground level to at least the top of the highest floor designed for human occupancy, and that has a pedestrian entrance leading directly from the ground floor of the dwelling unit to a street fronting the lot on which the dwelling unit is located. Individual townhouse dwellings may be located on separate lots, or a group of two (2) or more townhouse dwellings may be located on a single lot. (Figure 18.1: Sample Types of Dwellings)

Figure 18.1: Sample Types of Dwellings



DWELLING, TRIPLEX: A single structure containing three (3) dwelling units, none of which meets the definition of a townhouse dwelling unit or an accessory dwelling unit.

DWELLING UNIT: An area in a building containing cooking, living, and sanitary facilities designed for use and used by a single family for residential purposes, including related accessory structures. The term dwelling shall not include hotels, motels, homeless shelters, boarding and rooming houses, dormitories, seasonal overflow shelters, tents, or other structures designed or used primarily for temporary occupancy.

DWELLING UNIT, ACCESSORY: A dwelling unit located within, attached to, or detached from the principal dwelling, that contains no more than 1,000 square feet of ground floor area, the use of which is associated with and subordinate to the principal dwelling, and that is located upon the same lot as the principal dwelling. (Figure 18.2: Accessory Dwelling Unit (ADU))

Figure 18.2: Accessory Dwelling Unit (ADU)



ENCROACHMENT: A private improvement extending into or located within, upon, above, or under public right-of-way or public easement.

ENERGY PRODUCTION FACILITY: A facility with the primary purpose of producing for-sale energy, including, but not limited to, biomass, coal, geothermal, hydroelectric, natural gas, nuclear, oil, solar, or wind energy.

EQUESTRIAN FACILITY: Any land, building, or structure intended and/or used for, for-profit horse-related activities, including, but not limited to, boarding, breeding, training, and/or events.

FAMILY: One (1) or more individuals occupying a single dwelling unit and living as a single housekeeping unit with a maximum of eight (8) adults. This includes groups of eight (8) or fewer persons whose right to live together is protected by the federal Fair Housing Amendments Act.

FARMING OR PLANT HUSBANDRY: The cultivation of land to produce agricultural crops, fruit, and/or horticultural crops, and may include the sale of farm goods, principally produced on the premises.

FINISHED GRADE: The final surface elevation of the ground, or an improvement after human-made alterations have been completed to bring grades to those shown in plans, designs, or similar documents approved by the Town.

FUELING STATION: A commercial establishment, operated at a fixed location, at which gasoline, diesel, hydrogen, or any other vehicle engine fuel (including charging station for electric vehicles) is offered for sale to the public.

GOVERNMENT BUILDINGS AND FACILITIES: Any building or facility owned and operated by the United States of America, the State of Colorado, the Town of Meeker, or any agency or political subdivision thereof.

GROSS FLOOR AREA: The total floor living area of all floors or levels within a building or structure, excluding interior parking areas and outdoor common areas. Gross floor area is measured from the outside edge of the exterior walls. (Figure 18.3: Measuring Gross Floor Area and Ground Floor Area)

GROUND FLOOR AREA: The total floor area of the ground floor of a building or structure. Ground floor area is measured from the outside edge of the exterior walls. (Figure 18.3: Measuring Gross Floor Area and Ground Floor Area)

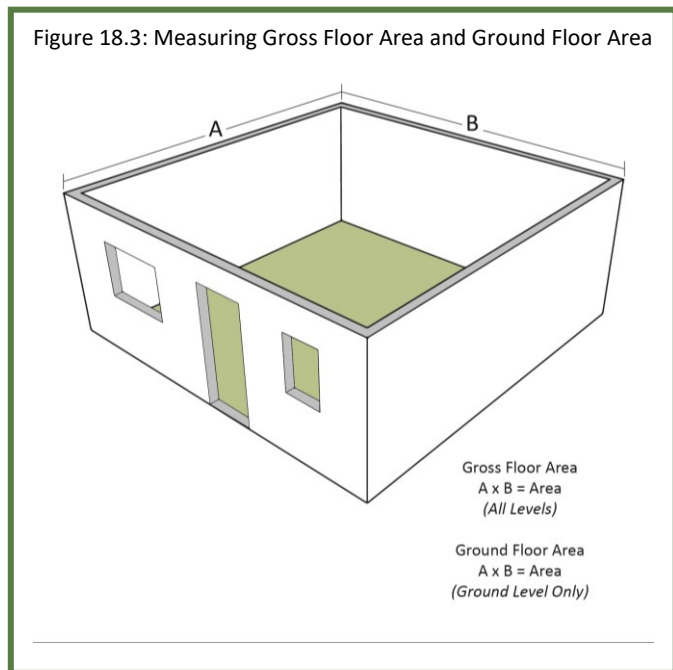
GROUP HOME: One (1) or more dwelling units in which more than eight (8) unrelated individuals, or related and unrelated individuals live, where physical assistance and/or supervision, care, or treatment is provided by resident and/or nonresident professional support personnel as a continual benefit. This definition does not include a hotel, motel, boarding or rooming house, facility housing juvenile or adult offenders, or a facility for persons with drug or alcohol addictions who are not in a treatment program, but includes any group of eight (8) or more persons whose right to live together is protected by the federal Fair Housing Amendments Act. Group home shall include state licensed personal care and alternative care personnel.

HOME OCCUPATION: Any commercial activity, whether for profit or nonprofit, conducted within a dwelling unit.

HOTELS AND MOTELS: Any building, or portion thereof, containing six (6) or more guest rooms used, designed to be used, let, or hired out for occupancy by persons on more or less a temporary basis.

INDUSTRIAL BUILDING: A building or structure for, intended for, or incidental to use as a factory, mill, shop, processing plant, assembly plant, fabricating plant, warehouse, or research and development facility.

Figure 18.3: Measuring Gross Floor Area and Ground Floor Area



JUNKYARD OR SALVAGE YARD: Land, a building, or a structure that is intended to be, or is, used for the for-profit collection, dismantling, demolition, compaction, baling, and/or storage of junk metals, glass, paper, or other similar waste materials; and/or wrecked or inoperable vehicles, machinery, and/or equipment. Accessory uses may include, but are not limited to, offices, towing or emergency services, and/or the sale of materials collected on the premises. This term shall be synonymous with the term “wrecking yard”.

KENNEL, INDOOR ONLY: An establishment, operated entirely within an enclosed building, where dogs, cats, and/or other similar domestic animals are bred or raised for sale; are boarded, trained, and/or cared for; and/or are groomed.

KENNEL, WITH OUTDOOR COMPONENT: An establishment where dogs, cats, and/or other similar domestic animals are bred or raised for sale; are boarded, trained, and/or cared for; and/or are groomed commercially with some, or all, of such activities occurring outside of an enclosed building.

LOT COVERAGE: The portion of a lot’s area that is occupied by the footprint of a principal building or structure, footprint of any accessory buildings or structures, and the area used for vehicular storage and/or parking. Includes any stairway, bay window, deck/patio, or similar architectural feature that is less than six (6) feet above the ground. Playsets, gardens, temporary decorations, pedestrian walkways, and similar features do not contribute to lot coverage. (Figure 18.4: Lot Coverage)

MAJOR ADDITION: An addition to or renovation of a structure in which the total gross floor area of the proposed addition or renovation area is fifty percent (50%) or more of the total gross floor area of the existing structure before addition or renovation.

MANUFACTURING, FABRICATION, OR ASSEMBLY FACILITY (LARGE-SCALE): A building or structure, with a gross floor area of more than 6,000 square feet, in which goods are manufactured, fabricated, assembled, and/or are otherwise created from raw or previously prepared materials.

MANUFACTURING, FABRICATION, OR ASSEMBLY FACILITY (SMALL-SCALE): A building or structure, with a gross floor area of less than 6,000 square feet, in which goods are manufactured, fabricated, assembled, and/or are otherwise created from raw or previously prepared materials.

MANUFACTURED/FACTORY-BUILT/MODULAR HOUSING: Any structure, or component of a structure, designed primarily for residential occupancy, either permanent or temporary, that is wholly or in substantial part made, fabricated, formed, or assembled in manufacturing facilities for installation, or assembly and installation, on the building site, and that does not meet the definition of a mobile home. Factory-built housing shall either comply with the Town’s adopted Building Codes or the Colorado Division of Housing adopted Building Codes for Modular Homes, as set forth in CDOH Rule 2, Codes and Standards, at 8 CCR 1302- 14.

Figure 18.4: Lot Coverage

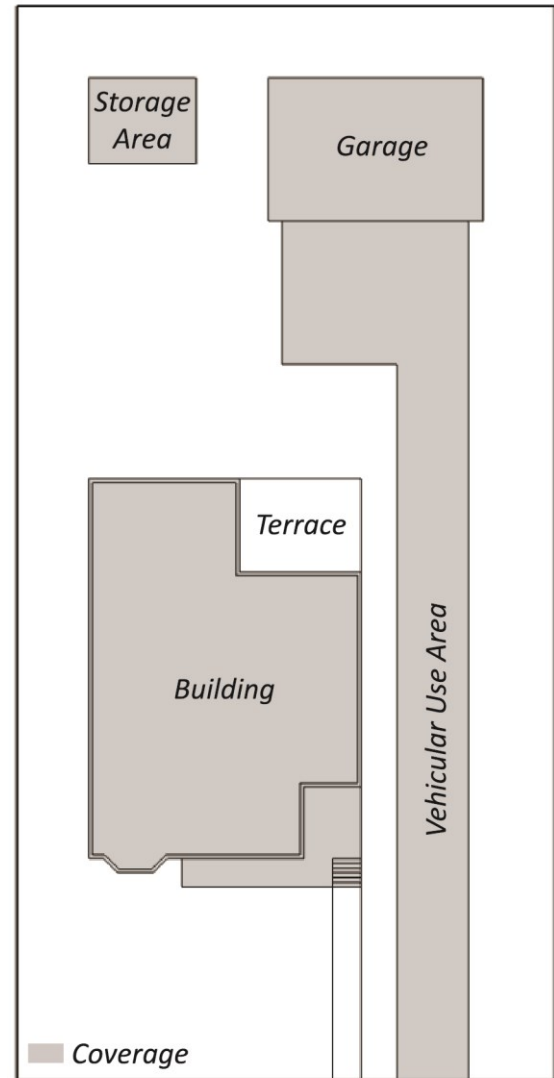
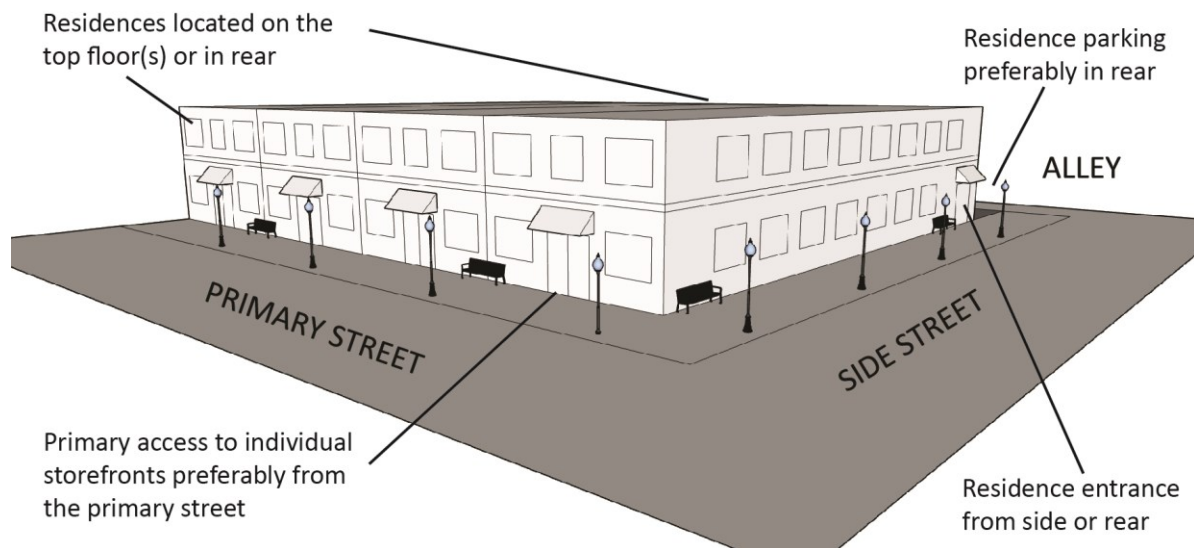


Figure 18.5: Sample Mixed Use Building



MIXED USE BUILDING: A building, existing or proposed, in which there is more than one (1) type of use (example: residential and commercial, or residential and industrial). Typically, in such buildings, nonresidential uses are located on the first floor or front of the building, and residential uses are located on the floors above or in the rear of the building. (Figure 18.5: Sample Mixed Use Building)

MOBILE HOME: A factory-built structure that is built on a permanent chassis, is designed and constructed to permit lawful long-term occupancy as a single-family dwelling, whether attached or unattached to a permanent foundation, when connected to required utilities, and that includes the plumbing, heating, air conditioning, and electrical systems contained therein, and that is not licensed as a recreational vehicle as defined in this Section. All structures shall meet the requirements of the "National Manufactured Housing Construction and Safety Standards Act of 1974", 42 U.S.C. Section 5401, et seq., as amended (commonly referred to as the "HUD Code"). (Figure 18.6: Sample Mobile Home)

MOBILE HOME PARK: A subdivision specifically designed for mobile homes, in which homes shall be certified pursuant to the National Manufactured Housing Construction and Safety Standards Act of 1974, and shall bear such certification label and shall meet all provision of this Code for single-family dwellings.

NONCONFORMING USE: A use that does not comply with the use regulations, dimensional requirements, or other regulations of these Zoning Regulations, including a use that existed at the time of adoption of these regulations.

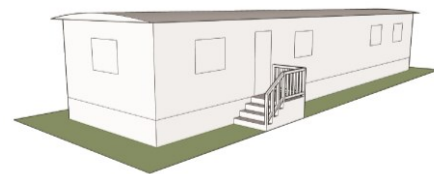
OIL OR GAS FACILITY: Any land, building, or structure intended and/or used for the purpose of exploring for, extracting, and/or processing oil, gas, and/or other hydrocarbon substances.

POWER TRANSMISSION LINE (100 kW or MORE): An overhead or underground utility line, existing or proposed, with a capacity of 100 kilowatts or more.

PUBLIC OR CIVIC BUILDING: A building or structure for, and intended to provide specific use to the public, such as for education, government, healthcare, or recreation.

PUBLIC UTILITY SERVICE FACILITIES: Transmission or distribution facilities for natural gas, electricity, water, sewer, drainage, telephone, or cable television necessary to provide service to customers located in the various districts of the Town, such as pipes, lines, mains, wires, transformers, valves, and other related appurtenances, and including buildings, offices, and production or generation facilities.

Figure 18.6: Sample Mobile Home



RANCHING OR ANIMAL HUSBANDRY: The raising, keeping, and/or breeding of animals for commercial, non-domestic purposes, which may include the production of animal products (example: wool, eggs, meat, milk, etc.).

RECREATION FACILITY, INDOOR ONLY: A commercial or noncommercial establishment that provides recreation or entertainment activities entirely within an enclosed building or structure. Accessory uses may include, but are not limited to, concessions, snack bars, parking, and/or maintenance facilities.

RECREATION FACILITY, WITH OUTDOOR COMPONENT: A commercial or noncommercial establishment that provides recreation or entertainment activities partially, or wholly, outside of an enclosed building or structure. Accessory uses may include, but are not limited to, concessions, snack bars, parking, and/or maintenance facilities.

RECREATIONAL VEHICLE (RV): A vehicle designed primarily as temporary living quarters for recreational, camping, and/or travel purposes and either has its own motive power or is mounted on or drawn by another vehicle. This term shall be synonymous with the terms "Travel Trailer," "Camper Trailer," "Truck Camper," "Camper Van," and "Motor Home."

RECREATIONAL VEHICLE PARK (RV PARK): An area of land intended to be, or is, used on a temporary basis by recreational vehicles for recreational purposes.

RENEWABLE ENERGY SYSTEM: A product, system, device, or interacting group of devices that is permanently affixed to real property and that produces energy from one or more replenishable resources such as the sun, wind, biomass, hydro, or geothermal activity.

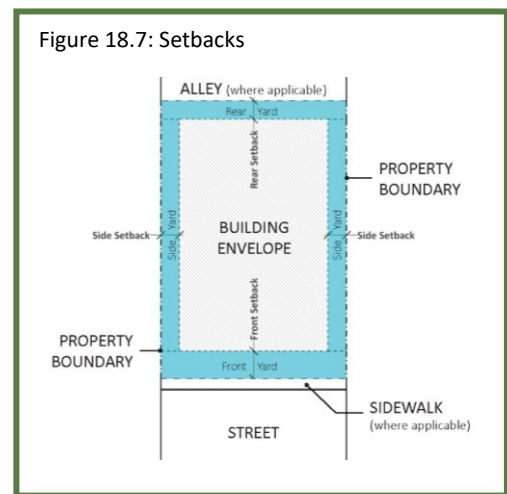
RESEARCH, EXPERIMENTAL AND/OR TESTING LABORATORY: A building, or portion thereof, that is intended to be, or is, used for research, investigation, testing, experimentation, and/or other similar activity in the fields of science, engineering, technology, and/or similar field of study. This does not include the manufacture, assembly, fabrication, and/or sale of goods or services, except as incidental to the primary purpose of such laboratory.

SETBACK: The perpendicular distance between a property line and the building line. (Figure 18.7: Setbacks)

SHORT-TERM RENTAL: Rental of all or a portion of a residential dwelling unit for periods of less than thirty (30) days. This definition of short-term rentals excludes hotels, motels, lodges, and bed and breakfasts.

TELECOMMUNICATION TOWER, ANTENNAS, OR SIMILAR STRUCTURE: A structure that is intended to be, or is, used to support antennas or other wireless transmitting and/or receiving devices. This includes any supporting lines, cables, wires, braces, masts, and/or other structural elements that are required to support such a structure.

TELECOMMUNICATON AND/OR UTILITY TRANSMISSION INFRASTRUCTURE OR FACILITY: All lines, buildings, structures, and easements that are intended to be, or are, used by a public or private telecommunication and/or utility provider for the provision, distribution, collection, transmission, and/or disposal of electricity, gas, water, wastewater, communication signals, internet, and/or other similar services.



USE: The activity or purpose for which property, a building, or other structure is designed, arranged, intended, occupied, or maintained.

USE BY RIGHT: A use which is permitted or allowed in the district involved, without review, and complies with the provisions of these Zoning Regulations and other applicable Town ordinances and regulations.

WASTE AND/OR RECYCLING FACILITY: Any land, building, and/or structure intended and/or used for the collection, sorting, compaction, and/or impoundment of solid and/or liquid waste to be disposed of on the premises or to be transferred to another location for disposal or reuse. Accessory uses may include, but are not limited to, offices and/or the repacking and shipment of materials received. This does not include a "junkyard," "salvage yard," "wrecking yard," "sewage disposal facility," or any other similar facility.

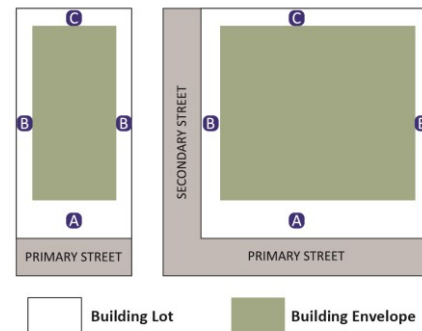
YARD: The existing or required open space on the same lot with a principal building, open, unoccupied and unobstructed from the ground to the sky, except provided herein.

YARD, FRONT: The open, unoccupied space on the same lot as the principal building, extending the full width of the lot and situated between the street right-of-way and the front of the principal building, projected to the side lines of the lot. The front of the lot shall be the narrowest portion of the lot abutting a street. On corners where both front yards are equal distance, then the yard bearing the street address shall be the front yard. Front yard setback is noted as “A” in Figure 18.8.

YARD, REAR: The open, unoccupied space on the same lot as the principal building, extending the full width of the lot and situated between the rear lot line and the nearest line or point of the principal building projected to the side lines of the lot. The rear yard is opposite the front yard. Rear yard setback is noted as “C” in Figure 18.8.

YARD, SIDE: The open, unoccupied space on the same lot as the principal building, extending from the front yard to the rear yard between the side lot line and the nearest line or point of the principal building. Side yard setbacks are noted as “B” in Figure 18.8.

Figure 18.8: Yards



Sample Yard Setbacks and Building Envelope

18.1.3 ZONING MAP AND ZONING DISTRICTS

- 1) The May 16, 2023 Revised Zoning Map of the Town, as such may be amended from time to time, may be known or cited as the “Official Zoning Map” of the Town.

Table 18.1: Zoning Districts

ZONING DISTRICT	ABBREVIATION	PURPOSE
Rural Residential	RR	This zone district is established for rural residential development. This district is characterized by single-family homes on lots of two (2) acres or more in size that are located in areas of Meeker where public water and/or sewer services may not be available. The large lot sizes are necessary to accommodate on-site wastewater treatment systems.
Single-Family Residential	SFR	This zoning district is established for single-family residential development and compatible uses such as accessory dwelling units (ADUs), home occupations, parks, open space areas, schools, and religious facilities.
Mixed Residential	MR	This zoning district is established for a mix of single-family and multi-family residential development and compatible uses such as accessory dwelling units (ADUs), home occupations, parks, open space areas, schools, and religious facilities.
Mobile Home Park	MHP	This zoning district is established for mobile home parks that are designed and operated pursuant to Section 18.1.8.
Town Core	TC	This zoning district is established for a broad mix of commercial and residential land uses in the downtown area. The district is characterized by pedestrian-oriented land uses and development, and preservation of historic buildings and sites within Meeker’s Historic District.
Highway Corridor	HC	This zoning district is established for a mix of primarily commercial uses, with some residential land uses, along the Market Street (SH-13) corridor. This district is characterized by auto-oriented land uses and development along the Market Street (SH-13) corridor.
Industrial	I	This zoning district is established to accommodate the development of larger-scale commercial and light industrial land uses with impacts that make them unsuitable for the Town Center (TC) or Highway Corridor (HC) Zoning Districts.
Community Facilities	CF	This zoning district is established for government, recreation and healthcare facilities, utility services, schools, parks, open space areas, and other similar land uses that serve a public function.

- 2) Amendments to the Official Zoning Map may be made by an ordinance enacting a revised map or by an ordinance amending portions of the Official Zoning Map by specifying the legal description of the property to be rezoned. A copy of the Official Zoning Map, as amended from time to time, shall be maintained in the Town Clerk's office and is available for public inspection. Periodically, copies of the Official Zoning Map, as amended, may be reproduced and made available to the public.
- 3) The regulations for the various districts provided for in this Section shall apply within the boundaries of each such district as indicated on the Official Zoning Map. The district boundaries, as shown on the Official Zoning Map, shall be construed to follow center lines of streets, to follow platted lot lines or the lines of undivided parcels of property, or to follow the Town limits, whenever a boundary is shown as approximately in the vicinity of such lines. Distances may be determined by the scale of the map.
- 4) Spot zoning is prohibited except for parks, open space, and other Community Facilities Zones that by nature are dispersed.

18.1.4 BUILDING TYPES

Intent: Although there is great variation in size and style of buildings, at the core they are one building type. This section is intended to articulate where certain building types can be located and where others should not be located based on their shared characteristics, existing buildings, and vision of the Town's Comprehensive Master Plan.

Table 18.2: Allowable Building Types by Zone District

	Zoning District							
	P = Permitted C = Conditional -- = Not Allowed							
	RR	SFR	MR	MHP	TC	HC	I	CF
Residential Buildings								
Accessory Dwelling Unit	C	C	C	--	C	--	--	--
Cottage Home/Court	--	C	P	--	--	--	--	--
Duplex	--	P	P	C	C	--	--	--
Mobile Home	--	--	--	P	--	--	--	--
Single-Family Dwelling	P	P	P	C	P	C	--	--
Multi-Family (3-4 units)	--	C	P	--	--	--	--	--
Multi-Family (5 or more units)	--	--	P	--	--	--	--	--
Townhouse	--	C	P	--	C	--	--	--
Mixed Use & Non-Residential Buildings								
Commercial	--	--	--	--	P	P	P	--
Industrial	--	--	--	--	--	P	P	--
Mixed Use	--	--	--	--	P	P	--	--
Public/Civic Use	C	C	C	C	P	P	P	P
Conditional Building Types will require a <i>Conditional Building Application</i>								

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18.1.5 RURAL RESIDENTIAL (RR)

RR	SFR	MR	MHP	TC	HC	I	CF
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Intent	
This zone is intended to accommodate for very low density rural residential development along with agricultural uses and other uses that are similar in character. This zone is characterized by single-family homes on lots of two (2) acres or more in size that are located in areas of Meeker where public water and/or sewer services may not be available. The large lot sizes are necessary to accommodate on-site wastewater treatment systems.	
Desired Form	
Rural	Agricultural
General Use	
Very Low Density Residential	
Allowed Building Types	
Single-Family Dwelling	Accessory Dwelling Unit
Conditional Building Types (requires Conditional Building Type Permit)	
Public or Civic	
Restricted Building Types	
Cottage Home	Duplex
Mobile Home	Multi-Family (3-4)
Multi-Family (5+)	Townhouse
Commercial	Industrial
Mixed Use	

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RR	SFR	MR	MHP	TC	HC	I	CF
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Allowed Uses

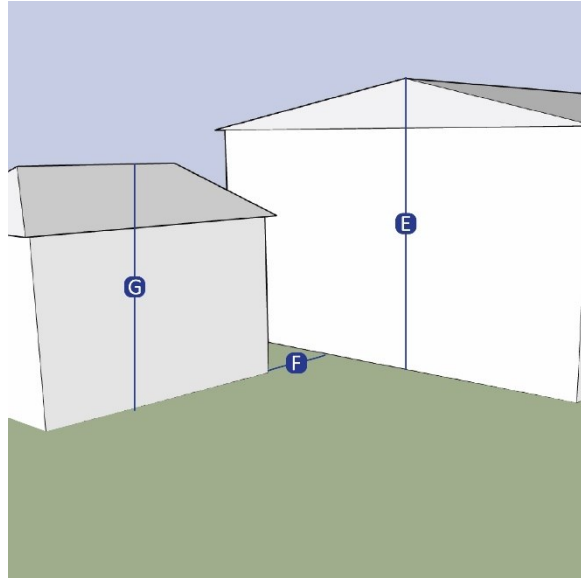
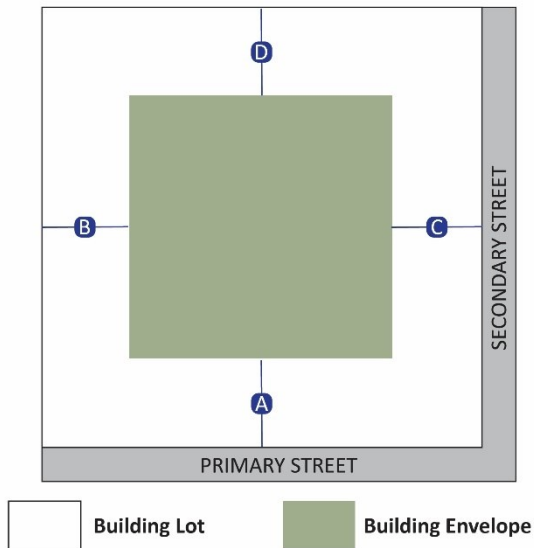
P = Permitted | C = Conditional Use

Land Use	Specific Use Regulation	
Agricultural Uses		
Community garden		P
Equestrian facility		C
Farming/plant husbandry		P
Nursery, greenhouse, landscaping supply		C
Ranching/animal husbandry		C
Commercial Uses		
Art gallery, art/dance studio		P
Bed and Breakfast	18.1.16(6)	C
Campground		C
Childcare center		C
Childcare, home		P
Golf course		C
Recreation facility (indoor only)		C
Recreation facility (w/ outdoor component)		C
Veterinary clinic/hospital (Indoor only)		C
Veterinary clinic/hospital (w/ outdoor component)		C
Public, Institutional, and Civic Uses		
Community center		C
Energy production facility		C
Park, playground, open area		P
Place of worship		C
Public or private K-12 school		C
Telecommunication or utility transmission infrastructure or facility	18.1.16(8)	C
Transit stop		P

Land Use	Specific Use Regulation	
Residential Uses		
Assisted Living Facility or Nursing Home		C
Group home		C
Single-family dwelling		P
Accessory Uses, Buildings & Structures		
Accessory dwelling unit	18.1.16(7)	C
Beekeeping		P
Childcare, home		P
Domestic fowl/poultry	6.2	P
Garage or carport		P
Fences, hedges, or freestanding walls		P
Home occupation	18.1.16(2)	C
Keeping of animals for noncommercial purposes		P
Outdoor storage		P
Parking area or structure (directly related to a principal use)		P
Power transmission line (100 kw +)		C
Short-term vacation rental	18.1.16(9)	C
Renewable energy system		P
Shed		P
Telecommunication tower or antenna	18.1.16(8)	C

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DIMENSIONAL REQUIREMENTS

Single-Family Dwelling | Accessory Dwelling Unit | Public & Civic

Building Placement			
Lot Line Setbacks			
Front			
Primary Building	50 ft.	A	
Side			
Primary Building			
Side	50 ft.	B	
Side, abutting street	50 ft.	C	
Accessory Building			
Side	50 ft.	B	
Side, abutting street	50 ft.	C	
Rear			
Primary Building			
Rear	50 ft.	D	
Accessory Building			
Rear	50 ft.	D	
Lot Size			
Width (minimum)	No min		
Area (minimum)	2 acres		

Building Form			
Building Dimensions			
Primary Building			
Ground Floor Living Area	864 sq. ft. min.		
Overall Height	35 ft.	E	
Accessory Building			
Ground Floor Living Area	864 sq. ft. max.		
Overall Height	25 ft.	G	
Building Separation	10 ft.	F	
Other Standards			
Building Intensity			
Lot Coverage	40%		
Density			
Dwelling Units per lot	2 max.		
Principal Use per lot	1 max.		
Off-Street Parking			
Single-Family Dwelling	2 per unit		
Accessory Dwelling Unit	1 per unit		
Other Uses	18.1.13		

18.1.6 SINGLE-FAMILY RESIDENTIAL (SFR)

RR	SFR	MR	MHP	TC	HC	I	CF
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Intent	
This zone is intended to accommodate for low to moderate density development for single-family detached dwellings, including the historic residential core of Meeker.	
Desired Form	
Residential	
General Use	
Low Residential	
Allowed Building Types	
Single-Family Dwelling	Duplex
Accessory Dwelling Unit	
Conditional Building Types (requires Conditional Building Type Permit)	
Cottage Court	Public or Civic
Townhouse	
Restricted Building Types	
Mobile Home	Multi-Family (3-4)
Multi-Family (5+)	Commercial
Industrial	Mixed Use

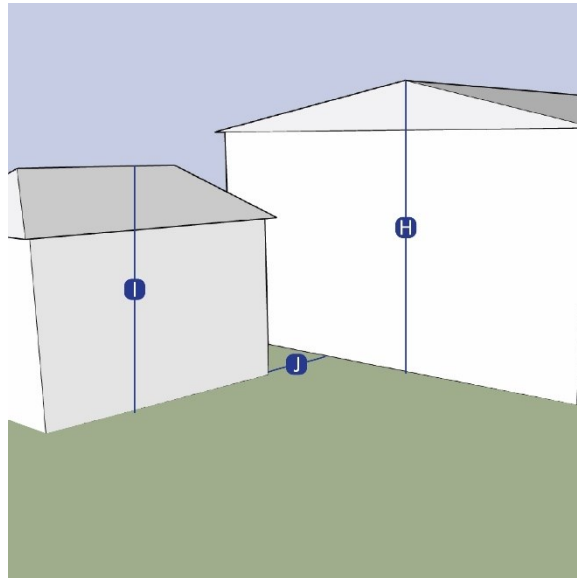
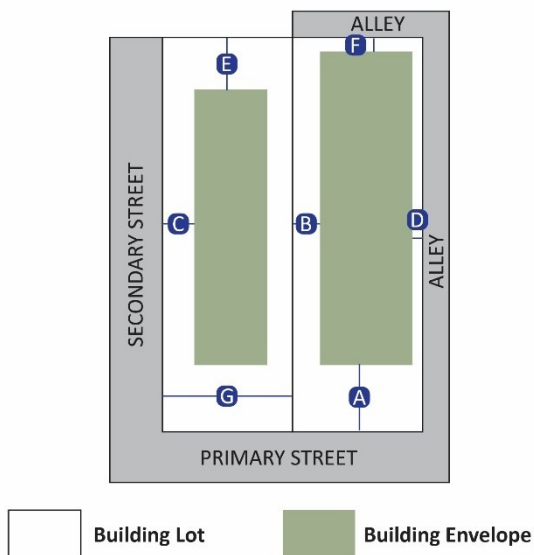
Allowed Uses

P = Permitted | C = Conditional Use

Land Use	Specific Use Regulation	
Agricultural Uses		
Community garden		P
Commercial Uses		
Bed and breakfast	18.1.16(6)	C
Childcare center		C
Childcare, home		P
Golf course		C
Medical or dental clinic		C
Public, Institutional, and Civic Uses		
Community center		C
Government/public facility		C
Park, playground, open area		P
Place of worship		C
Public or private K-12 school		C
Telecommunication or utility transmission infrastructure or facility	18.1.16(8)	C
Transit stop		P

Land Use	Specific Use Regulation	
Residential Uses		
Assisted living facility or nursing home		C
Cottage Court dwelling (up to 5 detached dwelling units)		C
Duplex (2 attached dwelling units)		P
Group home		C
Single-family detached dwelling		P
Accessory Uses, Buildings & Structures		
Accessory dwelling unit	18.1.16(7)	C
Beekeeping		P
Childcare, home		P
Domestic fowl/poultry	6.2	P
Garage or carport		P
Fences, hedges, or freestanding walls		P
Home occupation	18.1.16(2)	C
Keeping of animals for noncommercial purposes		P
Outdoor storage		P
Parking area or structure (directly related to a principal use)		P
Power transmission line (100 kw +)		C
Short-term vacation rental	18.1.16(9)	C
Renewable energy system		P
Shed		P
Telecommunication tower or antenna	18.1.16(8)	C

RR	SFR	MR	MHP	TC	HC	I	CF
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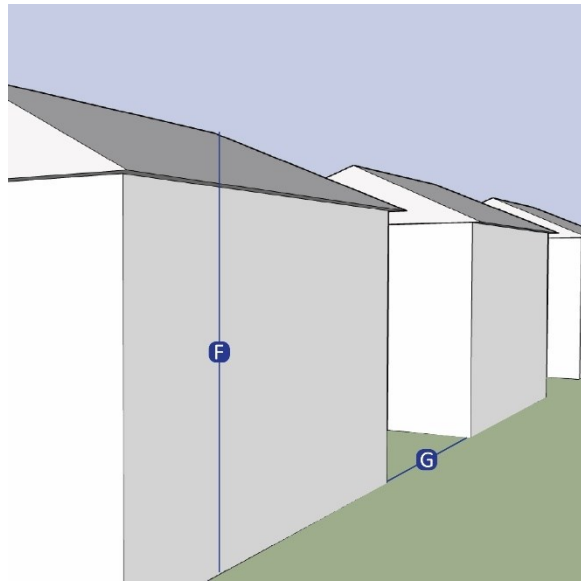
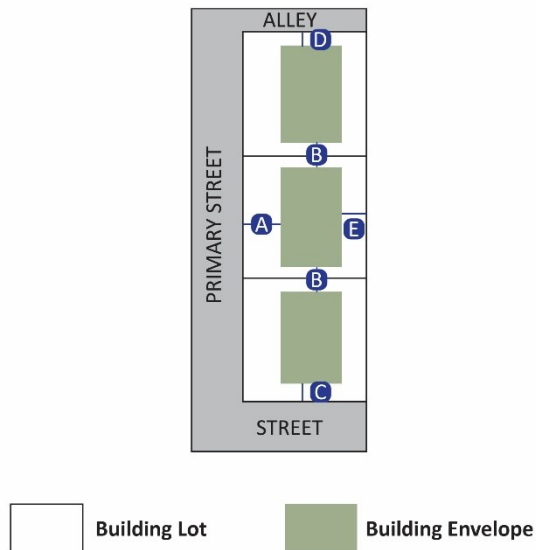
DIMENSIONAL REQUIREMENTS

Single-Family Dwelling | Duplex | Accessory Dwelling Unit

Building Placement			
Lot Line Setbacks			
Front			
Primary Building	25 ft.	A	
Accessory Building	25 ft.	A	
Side			
Primary Building			
Side	10 ft.	B	
Side, abutting street	12.5 ft.	C	
Side, abutting alley	5 ft.	D	
Accessory Building			
Side	10 ft.	B	
Side, abutting street	12.5 ft.	C	
Side, abutting alley	5 ft.	D	
Rear			
Primary Building			
Rear	20 ft.	E	
Rear, abutting alley	5 ft.	F	
Accessory Building			
Rear	10 ft.	E	
Rear, abutting alley	5 ft.	F	
Lot Size			
Width (minimum)	50 ft.	G	
Area (minimum)	7,500 sq. ft.		

Building Form		
Building Dimensions		
Primary Building		
Ground Floor Living Area	864 sq. ft. min.	
Overall Height	35 ft.	H
Accessory Building		
Ground Floor Living Area	1,000 sq. ft. max.	
Overall Height	25 ft.	I
Building Separation	10 ft.	J
Other Standards		
Building Intensity		
Lot Coverage	50% max.	
Density		
Dwelling Units per lot	2 max.	
Principal Use per lot	1 max.	
Off-Street Parking		
Single-Family Dwelling	2 per unit	
Duplex Dwelling	2 per unit	
Accessory Dwelling Unit	1 per unit	
Other Uses	18.1.13	

RR	SFR	MR	MHP	TC	HC	I	CF
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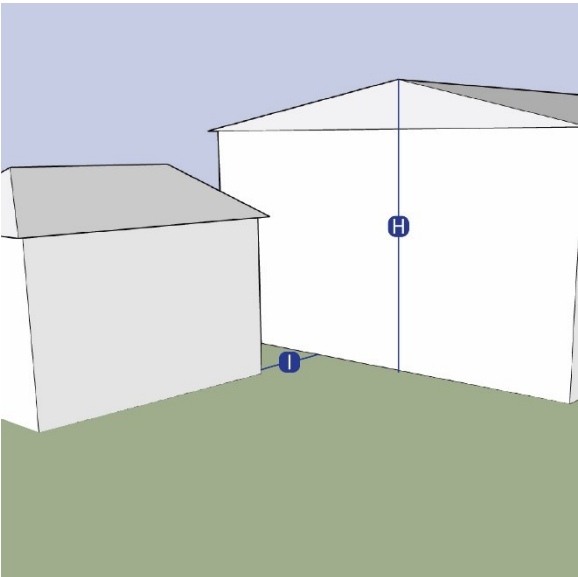
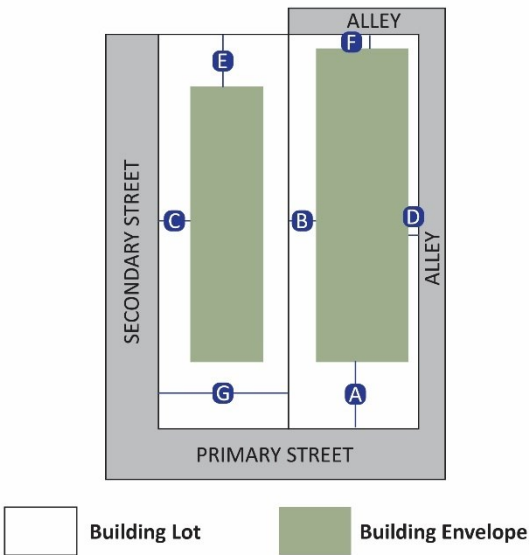
DIMENSIONAL REQUIREMENTS

Cottage Homes/Court

Building Placement			
Lot Line Setbacks			
Front	Primary Building	15 ft.	A
Side	Primary		
	Side	5 ft.	B
	Side, abutting street	7.5 ft.	C
	Side, abutting alley	5 ft.	D
Rear	Primary		
	Rear	10 ft.	E
	Rear, abutting alley	5 ft.	
Lot Size (per unit)			
Area (minimum)		2,500 sq. ft	

Building Form			
Building Dimensions (per unit)			
Primary	Ground Floor Living Area	864 sq. ft. max.	
	Overall Height	25 ft.	F
	Building Separation	10 ft.	G
Other Standards			
Building Intensity			
	Lot Coverage	80% max.	
Density			
	Dwelling units per lot	1 max.	
	Principal use per lot	1 max.	
Off-Street Parking			
	Cottage Court	2 per unit	

RR	SFR	MR	MHP	TC	HC	I	CF
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DIMENSIONAL REQUIREMENTS
Public or Civic

Building Placement			
Lot Line Setbacks			
Front			
Primary Building	25 ft.	A	
Side			
Primary Building			
Side	10 ft.	B	
Side, abutting street	12.5 ft.	C	
Side, abutting alley	5 ft.	D	
Rear			
Primary Building			
Rear	10 ft.	E	
Rear, abutting alley	5 ft.	F	
Lot Size			
Width (minimum)	50 ft.	G	
Area (minimum)	7,500 sq. ft.		

Building Form			
Building Dimensions			
Primary Building			
Overall Height	35 ft.	H	
Building Separation	10 ft.	I	
Other Standards			
Building Intensity			
Lot Coverage	60% max.		
Density			
Principal Use per lot	1 max.		
Off-Street Parking			
Other Uses	18.1.13		

18.1.7 MIXED RESIDENTIAL (MR)

RR	SFR	MR	MHP	TC	HC	I	CF
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Intent	
This zone provides opportunities for a diverse mix of housing options at higher densities, as well as supporting services and other compatible uses that may help meet the needs of the area residents.	
Desired Form	
Residential	
General Use	
Low to Moderate Density Residential	
Allowed Building Types	
Accessory Dwelling Unit	Cottage Home
Duplex	Single-Family Dwelling
Multi-Family (3-4)	Multi-Family (5+)
Townhouse	
Conditional Building Types (requires Conditional Building Type Permit)	
Public or Civic	
Restricted Building Types	
Mobile Home	Commercial
Industrial	Mixed Use

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Allowed Uses

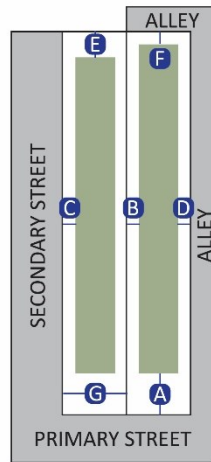
P = Permitted | C = Conditional Use

Land Use	Specific Use Regulation	
Agricultural Uses		
Community garden		P
Commercial Uses		
Bed and breakfast	18.1.16(6)	C
Childcare center		C
Childcare, home		P
Golf course		C
Public, Institutional, and Civic Uses		
Community center		C
Park, playground, open area		P
Place of worship		P
Public or private K-12 school		P
Telecommunication or utility transmission infrastructure or facility	18.1.16(8)	C
Transit stop		P
Residential Uses		
Assisted living facility or nursing home		C
Cottage court dwellings (up to 5 detached dwelling units)		P
Duplex (2 attached dwelling units)		P
Multi-Family (3-4 units)		P
Group home		C
Multi-Family (5+ units)		P
Single-Family detached dwelling		P

Land Use	Specific Use Regulation	
Accessory Uses, Buildings & Structures		
Accessory dwelling unit	18.1.16(7)	C
Beekeeping		P
Childcare, home		P
Domestic fowl/poultry	6.2	P
Garage or carport		P
Fences, hedges, or freestanding walls		P
Home occupation	18.1.16(2)	C
Outdoor storage		P
Parking area or structure (directly related to a principal use)		P
Power transmission line (100 kw +)		C
Short-term vacation rental	18.1.16(9)	C
Renewable energy system		P
Shed		P
Telecommunication tower or antenna	18.1.16(8)	C

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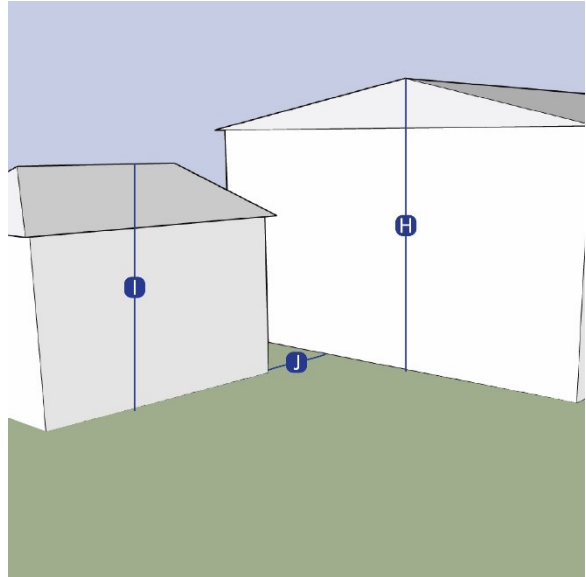
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Building Lot



Building Envelope



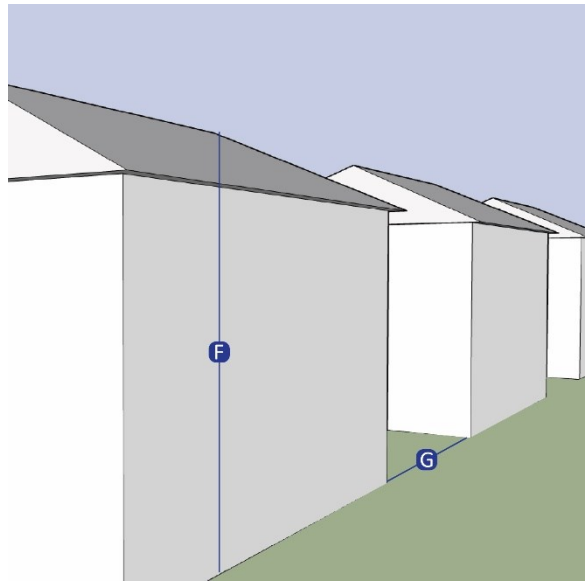
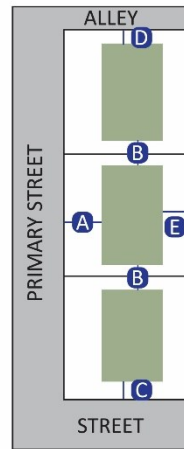
DIMENSIONAL REQUIREMENTS

Single-Family Dwelling | Duplex | Accessory Dwelling Unit | Public or Civic

Building Placement			
Lot Line Setbacks			
Front			
Primary Building	15 ft.	A	
Accessory Building	15 ft.	A	
Side			
Primary Building			
Side	5 ft.	B	
Side, abutting street	7.5 ft.	C	
Side, abutting alley	5 ft.	D	
Accessory Building			
Side	5 ft.	B	
Side, abutting street	7.5 ft.	C	
Side, abutting alley	5 ft.	D	
Rear			
Primary Building			
Rear	10 ft.	E	
Rear, abutting alley	5 ft.	F	
Accessory Building			
Rear	10 ft.	E	
Rear, abutting alley	5 ft.	F	
Lot Size			
Width (minimum)	25 ft.	G	
Area (minimum)	3,750 sq. ft.		

Building Form			
Building Dimensions			
Primary Building			
Ground Floor Living Area	864 sq. ft. min.		
Overall Height	35 ft.	H	
Accessory Building			
Ground Floor Living Area	1,000 sq. ft. max.		
Overall Height	25 ft.	I	
Building Separation	10 ft.	J	
Other Standards			
Building Intensity			
Lot Coverage	60% max.		
Density			
Dwelling Units per lot	1 max.		
Principal Use per lot	1 max.		
Off-Street Parking			
Single-Family Dwelling	2 per unit		
Accessory Dwelling Unit	1 per unit		

RR	SFR	MR	MHP	TC	HC	I	CF
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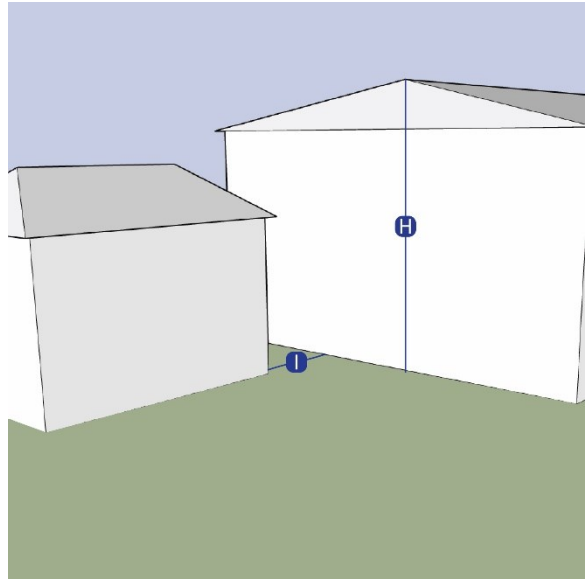
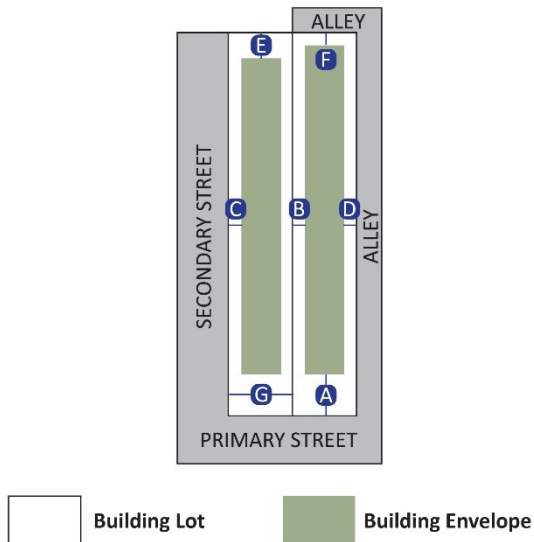
DIMENSIONAL REQUIREMENTS

Cottage Homes/Court

Building Placement			
Lot Line Setbacks			
Front			
Primary Building	15 ft.	A	
Side			
Primary Building			
Side	5 ft.	B	
Side, abutting street	7.5 ft.	C	
Side, abutting alley	5 ft.	D	
Rear			
Primary Building			
Rear	10 ft.	E	
Rear, abutting alley	5 ft.	D	
Lot Size (per unit)			
Area (minimum)	2,500 sq. ft		

Building Form			
Building Dimensions (per unit)			
Primary Building			
Ground Floor Living Area	864 sq. ft. max.		
Overall Height	25 ft.	F	
Building Separation	10 ft.	G	
Other Standards			
Building Intensity			
Lot Coverage	80% max.		
Density			
Dwelling units per lot	1 max.		
Principal use per lot	1 max.		
Off-Street Parking			
Cottage Court	2 per unit		

RR	SFR	MR	MHP	TC	HC	I	CF
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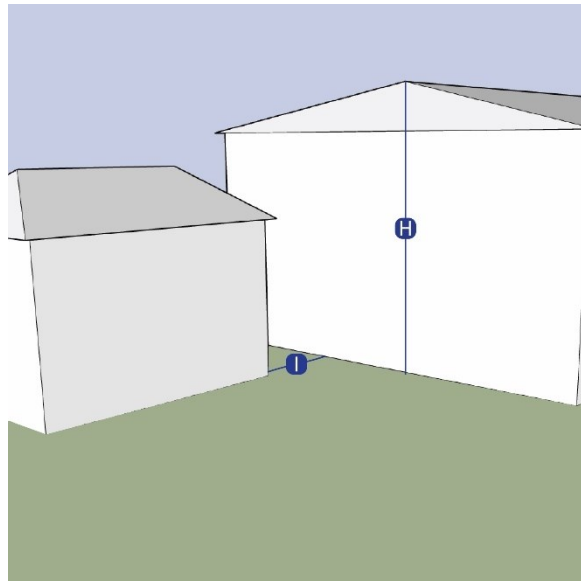
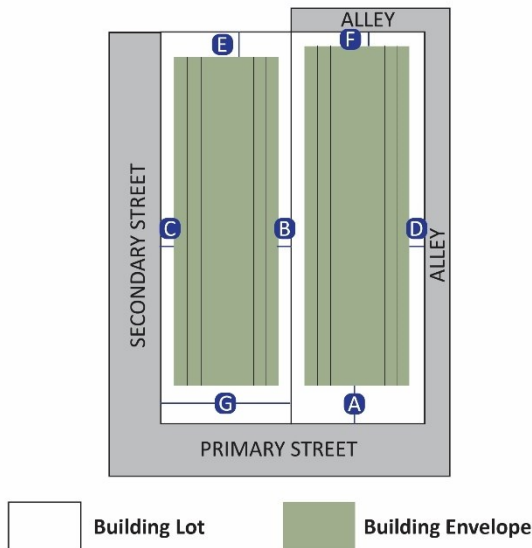
DIMENSIONAL REQUIREMENTS

Triplex | Fourplex | Townhouse

Building Placement			
Lot Line Setbacks			
Front	Primary Building	15 ft.	A
Side	Primary Building		
	Side	5 ft.	B
	Side, abutting street	7.5 ft.	C
	Side, abutting alley	5 ft.	D
Rear	Primary Building		
	Rear	10 ft.	E
	Rear, abutting alley	5 ft.	F
Lot Size (per unit)			
Width (minimum)	25 ft.	G	
Area (minimum)	1,500 sq. ft		

Building Form			
Building Dimensions (per unit)			
Primary	Ground Floor Living Area	864 sq. ft min.	
	Overall Height	35 ft.	H
	Building Separation	10 ft.	I
Other Standards			
Building Intensity			
Lot Coverage	80% max.		
Density			
Dwelling units per building	4 max.		
Principal use per lot	1 max.		
Off-Street Parking			
All Residential Uses	2 per unit		

RR	SFR	MR	MHP	TC	HC	I	CF
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DIMENSIONAL REQUIREMENTS

Multi-Family (5 units or more)

Building Placement			
Lot Line Setbacks			
Front	Primary Building	15 ft.	A
Side	Primary Building		
	Side	5 ft. (1 story)	
		10 ft. (2 story)	B
		15 ft. (3 story)	
	Side, abutting street	5 ft. (1 story)	
		10 ft. (2 story)	C
		15 ft. (3 story)	
	Side, abutting alley	5 ft.	D
Rear	Primary Building		
	Rear	10 ft.	E
	Rear, abutting alley	5 ft.	F
Lot Size			
Width (minimum)		50 ft.	G
Area (minimum)		7,500 sq. ft	

Building Form			
Building Dimensions (per unit)			
Primary Building			
	Ground Floor Living Area	No max.	
	Overall Height	35 ft.	H
Building Separation		10 ft.	I
Other Standards			
Building Intensity			
Lot Coverage		75% max.	
Density			
Dwelling units per building		8 units	
Principal use per lot		1 max.	
Off-Street Parking			
Multi-Family		2 per unit	

RR	SFR	MR	MHP	TC	HC	I	CF
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- 1) Performance and Design Standards for Multi-Family Units (5 units or more):
- a. Developments must address stormwater drainage and employ a stormwater drainage plan that does not discharge to the Town streets or stormwater infrastructure, if available, in an amount greater than historic flows that have discharged to public infrastructure, prepared by a professional engineer or similar professional.
 - b. A mix and variety of housing types and unit sizes must be incorporated to the maximum extent feasible based on the size of the development, adjacent development context, and other site considerations.
 - c. Parks, open space, or common areas must be incorporated into the development.
 - d. Parking shall be sited to provide the least visual impact from public rights-of-way and shall not dominate the frontage of pedestrian-oriented streets. Site parking shall include bike racks and areas for parking strollers and other nonmotorized vehicles near the main entrance to the primary building(s).
 - e. Parking areas, outside trash receptacles, large utility boxes, open storage areas, mechanical systems, and other unattractive views shall be screened from the street and public right-of-way. Screening of utility boxes, trash enclosures, and similar uses shall be around all sides except for those required for access, which will be screened with a gate on the access side.
 - f. Buildings containing more than 8,000 square feet will require a Conditional Building Type Permit.

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18.1.8 MOBILE HOME PARK (MHP)

RR	SFR	MR	MHP	TC	HC	I	CF
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Intent	
This zone is intended to accommodate and provide sites for mobile homes and accessory uses for the higher densities.	
Desired Form	
Residential	
General Use	
Residential	
Allowed Building Types	
Mobile Homes	
Conditional Building Types	
Single-Family Dwelling	Duplex
Public or Civic	
Restricted Building Types	
Accessory Dwelling Unit	Cottage Home
Multi-Family (3-4)	Multi-Family (5+)
Townhouse	Commercial
Industrial	Mixed Use

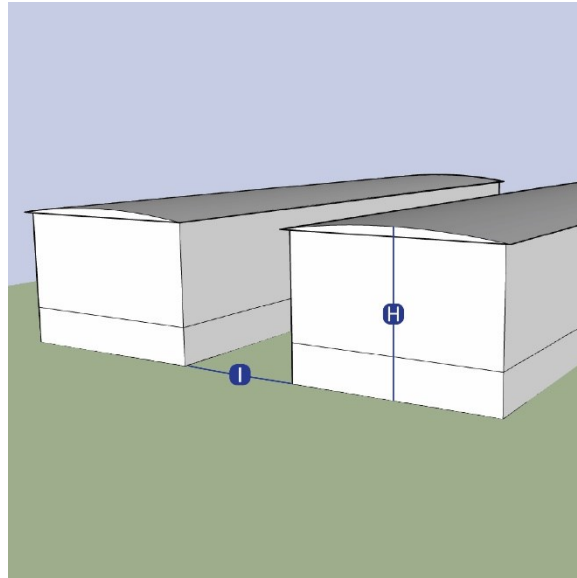
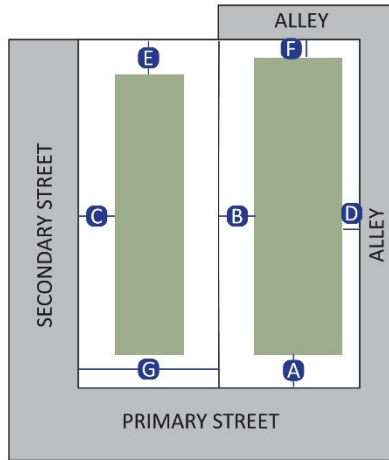
Allowed Uses

P = Permitted | C = Conditional Use

Land Use	Specific Use Regulation	
Agricultural Uses		
Community garden		P
Commercial Uses		
Childcare center		C
Childcare, home		P
Recreation facility (indoor only)		C
Recreation facility (w/ outdoor component)		C
Recreational vehicle (RV) park		C
Public, Institutional, and Civic Uses		
Park, playground, open area		P
Public or private K-12 school		C
Telecommunication or utility transmission infrastructure or facility	18.1.16(8)	C
Transit stop		P
Residential Uses		
Duplex (2 attached dwelling units)		C
Mobile home		P
Mobile home park		P
Single-Family detached dwelling		C

Land Use	Specific Use Regulation	
Accessory Uses, Buildings & Structures		
Beekeeping		P
Childcare, home		P
Domestic fowl/poultry	6.2	P
Garage or carport		P
Fences, hedges, or freestanding walls		P
Home occupation	18.1.16(2)	C
Outdoor storage		P
Parking area or structure (directly related to a principal use)		P
Power transmission line (100 kw +)		C
Short-term vacation rental	18.1.16(9)	C
Renewable energy system		P
Shed		P
Telecommunication tower or antenna	18.1.16(8)	C

RR	SFR	MR	MHP	TC	HC	I	CF
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DIMENSIONAL REQUIREMENTS

Mobile Home

Building Placement				Building Form			
Lot Line Setbacks				Building Height			
Front				Primary Building			
	Primary Building	10 ft.	A	Overall Height	15 ft.	H	
	Accessory Building	10 ft.	A	Building Separation	20 ft.	I	
Side				Other Standards			
Primary Building				Building Intensity			
	Side	10 ft.	B	Lot Coverage	40% max.		
	Side, abutting street	10 ft.	C	Density			
	Side, abutting alley	5 ft.	D	Dwellings per lot	No max.		
Accessory Building				Principal use per lot	1 max.		
	Side	10 ft.	B	Off-Street Parking			
	Side, abutting street	10 ft.	C	Mobile Home	2 per unit		
	Side, abutting alley	5 ft.	D				
Rear							
	Primary Building						
	Rear	10 ft.	E				
	Rear, abutting alley	5 ft.	F				
	Accessory Building						
	Rear	10 ft.	E				
	Rear, abutting alley	5 ft.	F				
Lot Size							
	Width (minimum)	40 ft.	G				
	Area (minimum)	4,000 sq. ft.					

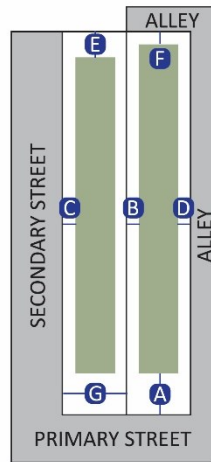
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1) Performance Standards for mobile home parks:

- a. The maximum number of recreational vehicle, or travel home, spaces permitted shall not be greater than fifty percent (50%) of the total number of mobile home spaces in the mobile home park, as shown by the records of the Town.
- b. Permanent mobile homes:
 - i. Only one (1) mobile home shall be placed on a lot or, if in a park, on an allocated space.
 - ii. The mobile home shall be erected upon a permanent concrete foundation or on a block base, and the wheels shall either be removed or concealed from view. Any space between the bottom of the mobile home structure and the foundation shall be skirted with attractive, permanent material, such as vinyl, metal, molded copolymer, or similar material. Skirting shall be equipped with doors or access panels to permit access to utility connections.
 - iii. A mobile home shall not be occupied for dwelling purposes unless it is properly placed on a foundation and connected to all utilities.
 - iv. Porches more than 30 inches above grade or all stairs serving porches more than 30 inches above grade shall be provided with a rail, as provided by the Town of Meeker Building Code.
- c. Recreational Vehicles:
 - i. Must be registered and licensed.
 - ii. All recreational vehicles sited pursuant to this Section shall be provided with and connected to the following utility services provided to other mobile home park's spaces: sanitary sewer, water, electric, and trash collection.
 - iii. Recreational vehicles that do not have self-contained or build-in toilet, shower, or lavatory facilities shall not be permitted in a mobile home park, unless the mobile home park has on-site separate toilet, shower, and lavatory facilities available for each gender for all the mobile home parks' residents on the mobile home park's premises.
 - iv. No abandoned, burned, or derelict recreational vehicles which may pose a nuisance or endanger the health, safety, or welfare of the public shall be permitted to occupy a space in the mobile home park.

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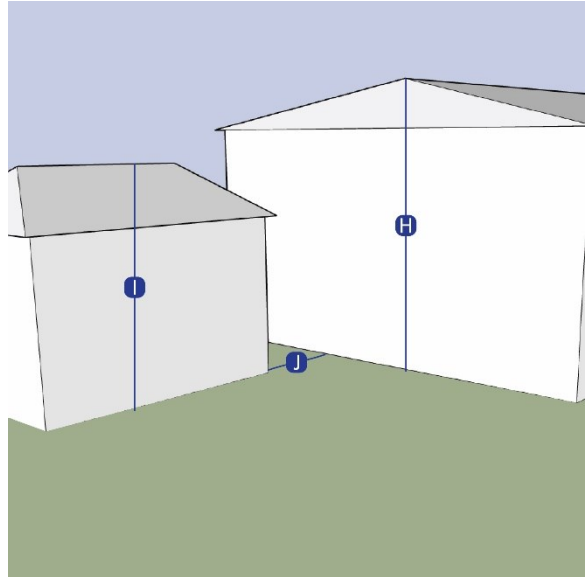
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Building Lot



Building Envelope

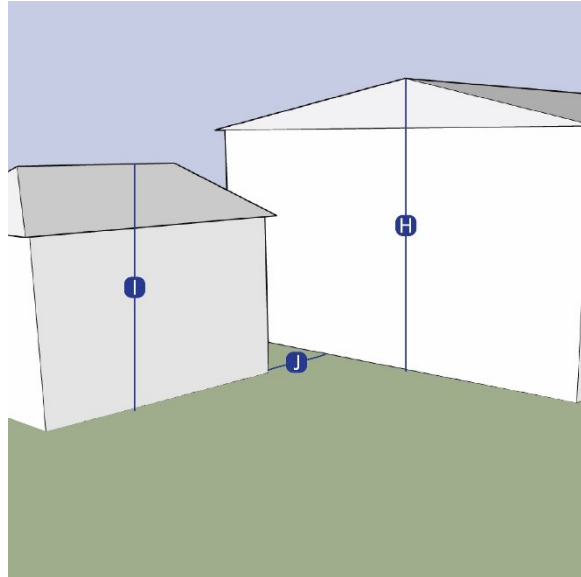
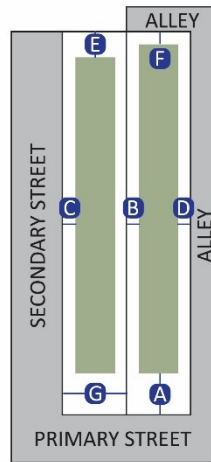


DIMENSIONAL REQUIREMENTS

Single-Family Dwelling | Duplex

Building Placement				Building Form			
Lot Line Setbacks				Building Dimensions			
Front				Primary Building			
	Primary Building	15 ft.	A	Ground Floor Living Area	864 sq. ft. min.		
	Accessory Building	15 ft.	A	Overall Height	35 ft.	H	
Side				Accessory Building			
	Primary Building			Ground Floor Living Area	1,000 sq. ft. max.		
	Side	5 ft.	B	Overall Height	25 ft.	I	
	Side, abutting street	7.5 ft.	C	Building Separation	10 ft.	J	
	Side, abutting alley	5 ft.	D	Other Standards			
	Accessory Building			Building Intensity			
	Side	5 ft.	B	Lot Coverage	60% max.		
	Side, abutting street	7.5 ft.	C	Density			
	Side, abutting alley	5 ft.	D	Dwelling Units per lot	1 max.		
Rear				Principal Use per lot	1 max.		
	Primary Building			Off-Street Parking			
	Rear	10 ft.	E	Single-Family Dwelling	2 per unit		
	Rear, abutting alley	5 ft.	F	Duplex	2 per unit		
	Accessory Building						
	Rear	10 ft.	E				
	Rear, abutting alley	5 ft.	F				
Lot Size							
	Width (minimum)	25 ft.	G				
	Area (minimum)	3,750 sq. ft.					

RR	SFR	MR	MHP	TC	HC	I	CF
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DIMENSIONAL REQUIREMENTS

Public or Civic

Building Placement				Building Form			
Lot Line Setbacks				Building Dimensions			
Front				Primary Building			
	Primary Building	15 ft.	A	Ground Floor Living Area	No min. or max.		
	Accessory Building	15 ft.	A	Overall Height	35 ft.	H	
Side				Accessory Building			
	Primary Building			Ground Floor Living Area	No min. or max.		
	Side	5 ft.	B	Overall Height	25 ft.	I	
	Side, abutting street	7.5 ft.	C	Building Separation	10 ft.	J	
	Side, abutting alley	5 ft.	D	Other Standards			
	Accessory Building			Building Intensity			
	Side	5 ft.	B	Lot Coverage	60% max.		
	Side, abutting street	7.5 ft.	C	Density			
	Side, abutting alley	5 ft.	D	Principal Use per lot	1 max.		
Rear				Off-Street Parking			
	Primary Building			Other Uses	18.1.13		
	Rear	10 ft.	E				
	Rear, abutting alley	5 ft.	F				
	Accessory Building						
	Rear	10 ft.	E				
	Rear, abutting alley	5 ft.	F				
Lot Size							
	Width (minimum)	25 ft.	G				
	Area (minimum)	3,750 sq. ft.					

18.1.9 TOWN CORE (TC)

RR	SFR	MR	MHP	TC	HC	I	CF
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**Intent**

This zone encompasses the historic commercial core of Town. Intended uses include a mix of retail, restaurant, office, lodging, residential, service, institutional, and other uses that are compatible with the historic character of the Town Core and contribute to a vibrant, pedestrian-friendly atmosphere. The Town Core zone is further intended to provide an effective transition between the Highway Corridor zone and nearby residential neighborhoods.

Desired Form

Commercial/Shop Front

General Use

Vertical Mixed Use

Allowed Building Types

Single-Family Dwelling	Commercial
Mixed Use	Public or Civic

Conditional Building Types

Accessory Dwelling Unit	Duplex
Townhouse	

Restricted Building Types

Cottage Home	Mobile Home
Multi-Family (3-4)	Multi-Family (5+)
Industrial	

Allowed Uses

P = Permitted | C = Conditional Use

Land Use	Specific Use Regulation	
Agricultural Uses		
Community garden		P
Commercial Uses		
Art gallery, art/dance studio		P
Bar, nightclub, tavern, lounge		P
Bank, financial institution		P
Bed and breakfast	18.1.16(6)	C
CBD sales & extraction		C
Commercial laundry		P
Commercial parking area or structure		P
Convention center/hall		C
Childcare center		P
Entertainment business		P
Funeral home, mortuary		C
Hospital/medical center		C
Hotel, motel, hostel, boarding house		P
Kennel (indoor only)		C
Laundromat, drycleaner		P
Mail/package delivery		P
Medical or dental clinic		P
Office		P

Land Use	Specific Use Regulation	
Industrial Uses		
Hemp & CBD processing facility		C
Manufacturing, fabrication, or assembly facility (small-scale)		P
Shipping/freight facility		C
Residential Uses		
Assisted living facility or nursing home		C
Group home		C
Live/work, mixed-use		P
Single-Family detached dwelling		P
Duplex		P
Accessory Uses, Buildings & Structures		
Automated teller machine		P
Beekeeping		P
Childcare, home		P
Domestic fowl/poultry	6.2	P
Drive-in/drive-through (Directly related to a principal commercial or industrial use)		C
Garage or carport		P
Fences, hedges, or freestanding walls		P
Home occupation	18.1.16(2)	C

RR	SFR	MR	MHP	TC	HC	I	CF
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Allowed Uses

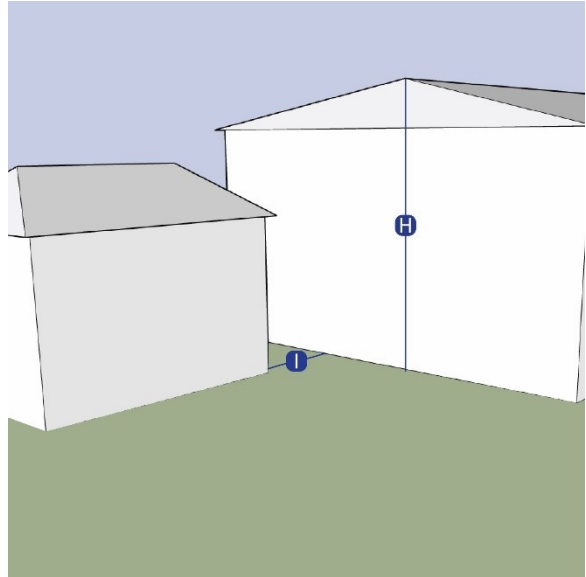
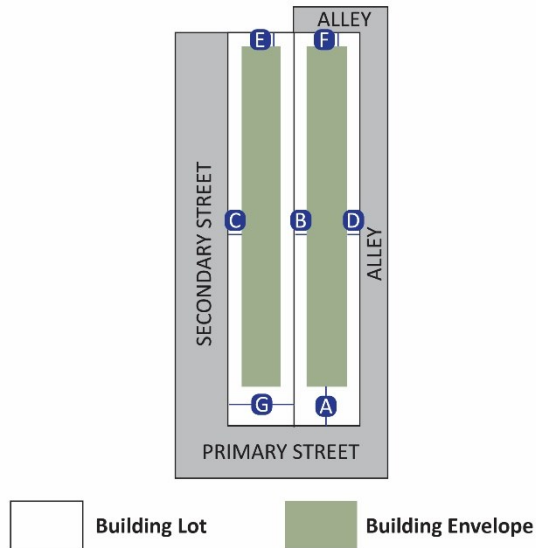
P = Permitted | C = Conditional Use | -- = Prohibited

Land Use	Specific Use Regulation	
Commercial Uses (cont.)		
Recreation facility (indoor only)		P
Recreation facility (w/ outdoor component)		P
Restaurant		P
Retail or rental business		P
Research, experimental, testing laboratories		C
Service business		P
Tap room/tasting room/brewery		P
Veterinary clinic/hospital (indoor only)		P
Public, Institutional, and Civic Uses		
Auditorium		P
Club, lodge, fraternal organization		P
College/university		P
Community center		P
Government/public facility		P
Park, playground, open area		P
Place of worship		P
Public library or museum		P
Public or private K-12 school		P
Telecommunication or utility transmission infrastructure or facility	18.1.16(8)	C
Transit stop		P
Transit terminal or station		P
Vocational, technical, or trade school		C

Land Use	Specific Use Regulation	
Accessory Uses, Buildings & Structures (cont.)		
Outdoor display		P
Parking area or structure (directly related to a principal use)		P
Power transmission line (100 kw +)		C
Short-term vacation rental	18.1.16(9)	C
Renewable energy system		P
Shed		P
Telecommunication tower or antenna	18.1.16(8)	C

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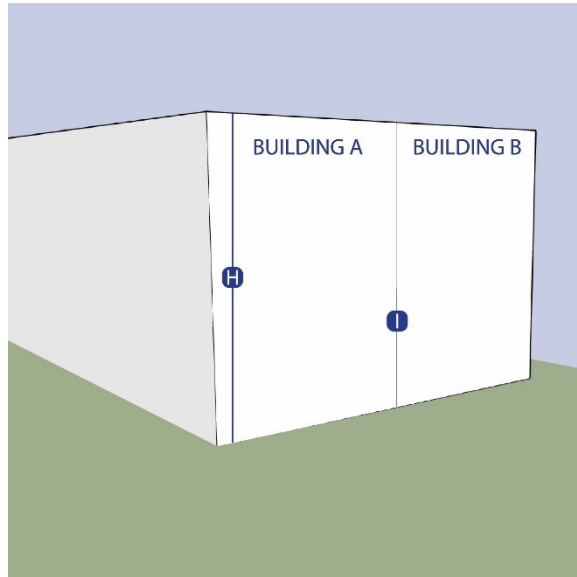
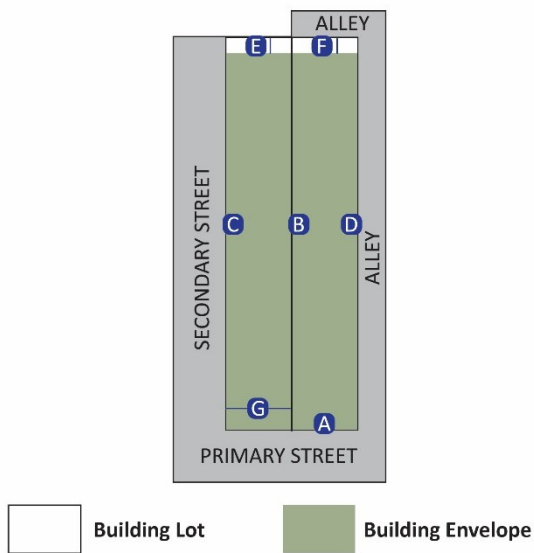
DIMENSIONAL REQUIREMENTS

Single-Family Dwelling | Duplex | Townhouse | Accessory Dwelling Unit

Building Placement			
Lot Line Setbacks			
Front	Primary Building	15 ft.	A
Side	Primary		
	Side	5 ft.	B
	Side, abutting street	5 ft.	C
	Side, abutting alley	5 ft.	D
Rear	Primary		
	Rear	5 ft.	E
	Rear, abutting alley	5 ft.	F
Lot Size			
Width (minimum)	25 ft.	G	
Area (minimum)	3,750 sq. ft.		

Building Form			
Building Height			
Primary	Ground Floor Living Area	864 sq. ft. min.	
	Overall Height	35 ft.	H
	Building Separation	10 ft.	I
Other Standards			
Building Intensity			
Lot Coverage	60% max.		
Density			
Dwelling units per lot	1 max.		
Principal use per lot	1 max.		
Off-Street Parking			
Single-Family Dwelling	2 per unit		
Accessory Dwelling Unit	1 per unit		

RR	SFR	MR	MHP	TC	HC	I	CF
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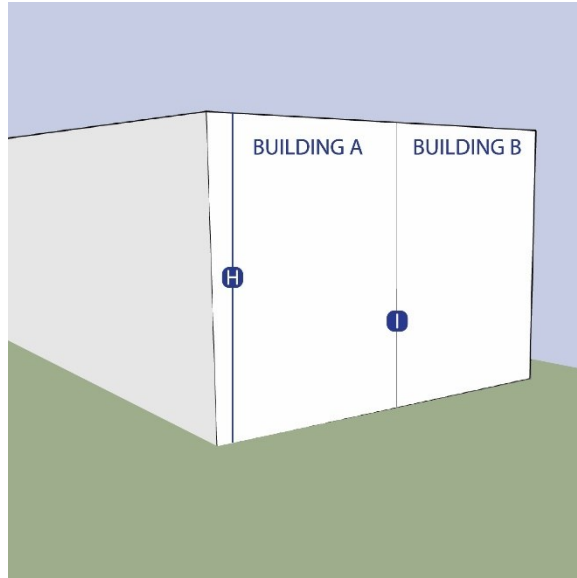
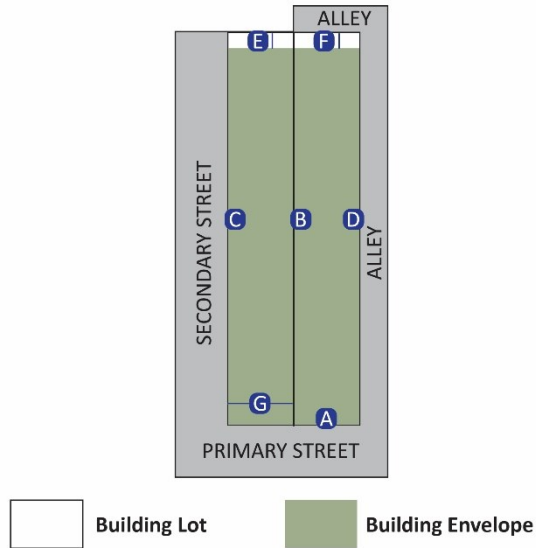


DIMENSIONAL REQUIREMENTS

Mixed Use

Building Placement				Building Form			
Lot Line Setbacks				Building Height			
Front	Primary Building	0 ft.	A	Primary	Overall Height	35 ft.	H
Side	Primary			Building Separation	No min.		I
	Side	0 ft.	B	Other Standards			
	Side, abutting street	0 ft.	C	Building Intensity			
	Side, abutting alley	0 ft.	D	Lot Coverage			
Rear	Primary			Density			
	Rear	5 ft.	E	Dwelling units per building			
	Rear, abutting alley	5 ft.	F	Unit Size (min)			
Lot Size				Principal use per lot			
Width (minimum)				2 max.			
Area (minimum)				Off-Street Parking			
				Residential Use			
				Other Uses			
				1 per unit			
				18.1.13			

RR	SFR	MR	MHP	TC	HC	I	CF
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DIMENSIONAL REQUIREMENTS

Commercial | Public or Civic

Building Placement				Building Form			
Lot Line Setbacks				Building Height			
Front				Primary Building			
	Primary Building	0 ft.	A		Overall Height	35 ft.	H
	Accessory Building	0 ft.	A		Building Separation	10 ft.	I
Side				Other Standards			
	Primary Building			Building Intensity			
	Side	0 ft.	B	Lot Coverage			
	Side, abutting street	0 ft.	C	Density			
	Side, abutting alley	5 ft.	D	Principal Use per lot			
	Accessory Building			Off-Street Parking			
	Side	0 ft.	B	Other Uses			
	Side, abutting street	0 ft.	C				
	Side, abutting alley	5 ft.	D				
Rear							
	Primary Building						
	Rear	5 ft.	E				
	Rear, abutting alley	5 ft.	F				
	Accessory Building						
	Rear	5 ft.	E				
	Rear, abutting alley	5 ft.	F				
Lot Size							
	Width (minimum)	25 ft.	G				
	Area (minimum)	3,750 sq. ft.					

RR	SFR	MR	MHP	TC	HC	I	CF
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- 1) The following are not to be construed as a “Use by Right” or a “Conditional Use” in the “TC” Town Core zone:
 - a. Drive-in restaurants, drive-in theaters, or any other retail stores or establishments with drive-through facility, other than banks.
 - b. Above ground storage of hazardous fuels.
 - c. Heavy manufacturing or industrial uses.
 - d. Fueling stations.
 - e. Farm implement, manufactured home, automobile, and other vehicle sales or service establishments.
 - f. Automobile body shops.
 - g. Machine and welding shops.
 - h. Boarding and rooming house(s).
 - i. Dormitory.
- 2) Performance Standards:
 - a. No use shall be established, maintained, or conducted in any “TC” Town Core zone that will result in any public or private nuisance.
 - b. All light manufacturing and industrial activities must take place inside with no noise, smoke, dust, or light observable off of the premises.
 - c. All applications for conditional use shall be accompanied by a site plan proposal detailing, at a minimum, the following information, or other information deemed necessary by the Town Planner:
 - i. Site plan showing setback, lot coverage, parking, vehicle and pedestrian access, landscaping, topographic features, utility locations, storage/trash receptacles, and similar information.
 - ii. Building design showing building elevations for all four (4) sides, finish materials, doors and window placement and location, and types of exterior lighting fixtures.
 - d. Buildings containing more than 10,000 square feet of ground floor area shall require a Conditional Building Permit.
 - e. Structures must be compatible in mass and scale with nearby properties and similar in architectural features.

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18.1.10 HIGHWAY CORRIDOR (HC)

RR	SFR	MR	MHP	TC	HC	I	CF
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Intent	
This zone encompasses land along the Highway 13 corridor. Its purpose is to create areas for a mix of retail and commercial services, offices, and other supportive uses to meet the needs of residents and visitors.	
Desired Form	
Commercial/Shop Front	
General Use	
Vertical Mixed Use	
Allowed Building Types	
Commercial	Industrial
Mixed Use	Public or Civic
Conditional Building Types	
Single-Family Dwelling	
Restricted Building Types	
Accessory Dwelling Unit	Cottage Court
Duplex	Mobile Home
Multi-Family (3-4)	Multi-Family (5+)
Townhouse	

Allowed Uses

P = Permitted | C = Conditional Use

Land Use	Specific Use Regulation	
Agricultural Uses		
Community garden		P
Hemp cultivation		C
Nursery, greenhouse, landscaping supply		P
Commercial Uses		
Art gallery, art/dance studio		P
Bar, nightclub, tavern, lounge		P
Bank, financial institution		P
Bed and breakfast	18.1.13(6)	C
Campground		P
CBD sales & extraction		P
Commercial laundry		P
Commercial parking area or structure		P
Convention center/hall		C
Crematorium		C
Childcare center		P
Childcare, home		P
Drive-in/drive-through business		P
Entertainment business		P
Fueling station	18.1.13(11)	C
Funeral home, mortuary		P
Heavy equipment sales, rentals, service/repair		P
Hospital/medical center		P

Land Use	Specific Use Regulation	
Public, Institutional, and Civic Uses		
Auditorium		P
Club, lodge, fraternal organization		P
College/university		P
Community center		P
Government/public facility		P
Park, playground, open area		P
Place of worship		P
Public library or museum		P
Public or private K-12 school		C
Telecommunication or utility transmission infrastructure or facility	18.1.13(8)	C
Transit stop		P
Transit terminal or station		P
Vocational, technical, or trade school		P
Water treatment or storage		P
Sewage treatment		C
Industrial Uses		
Hemp & CDB processing facility		C
Manufacturing, fabrication, or assembly facility (large-scale)		C
Manufacturing, fabrication, or assembly facility (small-scale)		P
Shipping/freight facility		C
Warehousing/storage		P

RR	SFR	MR	MHP	TC	HC	I	CF
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Allowed Uses

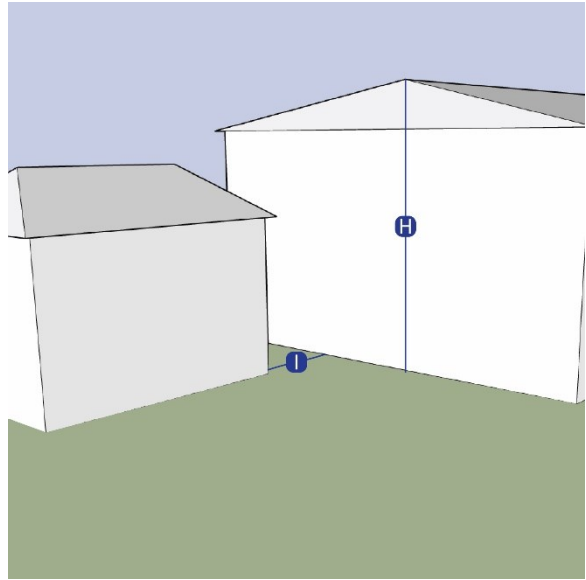
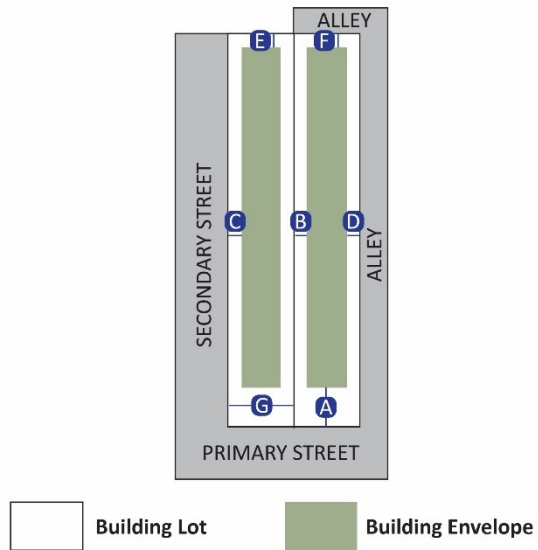
P = Permitted | C = Conditional Use | -- = Prohibited

Land Use	Specific Use Regulation	
Commercial Uses (cont.)		
Hotel, motel, hostel,		P
Kennel (indoor only)		P
Kennel (w/ outdoor component)		C
Laundromat, drycleaner		P
Lumber yard		P
Mail/package delivery		P
Manufactured or mobile home sales		P
Medical or dental clinic		P
Office		P
Recreation facility (indoor only)		P
Recreation facility (w/ outdoor component)		P
Recreational vehicle (RV) park		C
Restaurant		P
Retail or rental business		P
Research, experimental, testing laboratories		P
Self-storage, mini-storage		C
Service business		P
Tap room/tasting room/brewery		P
Vehicle sales or rentals		P
Vehicle service/repair/body shop		P
Vehicle washing, cleaning, or detailing		P
Veterinary clinic/hospital (indoor only)		P
Veterinary clinic/hospital (w/ outdoor component)		C

Land Use	Specific Use Regulation	
Industrial Uses (cont.)		
Wholesale sales or storage		P
Residential Uses		
Assisted living facility or nursing home		C
Live/work, mixed-use		P
Single-Family detached dwelling		C
Accessory Uses, Buildings & Structures		
Automated teller machine		P
Beekeeping		P
Childcare, home		P
Domestic fowl/poultry	6.2	P
Drive-in/drive-through (Directly related to a principal commercial or industrial use)		P
Garage or carport		P
Fences, hedges, or freestanding walls		P
Home occupation	18.1.13(2)	C
Outdoor display		P
Outdoor storage		P
Parking area or structure (Directly related to a principal use)		P
Power transmission line (100 kw +)		C
Short-term vacation rental	18.1.13(9)	C
Renewable energy system		P
Shed		P
Telecommunication tower or antenna	18.1.13(8)	C

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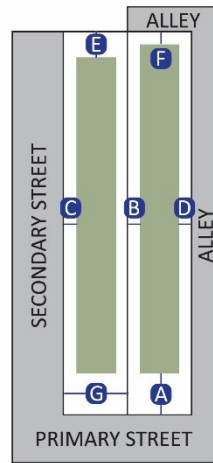


DIMENSIONAL REQUIREMENTS

Single-Family Dwelling

Building Placement				Building Form			
Lot Line Setbacks				Building Dimensions			
Front				Primary			
	Primary Building	15 ft.	A	Ground Floor Living Area	864 sq. ft. min.		
Side				Overall Height	35 ft.	H	
	Primary			Building Separation	10 ft.	I	
	Side	5 ft.	B	Other Standards			
	Side, abutting street	5 ft.	C	Building Intensity			
	Side, abutting alley	5 ft.	D	Lot Coverage	60% max.		
Rear				Density			
	Primary			Dwelling units per lot	1 max.		
	Rear	5 ft.	E	Principal use per lot	1 max.		
	Rear, abutting alley	5 ft.	F	Off-Street Parking			
Lot Size				Single-Family Dwelling	2 per unit		
	Width (minimum)	25 ft.	G				
	Area (minimum)	3,750 sq. ft.					

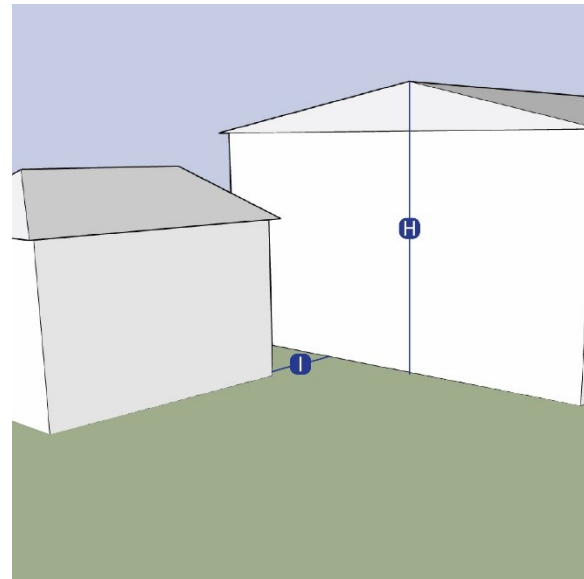
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Building Lot



Building Envelope



DIMENSIONAL REQUIREMENTS

Commercial | Industrial | Public or Civic

Building Placement				Building Form			
Lot Line Setbacks				Building Height			
Front				Primary Building			
	Primary Building	15 ft.	A	Overall Height	35 ft.	H	
	Accessory Building	15 ft.	A	Accessory Building			
Side				Overall Height	25 ft.	H	
	Primary Building			Building Separation	10 ft.	I	
	Side	5 ft.	B	Other Standards			
	Side, abutting street	7.5 ft.	C	Building Intensity			
	Side, abutting alley	5 ft.	D	Lot Coverage	80% max.		
	Accessory Building			Density			
	Side	5 ft.	B	Principal Use per lot	1 max.		
	Side, abutting street	7.5 ft.	C	Off-Street Parking			
	Side, abutting alley	5 ft.	D	Other Uses	18.1.13		
Rear							
	Primary Building						
	Rear	10 ft.	E				
	Rear, abutting alley	5 ft.	F				
	Accessory Building						
	Rear	10 ft.	E				
	Rear, abutting alley	5 ft.	F				
Lot Size							
	Width (minimum)	25 ft.	G				
	Area (minimum)	3,750 sq. ft.					

1) Performance Standards:

- Buildings containing more than 10,000 square feet of gross floor area shall require a Conditional Building Permit.

18.1.11 INDUSTRIAL (I)

RR	SFR	MR	MHP	TC	HC	I	CF
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**Intent**

This zone is to provide areas for industrial uses that include offices, light manufacturing, and fabrication. Uses by right in this zone will be those that do not create an adverse impact on adjoining uses from lighting, noise, vibration, glare, smoke/fumes/odor, outside storage, or other similar impacts. Work conducted on-site may occur outside of buildings. Some on-site impacts may be associated with this zone in the form of noise, truck traffic, and vibrations.

Desired Form

Industrial

General Use

Industrial

Allowed Building Types

Commercial	Industrial
Public or Civic	

Conditional Building Types

Mixed Use

Restricted Building Types

Accessory Dwelling Unit	Cottage Home
Duplex	Mobile Home
Single-Family Dwelling	Multi-Family (3-4)
Multi-Family (5+)	Townhouse

Allowed Uses

P = Permitted | C = Conditional Use

Land Use	Specific Use Regulation	
Agricultural Uses		
Community garden		P
Hemp cultivation		C
Nursery, greenhouse, landscaping supply		P
Commercial Uses		
Adult entertainment establishment		C
Art gallery, art/dance studio		P
Bar, nightclub, tavern, lounge		P
Campground		P
CBD sales & extraction		P
Childcare center		C
Commercial laundry		P
Commercial parking area or structure		P
Convention center/hall		C
Crematorium		P
Drive-in/drive-through business		P
Entertainment business		P
Fueling station	18.1.13(11)	C
Funeral home, mortuary		P

Land Use	Specific Use Regulation	
Public, Institutional, and Civic Uses		
Auditorium		C
Club, lodge, fraternal organization		P
College/university		C
Energy production facility		P
Government/public facility		P
Park, playground, open area		P
Place of worship		P
Public transportation storage, service/repair		P
Telecommunication or utility transmission infrastructure or facility	18.1.13(8)	C
Transit stop		P
Transit terminal or station		P
Vocational, technical, or trade school		P
Water treatment or storage		P
Sewage treatment		C
Animal processing facility, slaughterhouse		C

RR	SFR	MR	MHP	TC	HC	I	CF
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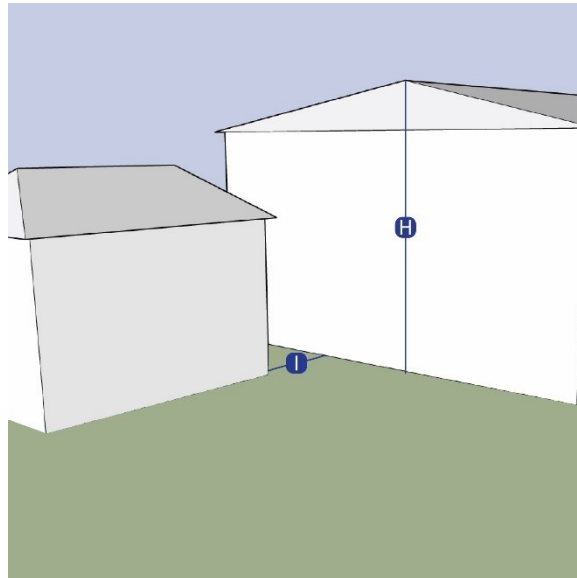
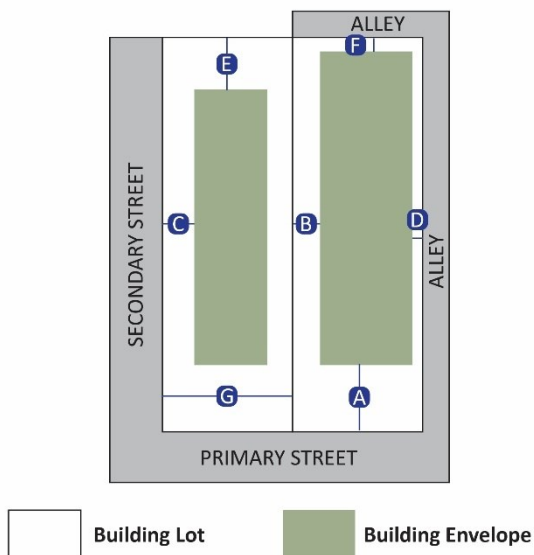
Allowed Uses

P = Permitted | C = Conditional Use | -- = Prohibited

Land Use	Specific Use Regulation	
Commercial Uses (cont.)		
Heavy equipment sales, rentals, service/repair		P
Hospital/medical center		
Hotel, motel, hostel, boardinghouse		P
Kennel (indoor only)		P
Kennel (w/ outdoor component)		P
Laundromat, drycleaner		P
Lumber yard		P
Mail/package delivery		P
Manufactured or mobile home sales		P
Medical or dental clinic		P
Mobile home service/repair		P
Office		P
Recreation facility (indoor only)		P
Recreation facility (w/ outdoor component)		P
Restaurant		P
Retail or rental business		P
Research, experimental, testing laboratories		P
Self-storage, mini-storage		P
Service business		P
Tap room/tasting room		P
Vehicle sales or rentals		P
Vehicle service/repair/body shop		P
Vehicle washing, cleaning, or detailing		P
Veterinary clinic/hospital (indoor only)		P
Veterinary clinic/hospital (w/ outdoor component)		P

Land Use	Specific Use Regulation	
Industrial Uses		
Asphalt or concrete plant		C
Bottling plant		P
Bulk petroleum storage		C
Dyeing plant		P
Feed mill		C
Hemp & CDB processing facility		P
Junkyard, salvage yard		C
Manufacturing, fabrication, or assembly facility (large-scale)		P
Manufacturing, fabrication, or assembly facility (small-scale)		P
Natural resource extraction or processing		C
Oil or gas facility		C
Outdoor storage		P
Sawmill		C
Sewage disposal		C
Shipping/freight facility		P
Warehousing/storage		P
Waste or recycling facility		C
Wholesale sales or storage		P
Residential Uses		
Live/work, mixed-use		P
Accessory Uses, Buildings & Structures		
Automated teller machine		P
Beekeeping		P
Domestic fowl/poultry	6.2	P
Drive-in/drive-through (Directly related to a principal commercial or industrial use)		P
Garage or carport		P
Fences, hedges, or freestanding walls		P
Outdoor display		P
Outdoor storage		P
Parking area or structure (Directly related to a principal use)		P
Power transmission line (100 kw +)		C
Renewable energy system		P
Shed		P
Telecommunication tower or antenna	18.1.13(8)	C

RR	SFR	MR	MHP	TC	HC	I	CF
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DIMENSIONAL REQUIREMENTS

Commercial | Industrial | Mixed Use | Public or Civic

Building Placement				Building Form			
Lot Line Setbacks				Building Dimensions			
Front				Primary Building			
	Primary Building	25 ft.	A	Overall Height	35 ft.	H	
Side				Accessory Building			
	Accessory Building	25 ft.	A	Overall Height	25 ft.	H	
Side				Building Separation			
	Primary Building				10 ft.	I	
	Side	10 ft.	B	Other Standards			
	Side, abutting street	25 ft.	C	Building Intensity			
	Side, abutting alley	10 ft.	D	Lot Coverage			
Rear					80% max.		
	Accessory Building			Density			
	Side	10 ft.	B				
	Side, abutting street	25 ft.	C	Principal Use per lot			
	Side, abutting alley	10 ft.	D		1 max.		
Rear				Off-Street Parking			
	Primary Building						
	Rear	25 ft.	E	Other Uses			
	Rear, abutting alley	5 ft.	F		18.1.13		
Lot Size							
	Width (minimum)	No min.	G				
	Area (minimum)	No min.					

18.1.12 COMMUNITY FACILITIES (CF)

RR	SFR	MR	MHP	TC	HC	I	CF
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Intent	
This zone is intended to accommodate public and quasi-public uses and activities with unique operational and site characteristics. Uses in the CF zone generally include essential services or activities to the Town, such as community centers, recreation facilities, hospitals, and municipal operations. The CF zone is intended to offer greater flexibility, while preserving the existing character within the district.	
Desired Form	
Open Space	Parks and Recreation Facility
Civic and Educational Facility	
General Use	
Recreational	Educational
Health Care	
Allowed Building Types	
Public or Civic	
Restricted Building Types	
Accessory Dwelling Unit	Cottage Home
Duplex	Mobile Home
Single-Family Dwelling	Multi-Family (3-4)
Multi-Family (5+)	Townhouse
Commercial	Industrial
Mixed Use	

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RR	SFR	MR	MHP	TC	HC	I	CF
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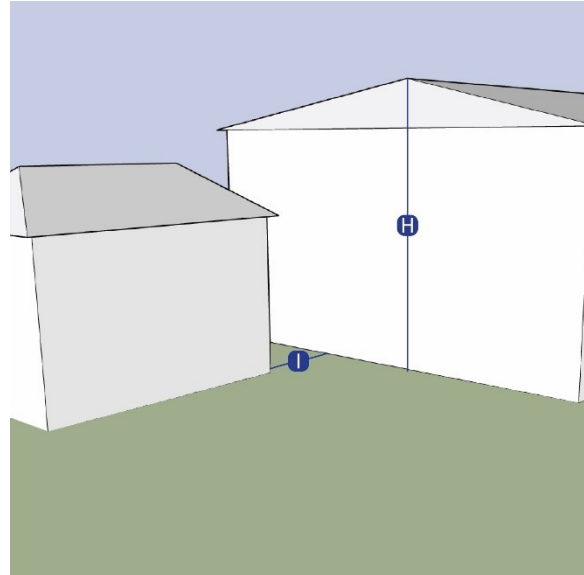
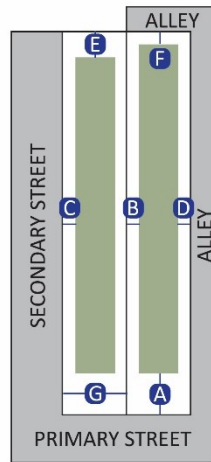
Allowed Uses

P = Permitted | C = Conditional Use

Land Use	Specific Use Regulation	
Agricultural Uses		
Community garden		P
Equestrian facility		C
Farming/plant husbandry		C
Ranching/animal husbandry		P
Commercial Uses		
Art gallery, art/dance studio		P
Campground		C
Convention center/hall		C
Childcare center		P
Golf course		C
Hospital/medical center		C
Recreation facility (indoor only)		P
Recreation facility (w/ outdoor component)		P
Recreational vehicle (RV) park		C
Public, Institutional, and Civic Uses		
Airport or heliport		C
Auditorium		P
Cemetery		C
College/university		P
Community center		P
Energy production facility		C
Government/public facility		P
Park, playground, open area		P
Public library or museum		P
Public or private K-12 school		P
Public transportation storage, service/repair		P
Telecommunication or utility transmission infrastructure or facility	18.1.13(8)	C
Transit stop		C
Transit terminal or station		C
Vocational, technical, or trade school		P
Water treatment or storage		C
Sewage treatment		C

Land Use	Specific Use Regulation	
Industrial Uses		
Sewage disposal		C
Waste or recycling facility		C
Wholesale sales or storage		C
Residential Uses		
Assisted living facility or nursing home		C
Accessory Uses, Buildings & Structures		
Automated teller machine		P
Beekeeping		P
Childcare, home		P
Domestic fowl/poultry	6.2	P
Garage or carport		P
Fences, hedges, or freestanding walls		P
Keeping of animals for noncommercial purposes		P
Outdoor storage		P
Parking area or structure (Directly related to a principal use)		P
Power transmission line (100 kw +)		C
Renewable energy system		P
Shed		P
Telecommunication tower or antenna	18.1.13(8)	C

RR	SFR	MR	MHP	TC	HC	I	CF
----	-----	----	-----	----	----	---	----



DIMENSIONAL REQUIREMENTS

Public or Civic

Building Placement			
Lot Line Setbacks			
Front			
Primary Building	15 ft.	A	
Accessory Building	15 ft.	A	
Side			
Primary Building			
Side	5 ft.	B	
Side, abutting street	7.5 ft.	C	
Side, abutting alley	5 ft.	D	
Accessory Building			
Side	5 ft.	B	
Side, abutting street	7.5 ft.	C	
Side, abutting alley	5 ft.	D	
Rear			
Primary Building			
Rear	10 ft.	E	
Rear, abutting alley	5 ft.	F	
Accessory Building			
Rear	10 ft.	E	
Rear, abutting alley	5 ft.	F	
Lot Size			
Width (minimum)	25 ft.	G	
Area (minimum)	3,750 sq. ft.		

Building Form			
Building Height			
Primary Building			
Overall Height	35 ft.	H	
Accessory Building			
Overall Height	25 ft.	H	
Building Separation		10 ft.	I
Other Standards			
Building Intensity			
Lot Coverage		75% max.	
Density			
Principal Use per lot		1 max.	
Off-Street Parking			
Other Uses		18.1.13	

RR	SFR	MR	MHP	TC	HC	I	CF
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1) Performance Guidelines:

- a. Design Guidelines and Standards: Unless otherwise provided in these Zoning Regulations, building form may vary widely as long as certain features of building form are considered:
 - i. Building Design and Architectural Features:
 1. Within the development, variability in size and shape of buildings should occur.
 2. Incorporating human-scaled features at the ground level, referred to as "differentiation of ground level," will help to encourage pedestrian use. Examples are: articulated entries and windows, canopies, arcades, recessed entries, changes in color, material, or texture.
 3. Façade modulation should be utilized to reduce the apparent bulk of a large building, where applicable.
 4. Large, unbroken expanses and long, continuous rooflines should be avoided.
 5. The architectural character of new buildings or additions should complement the architectural character of adjacent existing buildings.
 6. All building façades should be designed with a similar level of design detail. Blank walls, void of architectural detailing, should not be encouraged.
 - ii. Building Materials:
 1. Unless otherwise provided in these Zoning Regulations, a wide range of exterior building siding materials is acceptable, including, but not limited to, wood, brick, stone, metal and stucco.
 2. Materials appearing to derive from local natural settings, such as timber and native stone, are strongly encouraged.
 3. The use of multiple exterior siding materials, siding textures and/or architectural wall features are strongly encouraged.
 4. Metal may be used on the exterior of buildings for architectural features. Metal roofs are allowed.
 5. Wainscot treatments are encouraged and should generally be a minimum of three (3) feet in height, not to exceed four (4) feet in height.
 - iii. Entrance visibility:
 1. Entrances should be clearly delineated and visible from the street.
 2. Buildings should be designed and delineated with unobstructed entries adjacent to streets, as opposed to entries accessible only from parking lots.
 3. When entries cannot be located adjacent to the street, delineated and unobstructed pathways using building and landscaping elements should enhance the entries.

18.1.13 OFF-STREET PARKING REGULATIONS

1) Off-Street Parking Requirements

Table 18.3: Required Off-Street Parking

USE	REQUIRED PARKING SPACES
Residential Use	
All Residential Use	2 spaces per dwelling unit
Nonresidential Use	
Medical offices and clinics	3 spaces per examination room
Hospitals and nursing homes	1 space for each 3 beds
Pharmacies	1 space per 200 sq. ft. customer floor area
Restaurants and taverns	1 space per 100 sq. ft. customer floor area
Hotels and motels	1 space per guest room
Gas stations	4 spaces, plus 2 spaces for each enclosed auto space
Beauty shops	2 spaces per chair
Industrial uses	1 space for every 2 employees on shift plus adequate visitor parking
Churches	1 space for each 6 seats in main chapel
Professional office space	1 space per 300 sq. ft. customer floor area
Retail establishments	1 space per 250 sq. ft. customer floor area
Childcare facilities	1 space for each 10 children plus 1 drop off space, plus one space per staff person
All other uses	1 space per 350 sq. ft. customer floor area

- a. Parking spaces shall be sized and designated in accordance with standard Town specifications and shall be a minimum of eight (8) feet by twenty (20) feet.
- b. Maneuvering Area: Off-street parking shall provide sufficient off-street space to allow an automobile to enter, maneuver, and exit by backing into public street. Backing into alleyways is permissible except where otherwise prohibited by plat note.
- c. For purposes of this Subsection, "customer floor area" is the aggregate amount of internal floor area generally used by the public, or fifteen percent (15%) of the total floor area, whichever is greater.
- d. In cases of change of use, the Planning Commission shall review an updated Parking Plan. The review process will follow the procedure outlined in section 18.1.17, General Procedures.

18.1.14 PLANNED UNIT DEVELOPMENT (PUD)

- 1) Purpose. The Planned Unit Development (PUD) is a type of customized zoning district. If a PUD consists of individual lots, subdivision plat approval is also required and may be pursued concurrently. It is the purpose of this Section:
 - a. To promote and permit flexibility that will encourage innovative and imaginative approaches in land development and site design that will result in a more efficient, aesthetic, desirable, and economic use of land while maintaining the goals and policies of the Town's Comprehensive Master Plan.
 - b. To promote development within the Town that can be conveniently, efficiently, and economically served by existing local utilities and services or by their logical extension.
 - c. To promote design flexibility, including placement of buildings, use of open space, pedestrian and vehicular circulation systems to and through the site, and off-street parking areas in a manner that will best utilize potential on-site characteristics such as topography, geology, geography, size, and proximity.
 - d. To provide for the preservation of historic or natural features where they are shown to be in the public interest including, but not limited to, such features as: drainage ways, floodplains, existing topography or rock outcroppings, unique areas of vegetation, historic landmarks, or structures.
 - e. To provide for compatibility with the area surrounding the project site.
 - f. To provide for usable and suitably located open space such as, but not limited to, bicycle paths, playground areas, courtyards, tennis courts, swimming pools, planned gardens, outdoor seating areas, outdoor picnic areas, and similar open space.
 - g. To minimize adverse environmental impacts of development.
 - h. To improve the design, quality, and character of new development including energy efficiency.

- i. To promote community benefits in recognition of design flexibility.
- 2) **Eligibility Criteria.** All of the following criteria must be met for a property to be eligible to apply for PUD approval.
 - a. The proposed development shall be consistent with the Town's Comprehensive Master Plan.
 - b. The proposed development shall be consistent with the PUD purpose statement in Subsection 18.1.14(1).
 - c. The proposed development shall not impede the continued use or development of surrounding properties for uses that are permitted in the Development Code or planned for in the Town's Comprehensive Master Plan.
 - d. A recognizable and material benefit will be realized by both the future residents and the Town as a whole through the establishment of a PUD.
 - e. Required land area has been provided to comply with all applicable regulations of the Development Code, to serve the needs of all permitted uses in the PUD projects, and to ensure compatibility between uses and the surrounding neighborhood.
- 3) **Dimensional and Development Standards.** The following dimensional and development standards shall apply to all PUDs.
 - a. A PUD is permitted in any zone district.
 - b. PUD uses shall not be limited to those allowed in the underlying zone district but shall provide significant community enhancement not achievable through application of a standard zone district, and may include any uses or mix of uses supported by the Town's Comprehensive Master Plan.
 - c. Required Improvements of section 18.2.7 and Development Standards of section 18.2.8 shall apply to PUD projects.
- 4) **General Procedures.** All PUDs are processed in three stages: (1) sketch plan; (2) the preliminary PUD; and (3) the final PUD and in accordance with sections 18.2.5 General Procedures and section 18.2.6 Subdivisions. The final PUD can only be filed with the Town for review and processing after the preliminary PUD has been approved, or conditionally approved, by the Town Board of Trustees. The filing of a PUD shall not constitute the effective dedication of easements, rights-of-way, or access control, nor shall the filed PUD plan be the equivalent or substitute for the Final Platting of land. Specific procedures for preliminary PUD and final PUD are outlined below.
 - a. It is the intent of the Zoning Regulations that subdivision review required under Section 18.2.6, Subdivisions, as applicable, be carried out concurrently with the review of PUD development plans under this Section. If subdivision approval is required for the subject property, the PUD plans required under this Section shall be submitted in a form that satisfies the requirements for preliminary and final subdivision plat approvals. If any provisions of this Section conflict with the subdivision procedures or standards of this Development Code, the more restrictive or detailed requirements shall be met, unless specifically altered by the Town Board of Trustees.

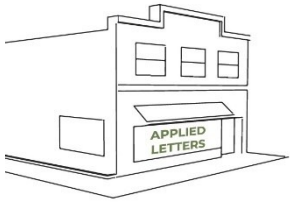

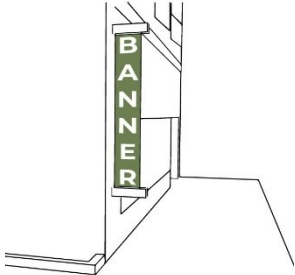
18.1.15 SIGN REGULATIONS

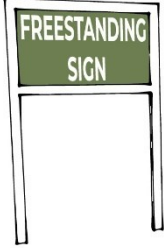


- 1) **Compliance Required:** It shall be unlawful to erect or maintain any sign except in conformity with the requirements of this Subsection. Signs not in conformity with the provisions of this Subsection are hereby declared to be a nuisance which may be abated by the Town in any lawful manner.

Table 18.4: Types of Signs by District

Sign Type	Zoning District							
	A = Allowed without permit P = Allowed with permit -- = Not Allowed							
	RR	SFR	MR	MHP	TC	HC	I	CF
Applied Lettering	--	--	--	--	A	A	A	A
Awning Sign	--	--	--	--	P	P	P	P
Banner Sign	--	--	--	--	P	P	P	P
Freestanding Sign	--	--	--	--	P	P	P	P
Monument Sign	--	P	P	P	P	P	P	P
Projecting Sign	--	--	--	--	P	P	P	P
Suspended Sign	--	--	--	--	P	P	P	P
Temporary Signs - Section 18.1.15 (3)	A	A	A	A	A	A	A	A
Wall Sign	--	--	--	--	P	P	P	P
Window Sign	--	--	--	--	A	A	A	A

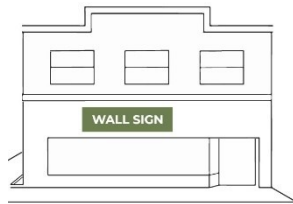
2) Primary Signs

Applied Letters		
	Description	A sign or informative text which is created by applying each letter individually, adhering them directly to the surface of a window without contrasting background material.
	Number of Signs	All applied letters are considered one (1) sign for a business
	Sign Area, maximum	No maximum
	Sign Height, maximum	No maximum height
	Types of Illumination	None
	Additional Standards	None
Awning Sign		
	Description	An awning or canopy is any device, fixed or retractable, made of canvas or duck cloth, which extends over or otherwise covers a sidewalk, courtyard, walkway, eating area, or space, whether that area or space is intended for pedestrians, vehicles, or other purposes.
	Number of Signs	Two (2) per building
	Sign Area, maximum	No maximum
	Sign Height, maximum	Roofline of the building or structure that the sign is mounted to.
	Types of Illumination	None
	Additional Standards	Must be securely affixed to a building and inspected by the Building Official upon completion.
Banner/Blade Sign		
	Description	Any sign of lightweight fabric or similar material that is mounted to a pole or a building at one edge. National flags, state, or other official flags of any institution or business shall not be considered banner.
	Number of Signs	One (1) sign per street frontage
	Sign Area, maximum	Twenty-four (24) square feet per sign, per street frontage
	Sign Height, maximum	Roofline of the building or structure that the sign is mounted to.
	Types of Illumination	Direct, halo, indirect, or internal
	Additional Standards	<ol style="list-style-type: none"> 1. Sign cannot project more than six (6) feet from the face of the building or structure that the sign is mounted to. 2. A sign owner must obtain the necessary permissions from, and provide proof of public liability insurance to, the Town before installing a sign that projects into a Town right-of-way. 3. A sign owner must obtain the necessary permissions from the Colorado Department of Transportation before installing a sign that projects into the State Highway 13 right-of-way.

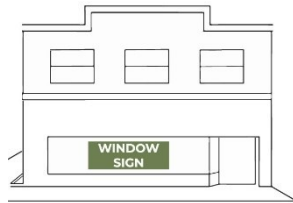
Freestanding Sign		
	Description	Any sign supported by structures or supports that are placed on or anchored in the ground, and that are independent from any building or other structure.
	Number of Signs	One (1) sign per street frontage or one (1) sign per subdivision
	Sign Area, maximum	Forty (40) square feet in the TC zoning district Sixty (60) square feet in the HC and I zoning districts Twenty-four (24) square feet in the RR, SFR, MR and MHP zoning districts
	Sign Height, maximum	Fifteen (15) feet above finished grade
	Types of Illumination	Direct or indirect
Additional Standards		
<ol style="list-style-type: none"> Freestanding signs cannot be placed on a public sidewalk. Freestanding signs cannot present a risk to public safety and/or interfere with the movement of pedestrians, persons with disabilities, bicyclists, or vehicles. 		
Monument Sign		
	Description	Any detached sign whose sign surface is attached to a proportionate base or structural frame, the width of which shall be a minimum of ¼ the width of the widest part of the sign face. Said base shall not exceed a height of three (3) feet above the average finished grade. An enclosed or solid sign base shall not be required if the sign face is within one (1) foot of the average finished grade.
	Number of Signs	One (1) sign per property
	Sign Area, maximum	Fifty (50) square feet
	Sign Height, maximum	Six (6) feet
	Types of Illumination	Direct, halo, indirect, or internal
Additional Standards		
None		
Projecting Sign		
	Description	Any sign affixed to a building or wall in such a manner that its leading edge extends more than one (1) foot beyond the surface of the building or wall. A projecting sign may be either perpendicular or parallel to a wall and may have a message on more than one face.
	Number of Signs	One (1) sign per building frontage
	Sign Area, maximum	Twenty (20) square feet per sign
	Sign Height, maximum	Roofline of the building or structure that the sign is mounted to.
	Types of Illumination	Direct, halo, indirect, or internal
Additional Standards		
<ol style="list-style-type: none"> Sign cannot project for more than six (6) feet from the face of the building or structure that the sign is mounted to. A sign owner must obtain the necessary permissions from, and provide proof of public liability insurance to, the Town before installing a sign that projects into a Town right-of-way. A sign owner must obtain the necessary permissions from the Colorado Department of Transportation before installing a sign that projects into the State Highway 13 right-of-way. 		

Suspended Sign

Description	A sign that is suspended from the underside of a horizontal plane surface and is supported by that surface.
Number of Signs	One (1) sign per frontage of a building occupied by a nonresidential use
Sign Area, maximum	Forty (40) square feet per sign in the TC zoning district Sixty (60) square feet per sign in the HC, I and CF zoning districts
Sign Height, maximum	Roofline of the building or structure, or the top of the parapet wall that the sign is mounted to
Types of Illumination	Direct, halo, indirect, or internal
Additional Standards	None


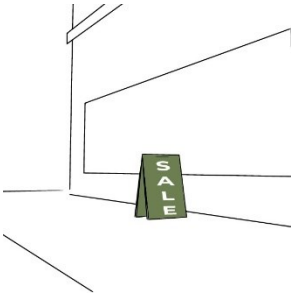

Wall Sign

Description	Any sign parallel and attached to a wall, painted on the wall surface of, or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building, and displays only one sign surface.
Number of Signs	One (1) sign per frontage of a building occupied by a nonresidential use
Sign Area, maximum	Forty (40) square feet per sign in the TC zoning district Sixty (60) square feet per sign in the HC, I and CF zoning districts
Sign Height, maximum	Roofline of the building or structure, or the top of the parapet wall that the sign is mounted to
Types of Illumination	Direct, halo, indirect, or internal
Additional Standards	<ol style="list-style-type: none"> 1. May be mounted to wall, side of mansard roof, or a parapet wall. Sign shall extend no more than one (1) foot from the surface of the wall, side of mansard roof, or parapet wall that it is mounted to. 2. May be inscribed on, or attached to, the vertical or nearly vertical surface of an awning that is permanently attached to a building.

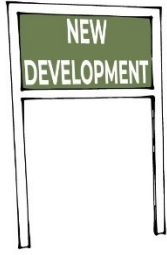
Window Sign

Description	Any sign, pictures, symbols, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale, or service that is placed within or upon the interior face of a windowpane of glass, including a sign panel hung within or mounted close to the transparent portion of a window so as to be visible from the exterior of the window.
Number of Signs	One (1) sign per window or door that abuts or faces a public right-of-way
Sign Area, maximum	No maximum
Sign Height, maximum	The top of the glazing area that the sign is displayed on
Types of Illumination	Indirect or internal
Additional Standards	None

3) Temporary Signs – no permit necessary

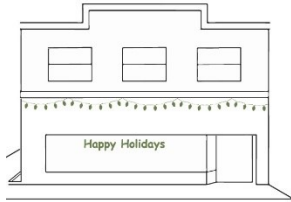
Feather Sign		
	Description	Any sign of lightweight fabric or similar material that is mounted to a pole or a building at one edge.
	Number of Signs	Two (2) per property
	Sign Area, maximum	Not Applicable
	Sign Height, maximum	Ten (10) feet
	Types of Illumination Permitted	None
	Additional Standards	<ol style="list-style-type: none"> 1. Feather signs cannot be placed on a public sidewalk. 2. Feather signs cannot present a risk to public safety and/or interfere with the movement of pedestrians, persons with disabilities, bicyclists, or vehicles.
Portable Sign		
	Description	A non-illuminated, free-standing sign located on A-, T-frame, or other similar structure.
	Number of Signs	One (1) sign per use/tenant
	Sign Area, maximum	Four (4) square feet per sign
	Sign Height, maximum	Four (4) feet
	Types of Illumination	None
	Additional Standards	<ol style="list-style-type: none"> 1. May be placed on a public sidewalk only if displayed during hours of operation (i.e., business hours), prior and/or during an event, and does not present a risk to public safety and/or interfere with the movement of pedestrians, persons with disabilities, bicyclists, or vehicles. 2. A sign owner must provide proof of public liability insurance to the Town before installing a sign that projects into a Town right-of-way. 3. A sign owner must obtain the necessary permissions from the Colorado Department of Transportation before installing a sign that projects into the State Highway 13 right-of-way.
Temporary Banner Sign		
	Description	Any sign that is not permanently mounted, except for a window sign that is in place for a period of not more than thirty (30) days.
	Number of Signs	One (1) banner per property
	Sign Area, maximum	Fifty (50) square feet per sign
	Sign Height, maximum	Six (6) feet if freestanding or roofline of the building or structure that the sign is mounted to
	Types of Illumination	None
	Additional Standards	<ol style="list-style-type: none"> 1. Sign can be displayed for a total of one hundred-twenty (120) calendar days per year. 2. All contact points of a banner must be secured directly to a building, structure, or anchored to the ground. 3. Cannot be located in a public right-of-way. 4. Must be located and installed in a manner that does not pose a safety hazard to motorists, bicyclists, persons with physical disabilities, or pedestrians.

Temporary Development Sign



Description	A sign that is associated with a construction site and displayed during the construction period.
Number of Signs	One (1) per development site
Sign Area, maximum	Thirty-two (32) square feet
Sign Height, maximum	Six (6) feet if freestanding or roofline of the building or structure that the sign is mounted to
Types of Illumination	None
Additional Standards	<ol style="list-style-type: none"> 1. Must have a building permit issued by the Town prior to erecting sign. 2. Sign must be removed within twenty-four (24) hours of a temporary certificate of occupancy, or a certificate of occupancy being issued by the Town.

Temporary Holiday Decoration/Display



Description	Seasonal décor and displays that coincide with recognized holidays.
Number of Signs	Not Applicable
Sign Area, maximum	Not Applicable
Sign Height, maximum	Not Applicable
Types of Illumination	Direct, halo, indirect, or internal
Additional Standards	<ol style="list-style-type: none"> 1. Can be displayed for a total of sixty (60) calendar days per year. 2. Cannot be located in public right-of-way.

Temporary Yard Sign



Description	A temporary sign for a temporary activity, such activities include, but are not limited to, a property being listed for sale, rent or lease; a garage, yard, or estate sale; an election; a special event; and/or hunting season.
Number of Signs	One (1) per street frontage and three (3) off-premises signs
Sign Area, maximum	Four (4) square feet per sign
Sign Height, maximum	Four (4) feet
Types of Illumination	None
Additional Standards	<ol style="list-style-type: none"> 1. Cannot be located in the public right-of-way.

4) Sign Lighting

- a. Direct
 - i. A sign in which the greater part of the light goes directly from the source to the area lit.
- b. Halo
 - i. A sign where illumination occurs when individually mounted opaque raised letters or symbols incorporate a backlit, recessed light source behind mounted elements so that the light source is not directly visible.
- c. Indirect
 - i. A sign where illumination is derived entirely from an external artificial source, which is arranged so that no direct rays of light are projected from such artificial source into residences or streets.
- d. Internal
 - i. A sign in which a source of lighting is concealed entirely within a sign that makes sign graphic visible by transmitting light through translucent or semi-translucent material.

5) Digital Signs

- a. Digital Display Sign (Message Center Display Sign)
 - i. A sign utilizing a digital display. This sign type utilizes a light source derived from LCD, LED, or other display technologies, with a message that stays the same or features changeable graphics and/or video. If the graphics only contain time, date, and/or temperature, the sign shall be considered a "Time, Date, and/or Temperature" sign.
 - ii. Maximum number of signs: one (1) sign per street frontage.
 - iii. Maximum sign area: fifteen (15) square feet.

- iv. Maximum sign height: same as the maximum building height permitted in the applicable zoning district.
- v. Types of illumination: direct or indirect.
- vi. Additional Standards
 - 1. Only permitted on properties in the HC zoning district that abut the right-of-way for State Highway 13.
 - 2. Must be integrated with a freestanding sign. The area of a message center display shall count towards the maximum sign area allowed for a freestanding sign.
 - 3. Any sign containing a message center display must be a minimum of 1,000 feet from any other freestanding sign with a message center display along the same side of the block.
 - 4. A freestanding sign with two (2) parallel sign faces may have one (1) message center display on each sign face. The total combined area of the displays shall not exceed fifteen (15) square feet.
 - 5. The users or tenants in a multi-use or multi-tenant building or property may share a message display center on the premises.
 - 6. Shall not have any parts or pieces that move, or have the appearance or optical illusion of motion.
 - 7. Must use an automatic sensor to dim the display's intensity of light in contrast to the surrounding ambient light. Between the sunset of one day and the sunrise of the following day, a message center display shall not have a light intensity greater than 20 percent (20%) of the display's maximum intensity, pursuant to the manufacturer's specifications.
 - 8. Must have a default mode that freezes a display in a still position during a malfunction (i.e., a default mode that prevents a display from flashing, blinking, flickering, or other similar effect during a malfunction).
 - 9. Each message shall be displayed for a minimum of four (4) seconds and there must be a minimum interval of one (1) second between each message.
 - 10. Television quality video and/or graphics, or intermittent or full-motion video shall not be displayed.
 - 11. Unless otherwise provided herein, the messaging displayed must directly pertain to a good, service, facility, use, event, and/or activity that is sold, offered, produced, manufactured, conducted, or otherwise located on the same property where the message center display is located.
 - 12. The display of noncommercial public interest messaging (e.g., messaging associated with a state or federal holiday, an event sponsored by a government agency, a not-for-profit corporation, or a charitable organization) is also permitted.
 - 13. Blinking, flickering, flashing, or rotating lights, messages that continuously scroll or travel, or animated effects are not permitted.

b. Time, Date, and/or Temperature

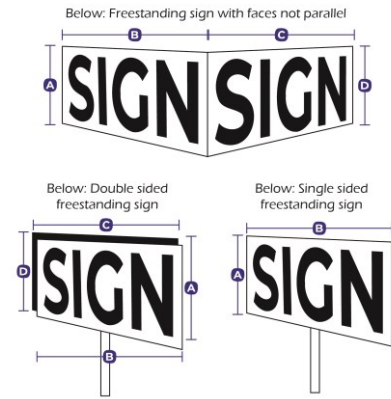
- i. A digital message center display that displays only time, date, and/or temperature, either freestanding or integrated into a monument sign.
- ii. Maximum number of signs: one (1) display per property
- iii. Maximum sign area: fifteen (15) square feet
- iv. Maximum sign height: same as the maximum building height permitted in the applicable zoning district
- v. Types of illumination: direct or indirect
- vi. Additional Standards
 - 1. Standards from Subsection 18.1.15(5)(a)(vi)(1-13) apply to Time, Date, and/or Temperature signs
 - 2. An existing sign containing time, date, and/or temperature display, in legal existence as of the effective date of this land use code, shall not be changed, altered, modified, or converted in any manner, to a sign with a Message Center Display, if such change, alteration, modification, or conversion causes or results in such existing sign not complying with any provision of this section.

6) Permits:

- a. Except for the signs specified in Section 18.1.15(1), no sign may be erected and maintained until a Sign Permit has been issued by the Building Official. Applications for a standard sign permit issued pursuant to this Subsection 18.1.15(6) shall be submitted to the Town on forms supplied by the Town and accompanied by an application fee set by Town ordinance and published on website. Applications for permits issued pursuant to Subsection 18.1.15(6), for signs erected over town streets and alley right-of-way, pursuant to revocable right-of-

- way permit, shall be submitted to the Town on forms supplied by the Town and accompanied by an application fee set by Town ordinance and published on website.
- b. In any building with multiple tenants, the owner of the building, as shown by the records of the County Clerk and Recorder, shall be required to apply for and be issued a sign permit for the entire building and all the uses therein. The building owner shall, thereafter, be responsible for the apportionment of the total sign area for the building amongst each tenant occupying the property owner's building.
 - c. Applications for sign permits shall be on forms provided by the Town.
 - d. Within ten (10) days the Building Inspector shall grant a permit only for signs which will be in compliance with the requirements of this Subsection.
- 7) Performance Criteria: All signs shall meet the requirements of this paragraph, whether a permit is required or not.
- a. All signs shall be maintained in good, legible, and safe condition.
 - b. No sign shall be erected or maintained which creates a traffic or other safety hazard.
 - c. All signs shall be constructed and maintained in accordance with any applicable provisions of the Town's Building Codes.
 - d. All signs shall be erected and maintained in accordance with applicable requirements of state law.
 - e. A sign shall be designed and constructed to withstand wind pressures and receive dead loads, as required in the most recent International Building Code as adopted by the Town, and shall be determined by an engineer, licensed in the state, employed by the business erecting the sign, subject to the review of the Building Official or Town Engineer.
 - f. No sign shall be erected or maintained which creates a public or private nuisance, or which unreasonably interferes with the reasonable enjoyment of the adjacent property by reason of unreasonable light, shade, or other effects.
 - g. Signs shall not exceed the allowable sign limit per zone and the maximum square footage per type, (Table 18.5)
 - h. No sign shall have more than two (2) sign faces. (Figure 18.9: Sign Faces)
 - i. Mounted signs shall be flush mounted against a building or wall.
 - j. Signs may be erected only on property for which the sign owner has a legal right to erect such sign.
 - k. No more than 50 percent (50%) of any sign face may be internally illuminated.
 - l. Materials: Signs lit with a dark-skies compliant external source are recommended over internally lit signs. A "halo" type sign, which uses solid letters with a light source behind them, illuminating the wall around the letters, is acceptable. If internally illuminated signs must be used, illumination of letters and graphics is allowed; however, illumination of background is prohibited.

Figure 18.9: Sign Faces



Calculating Sign Area
 $(A \times B) + (C \times D) = \text{Sign Area}$

Table 18.5: Maximum Sign Allowance per Zoning District

	RR	SFR	MR	MHP	TC	HC	I	CF
Length of Building Front (of publicly accessed street)	--	--	--	--	x 3	x 4	x 3	x 3
<p><i>Calculating Maximum Sign Allowance</i> Building Frontage x Zone Multiplier = Maximum Sign Allowance</p>								

- 8) Nonconforming Signs:
- a. Any permanent sign in existence at the time of the adoption of this Chapter that is not in conformance with the provisions of this Chapter shall be considered a nonconforming sign, except any portable or temporary sign, and may continue in existence so long as such sign is maintained and kept in a state of good repair. Nonconforming signs that are structurally altered, relocated, or replaced shall comply with all provisions of this Chapter within sixty (60) days of the date of such alteration, relocation, or replacement, as shown by the records of the Town.

- b. Any temporary or portable sign which, at the time of the adoption of this Chapter, does not conform to the provisions of this Chapter, shall be considered nonconforming, and the owner of such sign shall be notified by the Town by certified mail, return receipt requested, to remove said sign within three (3) months from the date of mailing of said notice or, in the alternative, change, alter, or modify said sign so that it shall conform to the provisions of this Chapter. If said sign has not been removed, changed, or altered as required herein, the Town shall be authorized to remove said sign at the expense of the owner of said sign.

Table 18.6: Sign Permit Summary

SIGN PERMIT SUMMARY	
Pre-Application Meeting	n/a
Approximate Timeline	Less than one (1) month to receive permit
Submittal Requirements	Sign Permit Application Sign Permit Fee
Submittal Deadline	n/a
Public Notification	None
Review Process	Town Staff Reviews and makes decision
Expiration	No Expiration
Form of Decision	Permit

18.1.16 SUPPLEMENTAL REGULATIONS

- 1) Intent: Unless otherwise noted, the following Supplemental Regulations are guided by the Conditional Use Regulations outlined in Section 18.1.18.
- 2) Home Occupations
 - a. Home occupations may be conducted within a residential premises or accessory structure related thereto in any zone as an accessory use only if the following criteria are met:
 - i. Town and State Sales Tax Licenses must be obtained if sales taxable by the Town or State are to be made.
 - ii. Only residents of the dwelling unit may be engaged in the home occupation.
 - iii. No unreasonable noise, glare, smoke, dust, vibration, or odor shall be observable off the premises.
 - iv. The home occupation activity shall not utilize or occupy more than twenty-five percent (25%) of the total gross floor area of the dwelling. In-home daycare operations are exempt from this rule.
 - v. Home occupations are allowed one (1) sign on the premises that is a maximum of two (2) square feet.
 - vi. No business activity or storage of property involved in the business may take place outside of enclosed structures, except for horticulture activities.
 - vii. The short-term rental of rooms, such as bed and breakfast operations, do not qualify as an accessory use pursuant to this Subsection.
 - viii. When a home occupation is determined to be in violation of the provisions of this Section by the Town, the Town shall give the owner of the dwelling written notice of the violation, which may require abatement, the relocation of the use, or the termination of the use of the property for home occupation.
 - b. It shall be unlawful to maintain, own, or operate any offensive or unwholesome business or establishment within the Town, including, but not limited to, rendering plants, tanneries, pig sites, feed lots, dairy farms, manufacture and storage of explosives, sugar beet pulp storage facilities, foundries, or petroleum product refineries, unless such business was lawfully in existence at the effective date of this Section, or at the effective date of annexation subsequent to the effective date of this Section. In either event, such business or establishment shall be subject to the Nonconforming Use Regulation of Subsection 18.1.19 of these regulations, and all other applicable regulations of the Town.

3) Temporary Use Permits

- a. The Town Planner and/or Administrator may issue a permit authorizing certain temporary uses of premises in a district for a use that is otherwise not allowed in such a district for the periods specified in Table 18.7, Temporary Use Permits.
- b. A permit for up to one (1) year may be issued by the Planning Commission for a temporary location or use of a manufactured home or RV home under the following circumstances:
 - i. For fire protection or security purposes, application is not needed for this type of Temporary Use in any district.
 - ii. Prior to the establishment of a temporary use or structure, the applicant shall file an application for a Temporary Use Permit with the Town. The Town shall have up to ten (10) business days to review the permit at which point they may approve, deny, or approve with conditions, the Temporary Use Permit. The Temporary Use Permit shall be reviewed by the Town Planner and/or Administrator.

18.7: Temporary Use Permits

USE	DISTRICT	PERIOD	TEMPORARY USE PERMIT REQUIRED?
Carnival, Concert, Circus, Festival, Market, Rally, or Similar Public Event	TC, HC, I, CF	One (1) week	Yes
Construction office, yards incidental to construction on the premises, or sales office	All Districts	For any building or structure, pursuant to Title 15 or any other provisions of these Town Regulations, for the period of a valid building permit or upon the issuance of a Certificate of Occupancy, whichever occurs first; or for any other type of construction, for the period of any Town agreement, permit, or contract authorizing such construction.	Yes
Farm Stand, Pop-Up Retail, Mobile Vendor, or other Similar Retail Event	All Districts	Two (2) weeks	Yes
Garage/Yard Sale	All Districts	Ten (10) Consecutive Days	No
Parklet	TC, HC, I	One hundred-twenty (120) Consecutive Days	Yes
Tent meeting, Crusade, or Similar Religious Event	All Districts	Two (2) weeks	Yes

4) Use and Location of RV Homes:

- a. RV homes may be occupied only in the following circumstances:
 - i. Within a licensed RV Home Park, in accordance with the rules and regulations of the specific RV Home Park.
 - ii. Upon private property for temporary occupancy by out-of-town guests for a period not to exceed fourteen (14) consecutive days in a thirty (30) day period for any tract of land.
 - iii. Upon property for which a permit has been issued by the Town, pursuant to Subsection 18.1.16(3), Temporary Use Permits.
- b. RV Home may be parked, if unoccupied, upon private property if in compliance with zoning setbacks, or temporarily upon public streets, in compliance with section 10.08, Streets and Handling of Snow, if registered under state law and lawfully parked. However, they may not be parked in a manner which creates a traffic hazard.

5) Garage and Yard Sales:

- a. Notwithstanding restrictions of Town Zoning Regulations, or junk, litter, or nuisance ordinances, garage and yard sales may be conducted within the Town, consistent with the conditions set herein. Any and all garage and yard sales shall be considered accessory to residential use and shall be allowed for a maximum of ten (10) consecutive days with no permit required.
 - b. The sale shall be conducted so that no traffic hazards or nuisances are created.
- 6) Bed and Breakfast Operations:
 - a. A bed and breakfast operations shall meet all of the following conditions, the intent of which is to allow a bed and breakfast where it does not create the appearance or impact of commercial lodge activity, such as a hotel or motel:
 - i. Must be located in the building that serves as the primary residence of the owner of the bed and breakfast.
 - ii. The owner of the bed and breakfast must reside on the premises while it is in operation.
 - iii. All guest rooms for the bed and breakfast shall be in the building on the premises. Up to six (6) guest rooms are allowed. Guest rooms are not permitted to have cooking facilities.
 - iv. No more than twelve (12) guests are allowed to stay at the bed and breakfast at any given time.
 - v. Parking for a bed and breakfast shall comply with Section 18.1.13, Off-Street Parking Regulations.
 - vi. Signage for the bed and breakfast is permitted in accordance with Section 18.1.15, Sign Regulations.
 - vii. No meals shall be served to members of the public other than persons renting rooms for nightly occupancy.
 - viii. Other than serving guests, the use shall not include any other commercial activities, including, but not limited to, for-profit private parties or receptions, retail sales, or similar activities.
 - b. All bed and breakfasts shall be subject to, and comply with, all applicable safety and health inspections, licenses, registrations, fees, taxes (e.g., sales tax, lodging tax, etc.) that other lodging facilities and licensed businesses in the Town of Meeker are subject to.
- 7) Accessory Dwelling Units
 - a. The creation of Accessory Dwelling Units (ADU) is generally encouraged as an effective means to improve housing affordability, provided that each ADU complies with the following standards:
 - i. ADUs are only allowed as accessory to a single-family dwelling. Only one ADU per single-family dwelling unit is permitted.
 - ii. The ADU must be constructed in accordance with applicable requirements of the Town Building Code. It may be attached or detached to the principal residential unit. Applicable dimensional requirements for a single-family dwelling as set out in Subsections 18.1.5-18.1.12 must be met for the premises where allowed.
 - iii. One (1) off-street parking space shall be provided for the accessory dwelling unit in addition to any other required off-street parking.
 - iv. The maximum ADU size on lots less than 7,499 square feet is 650 square feet. For lots 7,500 square feet and over, an ADU is limited to 10% of the lot size, not to exceed 1,000 square feet of gross living area.
 - v. The ADU must be owned together with the principal residential unit and the lot or parcel upon which they are located.
 - vi. The ADU may be served off of the water tap for the principal residence, in which case it shall not be subject to additional tap fees.
 - vii. The burden shall be upon the owner of any ADU to provide adequate proof to the Town that the criteria of this Section are met. In the event that the Town determines that the criteria have not been shown to be satisfied, the unit may not be occupied as a residence.
 - viii. A dwelling unit constructed before a principal single-family home, which meets these criteria, may be converted to an ADU following construction of a new principal dwelling unit.
 - ix. An ADU, as defined in Subsection 18.1.2, either attached or detached to the primary dwelling, may be utilized as a short-term rental only under the following circumstances:
 1. Adhere to the regulations in Section 18.1.16(9).
- 8) Telecommunications Antenna and Tower Regulations
 - a. Telecommunication towers and antennas shall be located, and comply with the provisions:
 - i. Noncommercial television and telecommunications receivers and amateur radio antennas, which qualify as an accessory use to the main use on the premises, may be located on such premises.
 - ii. Antennas for "personal wireless services" as defined in 97 USC 332(c)(2) shall be limited to residential zoning districts or upon Town-owned property in other zoning districts pursuant to

leases or permits with the Town, with terms and conditions adequate to ensure safety and reasonable compatibility with the neighborhood in which they are located, including requirements for camouflaging where appropriate.

- iii. Commercial radio, television, and other telecommunication transmitters and receivers shall be restricted to the HC and I Zoning District.
- iv. Additional receivers or transmitters may be installed on existing telecommunication towers regardless of the zoning district.

- b. All telecommunication antennas and towers shall be limited to the maximum structure height in accordance with Table 18.7 or allowed in accordance with the following exceptions:

Table 18.7: Dimensional Requirements for Telecommunication Towers and Antennae

		All Zones
Setback, Minimum	From Base of Tower/Antenna to a Public or Private Road (measured "times height")	1 ½
	From Base of Tower/Antenna to Nearest Property Line (measured "times height")	2 ½
Height, Maximum	Tower/Antenna Height	100 ft.

- i. Telecommunications antennas, receivers, and transmitters may be located on lawfully existing towers and structures, as long as they are not above the tower structure.

- ii. A variance to the height limitations otherwise applicable may be obtained for an amateur radio antenna for noncommercial use, pursuant to the review procedure of Section 18.1.17, General Procedures, if the Planning Commission determines that the following criteria are met:

1. A higher tower is necessary to be reasonably adequate for the domestic communication purposes.
2. No reasonable alternative exists.
3. No adverse impacts will be created with respect to other property in the area.

- iii. A variance to the height limitations otherwise applicable may be obtained for personal wireless service antennas if the Planning Commission determines pursuant to the review procedure of Section 18.1.17, General Procedures, that the following criteria are met:

1. Space is not available at a commercially reasonable price on an existing tower or structure located in a technically feasible location, and no other location which will provide reasonably adequate service in compliance with the height limitations set out above.
2. No adverse effect on property values in the area will be caused, and no safety hazard will be created.
3. The design and color of the tower and appurtenances shall be reasonably compatible with the site and surrounding area.

- iv. Commercial telecommunication antennas or towers up to forty (40) feet in height may be installed upon Town owned property within the "I" Industrial Zoning District.

- c. A final decision to deny a variance shall be in writing and supported by a substantial written record.

- d. All towers and structures shall be subject to the building setback requirements of Subsections 18.1.5-18.1.12 and applicable provisions of the Town Building Code.

9) Short-Term Rental Regulations

- a. Intent and Purpose: Establish standards and procedures by which residential short-term rentals can be provided, in a manner that protects both the quality of experience and the character of the Town. It is the Town's intent to establish short-term rental regulations to promote a mix of lodging options and support the local economy, while also upholding the integrity of the Town.

- b. Permitted Types of Short-Term Rentals

- i. For short-term rental in the following zoning districts: Rural Residential, Single-Family Residential, Mixed Residential, Town Core and Highway Commercial, the structure involved in a short-term rental:

1. Shall be a single-family dwelling or structure; or
2. Shall be an Accessory Dwelling Unit; or
3. Shall be a property with up to four connected dwelling structures owned by the same owner, in which the dwellings may be used as a short-term rental; or
4. Shall be an individual unit within a multi-family dwelling; or
5. Shall be a mixed-use building with at least one (1) residential unit.

- ii. The following types of residences are prohibited from being used as short-term rentals:
 - 1. Mobile homes.
 - 2. RVs, tiny homes, sheds, tents, yurts, or other similar temporary structures.
 - iii. Dwelling units located within a lodging business premises are exempt from obtaining a short-term rental license.
- c. Performance Standards for Short-Term Rentals:
 - i. The unit being rented shall be a dwelling unit as defined pursuant to Section 18.1.2, shall not have more than five (5) bedrooms, nor be leased or used to any group containing more than ten (10) people.
 - ii. The unit shall have a minimum of one (1) off-street parking spaces available and any additional spaces necessary to accommodate the tenant's vehicles off-street.
 - iii. There shall be an owner or owner's agent available to be at the unit within twenty (20) minutes, who is on call full time to manage the property during any period the unit is rented, and their contact information must be posted in the short-term rental.
 - 1. If an agent is listed, the name, address, and phone number of the agent must be kept current on file with the Town.
 - iv. Adequate trash service shall be provided for the short-term rental.
 - v. The unit shall be maintained in compliance with applicable Town ordinances and regulations. The rental of residential units as provided herein shall not unreasonably annoy or interfere with the use or enjoyment of public or private property for which constitutes a health or safety hazard.
 - vi. The owner must have current State and Town sales tax licenses, and collect and remit sales taxes and lodging taxes.
- d. Registration, Licensing, and Renewal
 - i. An application is required to be submitted in accordance with Section 18.1.17 General Procedure and fee schedules, as the Board of Trustees may adopt from time to time.
 - ii. A Short-Term Rental license is issued to the real property owner and is not transferable, except if the real property for which the valid Short-Term Rental license has been issued is transferred, pursuant to a deed meeting any of the following conditions:
 - 1. The transfer of title to real property if the grantee is a member of the grantor's family.
 - 2. The transfer of title to real property from a grantor to a limited liability company or another form of business entity recognized by Colorado law so long as the grantor has a controlling interest in such limited liability company or other business entity.
 - 3. Any transfer of the property between the same parties creating or terminating a joint tenancy in such property.
 - 4. The transfer of title or change of interest in real property by reason of death, pursuant to a will, the law of descent and distribution, or otherwise.
 - 5. The transfer of title to make effective any plan confirmed or ordered by a court of competent jurisdiction under the bankruptcy code or in an equity receivership proceeding.
 - 6. The transfer of title without consideration for the purpose of confirming, correcting, modifying, or supplementing a transfer previously recorded; making minor boundary adjustments; removing clouds of titles; or granting rights-of-way, easements, or licenses.
 - 7. The transfer of title pursuant to any decree or order of a court of record quieting, determining, or vesting title, including a final order awarding title pursuant to a condemnation proceeding.
 - 8. The transfer of title between spouses or former spouses made pursuant to a separation agreement, decree of legal separation, or dissolution of marriage.
 - iii. The real property owner remains solely responsible for compliance with these regulations and any policies adopted by the Board of Trustees from time to time.
 - iv. Real property owners who have a Short-Term Rental license must maintain liability insurance during the licensing period.
 - v. Short-Term Rental licenses are valid for one (1) year.
 - vi. Renewal applications are due on or before February 28th of each year.
 - 1. All licensed Short-Term Rentals will be required to submit a Renewal Application and applicable fees, set forth by Town ordinance and published on website, to remain an active licensed Short-Term Rental.
 - 2. Renewal applications shall be reviewed by Town staff and at their discretion may choose to accept or deny renewal. If Town staff recommends denial of renewal application, the license

is then reviewed by the Board of Trustees at a Public Hearing within forty-five (45) days of application renew deadline.

3. Applicants who fail to meet the deadline or have an incomplete application shall lose their Short-Term Rental license.
 - e. Short-Term Rental Licenses Cap and Buffer
 - i. The maximum number of Short-Term Rental licenses issued by the Town is twenty (20).
 - ii. The minimum distance between Short-Term Rentals in the Rural Residential (RR), Single Family Residential (SFR) and Mixed Residential (MR) zones is set at 300 feet. The subject property must be 100% covered by a buffer to be denied a Short-Term Rental license for this reason. For properties located in the Town Core (TC) and Highway Commercial (HC) zones the buffer shall not apply.
 1. Properties that fit the criteria of 18.1.16(9)(b), Permitted Types, and owned by the same owner and have the same address but have multiple units within such building, will be considered one license.
 - f. Building Requirements
 - i. The Short-Term Rental shall meet all applicable local, state, and federal regulations, including the requirement for carbon monoxide detectors under C.R.S § 38-45-101 et seq.; lighting; one (1) wall mounted, certified, five (5) lb. ABC Fire Extinguisher within the short-term rental kitchen area; smoke detector requirements; and all other life-safety requirements, such as egress from sleeping areas.
 - g. License Posting Requirements
 - i. The Short-Term Rental License must be posted in a conspicuous place and contain the following items:
 1. Contact information for the owner or responsible party.
 2. The Short-Term Rental address and license number.
 3. Maximum number of guests.
 4. Location of fire extinguishers.
 5. Parking and snow storage rules.
 6. Trash disposal information.
 7. Information on any county or state fire bans.
 8. Map showing locations where trailer and large vehicle parking is allowed.
 - h. Revocation or Suspension of License
 - i. A license may be revoked after notice to the real property owner and opportunity to be heard for violations which result in more than two suspensions or serious violations which affect the health, safety, and welfare of the public.
 - ii. A license may be suspended after notice to the real property owner for one or more violations of any condition of the license or any provision of these regulations during the licensing period.
 1. Written notice of any violation shall be mailed to the real property owner at the address provided in the most recent application.
 2. The suspension is effective for seven (7) days after the date of notice.
 3. This suspension procedure does not apply when an emergency arises which affects the health, safety, and welfare of the public under the Town's police powers.
 - i. Violations and Penalties
 - i. It shall be unlawful to operate a Short-Term Rental without a valid license or to violate any provision in these Short-Term Rental regulations or any other Town ordinance, resolution, or official policy regarding Short-Term Rentals or any other state law or federal law.
 - ii. Violations are declared to be a nuisance, which may be abated in any lawful manner, including Section 9.10, Public Nuisances.
 - iii. Enforcement and penalties for violations for these Short-Term Rental regulations shall be provided for in Section 18.1.23, Enforcement and Administration.
- 10) Marijuana
- a. The cultivation, manufacture, distribution, storage, or sale of marijuana shall not be a lawful use by right, accessory use (including as a home occupation), conditional use, or lawful nonconforming use in any zoning district of the Town of Meeker.
- 11) Fueling Stations
- a. Performance Standards
 - i. All fuel storage shall be located underground.

- ii. All gasoline pumps, lubrication, and service facilities shall be located at least twenty (20) feet from any street right-of-way line.
 - iii. A minimum lot frontage of 125 feet is required.
 - iv. The main building on the site shall be set back at least forty (40) feet from any property line.
- 12) Adult Entertainment Establishments
 - a. Design and Layout. The following limitations shall apply to the design and layout of all adult entertainment establishments.
 - i. Exterior doors shall remain closed during business hours.
 - ii. All materials, projections, entertainment, or other activities involving or depicting sexual activities or sexual anatomical areas shall not be visible from off-premises areas or from portions of an establishment accessible to minors.
 - iii. Sounds from projections, entertainment, or other activities shall not be audible from off-premises areas.
 - iv. Advertisements, displays, or other promotional materials depicting sexual activities or sexual anatomical areas shall not be visible from any public or semi-public area.
 - v. All building openings, entries, and windows shall be located, covered, or screened to prevent the interior from being viewed from any public or semi-public area.
 - b. Location and Access.
 - i. Adult entertainment establishments shall not be located within one thousand (1,000) feet of another adult entertainment establishment, measured from the nearest exterior wall of the proposed adult entertainment establishment to the nearest exterior wall of any other adult entertainment establishment.
 - ii. Adult entertainment establishments shall not be located within one thousand (1,000) feet of the following protected uses, measured from the nearest exterior wall of the proposed adult entertainment establishment to the nearest lot boundary of the protected use, provided such protected use is established on or before the date the application for the proposed adult entertainment establishment is filed:
 - 1. Childcare homes and childcare centers
 - 2. Schools
 - iii. Adult entertainment establishments shall not be located within one thousand (1,000) feet of the following zoning district boundaries: RR, SFR, MR, MHP, TC, HC, I or CF measured from the nearest exterior wall of the proposed adult entertainment establishment to the nearest edge of the zoning district boundary.
 - c. Operation and Ownership.
 - i. No licensee, manager, or employee serving food or drinks or mingling with the patrons shall be nude or in a state of nudity.
 - ii. Separate restroom facilities shall be provided for employees and independent contractors, and shall only be accessible by employees and independent contractors.
 - iii. No licensee, manager, or employee shall encourage or knowingly permit any person, including patrons, to engage in prohibited sexual activities on the premises. Such conduct is unlawful and shall be subject to penalties, as set forth in Title 1 (General Provision), Chapter 9 (General Offenses) of the Meeker Municipal Code.
 - iv. Adult entertainment establishments shall be closed to the public between the hours of 1:00 a.m. and 9:00 a.m.
 - v. Any person who operates or causes to be operated an adult entertainment establishment without a valid license issued pursuant to Title 5, (Business Taxes, Licenses, and Regulations) Article VIII of the Meeker Municipal Code, or who violates any provision of this Subsection, commits unlawful conduct and shall be subject to an injunction, civil penalties, and criminal penalties, as set forth in Section 18.1.16(12)(d) of this code.
 - vi. Each day of operation in violation of any provision of this Subsection shall constitute a separate offense.
 - d. Sexually Oriented Business Performance Standards
 - i. Intent: The purpose and intent of this section is to regulate adult entertainment establishments to promote the health, safety, and general welfare of the residents of the Town, and to establish reasonable and uniform regulations to prevent the deleterious location and concentration of adult entertainment establishments within the Town, thereby reducing or eliminating the adverse secondary effects from such businesses. The provisions of this Section are not intended to impose a limitation or restriction on the content of any

communicative materials, including sexually oriented materials. It is not the intent of this Article to restrict or deny access by adults to sexually oriented materials protected by the First Amendment of the United States Constitution, or to deny access by the distributors and exhibitors of sexually oriented entertainment to their intended market. Neither is it the intent nor effect of this Section to condone or legitimize the distribution of obscene material.

ii. License Requirement and Fee

1. It shall be unlawful for any person to operate an adult entertainment establishment in the Town without a valid license issued pursuant to this Section.
2. The initial license fee, renewal license fee, and penalty for operating without a license shall be established by resolution of the Town Board of Trustees, as may be amended from time to time.

iii. Application

1. Each application for an adult entertainment establishment license shall include the following:
 - a. The name, address, and telephone number of the applicant and, if the applicant is an individual, satisfactory proof that they are twenty-one (21) years of age or older.
 - b. If the applicant is a legal entity, satisfactory proof that each of the individual officers, directors, managers, partners, members, or principal owners of such entity are twenty-one (21) years of age or older.
 - c. The address of the proposed adult entertainment establishment.
 - d. A description of the type or types of adult entertainment proposed, such as an adult cabaret or an adult movie theater.
 - e. Whether the applicant or any of the other individuals required to be listed in the application have, within five (5) years from the date of the application, been convicted of a criminal act and, if so, the criminal act involved, the date and place of conviction, and the disposition of the charge or charges.
 - f. Whether the applicant or any of the other individuals required to be listed in the application has had a previous license under this or any other similar sexually oriented business ordinance from another city or county denied, suspended, or revoked and, if so, the name and location of the sexually oriented business for which the license was denied, suspended, or revoked, as well as the date of such denial, suspension, or revocation.
 - g. Whether the applicant or any of the other individuals required to be listed in the application hold any other licenses under this division or other similar sexually oriented business ordinances from another city or county and, if so, the names and locations of such other licensed businesses.
 - h. Satisfactory proof of the applicant's ownership or right to possession of the premises wherein the adult entertainment establishment will be operated.
 - i. A sketch or diagram showing the configuration of the premises, including a statement of the total floor space occupied by the business. The sketch or diagram need not be professionally prepared, but it must be oriented to the north or to some designated street or object, and shall be drawn to a designated scale or drawn with marked dimensions of the interior of the premises to an accuracy of plus or minus six (6) inches. The licensing officer may waive the foregoing diagram for transfer and renewal applications if the applicant adopts a diagram that was previously submitted and certifies that the configuration of the premises has not been altered since it was prepared.
 - j. A current certificate and straight-line drawing prepared within thirty (30) days prior to an initial application by a Colorado registered land surveyor depicting:
 - i. The property lines and the structures of the premises to be licensed.
 - ii. The location of the property lines of existing protected uses:
 1. Childcare homes and childcare centers
 2. Schools
 3. For purposes of this Section, a use shall be considered existing if it is in existence at the time an application is submitted.

iv. License Issuance, Renewal, and Term

1. Issuance. The Town Administrator may issue an adult entertainment establishment license under this Section upon satisfaction of the following conditions:
 - a. The applicant has submitted a completed application form which satisfies the application requirements set forth in Section 18.1.16(12)(d)(iii) and has provided all required information regarding the adult entertainment establishment.
 - b. The applicant has paid the appropriate license fee established by the Town Board of Trustees.
 - c. The proposed adult entertainment establishment is located in an allowed zone and is not within the proscribed radius of a protected use, pursuant to Subsection 18.1.12(b) of this Code.
 - d. The building in which the adult entertainment establishment is to be conducted is ready for occupancy with such furniture, fixtures, and equipment in place as are necessary to comply with the provisions of this Section and the plans and specifications approved by the Town with the application, as verified by inspection of the premises by the Police Department.
2. Renewal. A licensee shall apply for renewal of the license by submitting a completed renewal application form and the required renewal license fee no later than thirty (30) days prior to the expiration of the existing license term. The Town Administration shall renew the license prior to the end of the term, provided that the renewal application and fee were timely submitted, and the Town Administration is not aware of any fact that would have prevented issuance of the original license or issuance of the renewal.
3. Term. All licenses issued under this Section shall be for a term of one (1) year from the date of the license first being issued.
4. Expiration. A license that is not timely renewed shall expire at the end of its term. The failure to timely obtain a renewal of a license requires submission of a new application.
- v. License revocation and suspension.
 1. Any license issued pursuant to this Section may be suspended or revoked by the Town Board of Trustees upon ten (10) days' written notice to a licensee stating the contemplated action and, in general, the grounds therefor, and after a reasonable opportunity for the licensee to be heard, for any of the following reasons:
 - a. Violation by a licensee or licensee's officers, agents, or employees of any of the provisions of this Section, or any relevant or applicable laws of the United States, the State of Colorado, or ordinances of the Town.
 - b. Violations of any conditions imposed by the Town Administration office in connection with the issuance or renewal of a license.
 - c. Failure to pay state or local taxes, or the annual license fee that are related to the operation of the adult entertainment establishment.
 - d. If any fact or condition exists which, if it had existed or had been known to exist at the time of the application, would have warranted the refusal of the issuance of the license.
 - e. Failure to file any report or furnish any information that may be required by provisions relating to this Section.
 - f. Loss of right to possession of the licensed premises.
 - g. Fraud, misrepresentation, or a false statement of material fact contained in the original or renewal license application.
- vi. Penalties.
 1. In addition to any other remedies available at law or equity, operating an adult entertainment establishment within the Town without a license shall subject the violator to a fine in an amount to be established by resolution of the Town Board of Trustees, as may be amended from time to time.

13) Accessory Buildings

- a. An accessory building shall not be erected on a lot prior to the construction of the principal building, except in the event that the construction of the accessory building is necessary for the orderly development of the lot in conjunction and consistent with a building permit issued by the Town for the construction of the principal building on the lot, pursuant to the permitted or Conditional Uses of the lot. No accessory use shall be permitted on any lot in any zone district in the Town prior to the existence of the permitted or Conditional Use on the lot.

- b. No accessory building or use on a lot shall be inconsistent with or contrary to any permitted or Conditional Use of any lot in any zone district in the Town. All accessory buildings or uses in any zone district shall conform to the requirements of these regulations.
- c. A shed, not exceeding a ground floor area of one hundred twenty (120) square feet, may be constructed, installed, or erected on any lot, as an accessory building, in any side or rear yard and shall be exempt from the side or rear yard setback in any zone district, as required by these regulations. Such shed shall be constructed, installed, or erected on the lot so that the shed roof drip line does not extend beyond the rear or side building lot line.
- d. Notwithstanding the provisions of this Section, no shed, regardless of size or whether it required exemption from the issuance of any Town building permit, as provided by these regulations, shall be constructed, installed, or erected in any front yard, as defined by this Section, or in, on, or over any easement established by survey, plat, deed, or other instrument on any lot. This front yard limitation for the placement of a shed shall not apply in the HC zone district.

18.1.17 GENERAL PROCEDURES

The following procedures shall apply to all zoning applications which are reviewed under this Chapter.

- 1) Pre-application Conference. A Pre-application Conference is recommended for all zoning applications.
 - a. The Pre-application Conference serves to assist the applicant with:
 - i. Identifying information which must be provided for a complete zoning application.
 - ii. Understanding the zoning application review process.
 - iii. Identifying appropriate referral agencies for review and comment.
 - iv. Achieving compliance with zoning standards and understanding relevant planning issues.
 - v. Determining appropriate fees.
 - b. The Town Planner may include other Town and agency representatives in the Pre-application Conference as deemed appropriate. The applicant shall provide sufficient information to the Town Planner at least five (5) days prior to a scheduled Pre-application Conference, unless such a time frame is waived by the Town Planner. Minimum information shall include:
 - i. Applicant information.
 - ii. Property description.
 - iii. Description of the proposed development or nature of the zoning application.
 - iv. Conceptual site plans or drawings which illustrate the nature of the zoning application.
 - c. The Town Planner may provide a written letter no more than ten (10) days after the Pre-application Conference, summarizing application submittal requirements, review procedures, zoning standards, planning issues, and required fees. The informal evaluation of the Town Planner and staff provided at the Pre-application Conference is not binding upon the applicant or the Town. Critical issues relevant to a zoning application may not be apparent at the Pre-application Conference and may require additional review, submissions, or studies later in the application process.
- 2) Application Submittal.
 - a. The owner of real property, or authorized representative of the owner with a properly acknowledged power of attorney, may submit a zoning application. No zoning application shall be received for processing or approved, and no application for a building permit shall be granted when the applicant is in default under any related or unrelated agreement or obligation to the Town.
 - b. The applicant shall submit the application to the Town Planner. Application submittal requirements for every application type shall be established by the Town Planner on submittal forms available in the Appendices to this Code. The Town Planner may adopt standards and requirements for electronic and graphic information for application submittal requirements. The Town Planner may waive submission requirements where appropriate to specific applications; however, the waiver of any submission requirement shall not preclude the Planning Commission or Town Board of Trustees from requiring such information where deemed necessary for evaluation of the zoning application with the applicable review criteria. The minimum submittal requirements for all applications shall include:
 - i. Completed application form.

- ii. Owner's signature or an acknowledged power of attorney if the owner has authorized an agent or representative to act as the applicant.
 - iii. Title insurance commitment along with copies of all documents listed in the exceptions.
 - iv. Legal description of the property subject to the development application.
 - v. Zoning application review fees.
 - vi. Survey no more than three (3) years old, stamped by a surveyor licensed in the State of Colorado.
 - vii. Reports or studies as may be necessary to adequately evaluate the zoning application for compliance with the review criteria. Such reports include, but are not limited to, studies of soils, geological hazards, fiscal impacts, market analysis, traffic impacts, and/or environmental impacts. The applicant shall furnish the reports or studies needed at the applicant's sole expense. The Town may require independent peer review of any report or study provided by the applicant. The applicant and the Town may agree to retain a mutually acceptable consultant to prepare a report or study, which cost shall be paid by the applicant. All required reports or studies shall be executed by professionals or other persons qualified to provide the requested reports. The form and content of reports or studies may be established by the Town Planner.
 - c. Concurrent Review Permitted. Where multiple zoning applications concern the same property, the Town Planner may permit concurrent review of the zoning applications for efficiency and practicality.
 - d. Multiple Applications. A single property shall not be permitted to have more than one (1) application of the same type being processed concurrently.
 - e. Fees shall be paid in accordance with Section 18.1.23, Fees and Costs.
- 3) Application Processing.
- a. Determination of Completeness. A zoning application shall be reviewed for completeness by the Town Planner within fourteen (14) business days after receipt. If the application is determined to not be complete, then a written communication shall be promptly provided to the applicant indicating the specific deficiencies in the application. The determination that an application is complete, or the failure to determine an application is incomplete within fourteen (14) days shall not preclude the Town from requiring information that is necessary and relevant to evaluate the zoning application for compliance with the review criteria. A determination by the Town Planner that the application is incomplete may be appealed to the Town Board of Trustees, in accordance with the procedures in Section 18.1.20, Variance and Appeal.
 - b. Referral to Other Agencies. Zoning applications may be referred to other agencies for review and comment. Referral to other agencies shall be sent within ten (10) days from the Determination of Completeness. Referral agencies shall submit written comments to the Town Planner within twenty-one (21) days. Failure to submit comment within the timeframe shall constitute approval. The Town Planner shall identify appropriate referral agencies and shall consider the comments from referral agencies as part of the staff review and report. The Planning Commission and Town Board of Trustees may determine that referral of a zoning application to an agency for review and comment is appropriate where such referral agencies may provide comments relevant to evaluating the development application for compliance with the review criteria. The review of any proposal may be delayed if additional information and/or studies are required to determine if applicable regulations can be met. Referral agencies shall include, but are not limited to:
 - i. Any utility, local improvement, or service district or ditch company, when applicable.
 - ii. Any governmental or quasi-governmental entity or department.
 - iii. The Colorado Department of Transportation (CDOT) when the proposed zoning request is adjacent to or in sufficient proximity to affect a CDOT right-of-way, interchange, or other facility.
 - iv. The Colorado Geological Survey for findings and recommendations pertaining to geologic factors, including geologic hazards, mineralized areas, and sand and gravel areas that would have a significant impact on the proposed use of the land.
 - v. Any other agency concerned with a matter or area of local interest that could be affected by the application.
- 4) Staff Review and Report. The Town Planner shall review the application in accordance with the criteria established in this Zoning Code, and shall prepare written findings of fact, and include any relevant conditions. The Town Planner shall prepare a recommendation and submit the recommendation and findings to the appropriate review and decision-making authority.
- a. Required Processing. Applicants shall be required to continuously and diligently pursue their zoning applications, which shall include responding in a timely manner to staff comments and requests. An applicant who fails to

respond to staff comments or requests for a period of four (4) months shall have their application administratively withdrawn by the Town Planner, unless the Town Planner determines that good cause exists to extend the application time frame and approves such extension in writing.

- 5) Notice. Notice shall be required for all public hearings conducted by the Planning Commission and Town Board of Trustees.
- a. The following types of notice shall be used to notify the public of applications submitted to the Town for review and decision:
 - i. Published Notice: Publication in a newspaper of general circulation.
 - ii. Posted Notice: Posting a sign on the property.
 - iii. Mailed Notice: Mail to property owners within 300 feet.
 - iv. Certified mail to mineral rights owners, if applicable pursuant to Colorado Revised Statutes (C.R.S) 30-28-133 (10) and 24-65.5-101 et al.
 - b. Published Notice. Notice shall be published in the legal section of a newspaper of general circulation within the Town.
 - c. Posted Notice.
 - i. Notice shall be posted in the designated official places of posting by the Town.
 - ii. Posting of notices on the property subject to an application shall be prepared by the Town and meet the following standards:
 1. Include information on how to access the application materials.
 2. Include Town contact information.
 3. Be of a size and form and consist of at least a single sign facing, and that is reasonably visible and legible from an adjacent public right-of-way. If there is no location on the subject property that is conspicuously and readily visible from the adjacent public right-of-way, the Town Planner can approve an alternate location. The Town Planner may require large properties to include additional signage.
 - d. Mailed Notice. For procedures that require mailed notice, notice shall be sent by first-class mail. The Rio Blanco County Assessor's records may be used to determine the addresses of real property owners. Mailed notice shall be sent by the Town at the applicant's expense. The Town shall include a certificate of mailing in the public record. Notice shall be mailed no later than ten (10) days before the scheduled Public Hearing. For certified mail to mineral rights owner's notice shall be mailed no later than 30 days prior to the Public Hearing.
 - e. Notice Content. Every required form of notice shall state the date, time, and place of the hearing(s), the name of

Table 18.8: Noticing Requirements

Application Type	Published	Mailed	Posted	Mineral Estate
Appeal	X	X	-	-
Conditional Buildings	X	X	X	-
Conditional Use*	X	X	X	-
Temporary Use	-	-	-	-
Zoning Variance	X	X	X	-
Rezoning/Amendment to Zoning Map	X	X	X	X
Amendment to LUDC	X	X	-	-
Planned Unit Development	X	X	X	X
Amendment to Planned Unit Development	X	X	X	-

* Includes permit for the following Uses: Home Occupation, Bed & Breakfast, Accessory Dwelling Units, Short-Term Rentals and Adult Entertainment uses.

the applicant, a general description of the subject property indicating its location, a brief summary of the subject matter of the hearing, a description of the proposed zoning request, a statement that the application or information relating to the proposed change or amendment is available at Town Hall during regular business hours for review or inspection by the public, and a statement that written comments may be submitted to the Town.

- f. **Public Notice Time Requirements.** Unless otherwise provided in this Code, public notice time requirements include the day the notice is posted, appears in the newspaper, is mailed, and shall also include the day of the public hearing.
- g. **Constructive Notice.** Minor defects in any notice shall not impair the notice or invalidate proceedings pursuant to the notice if a bona fide attempt has been made to comply with applicable notice requirements. Minor defects in notice shall be limited to errors in a legal description or typographical or grammatical errors that do not impede communication of the notice to affected parties. In all cases, however, the requirements for the timing of the notice and for specifying the time, date, and place of a hearing shall be strictly construed. Any person who appears at a public hearing is deemed to have received constructive notice and waived any grounds to challenge defective notice. If a question arises at the hearing regarding the adequacy of notice, the reviewing or decision-making body shall make a formal finding as to whether there was substantial compliance with the notice requirements of this Zoning Code. When the records of the Town document the publication, mailing, and posting of notices as required by this Section, it shall be presumed that notice was given as required by this Section. If the reviewing or decision-making body takes action to continue a hearing to a future specified date, time, and location, then constructive notice is deemed to have been provided for such continued hearing date and additional notices shall not be required.
- 6) **Public Hearings.** The Town Planner shall schedule a public hearing date before the Planning Commission and/or Town Board of Trustees after a complete application has been received, Town staff has completed Town staff review, and referral agencies have had an opportunity to provide comments. The Town Planner may delay the scheduling of a public hearing to a subsequent meeting when an agenda of the Planning Commission or Town Board of Trustees is full. A complete application shall be scheduled for an initial public hearing no less than fifteen (15) days and no more than forty-five (45) days after the date that the application is determined to be complete unless the applicant consents to scheduling the public hearing on a later date. The Planning Commission or Town Board of Trustees may continue a public hearing on

Table 18.9: Summary of Applications and Reviewing Authority

APPLICATION TYPE	PRE-APPLICATION CONFERENCE	TOWN STAFF	PLANNING COMMISSION	TOWN BOARD	SECTION
Appeal	-	-	-	D	
Conditional Buildings	Required	R	R	D	
Conditional Use					
Home Occupation	Optional	R	R	D	18.1.16 (2)
Temporary Use	Optional	D	-	-	18.1.16 (3)
Bed & Breakfast	Optional	R	R	D	18.1.16 (6)
Accessory Dwelling Unit	Optional	R	R	D	18.1.16 (7)
Telecommunication Antenna	Optional	R	R	D	18.1.16 (8)
Short-Term Rental	Optional	R	R	D	18.1.16 (9)
Short-Term Rental Renewal	Optional	R/D*			18.1.16 (9)
Adult Entertainment	Required	R	R	D	18.1.16 (12)
Zoning Variance	Required	R	D	-	18.1.20
Rezoning/Amendment to Zoning Map	Required	R	R	D	18.1.21
Amendment to LUDC	Optional	R	R	D	
Planned Unit Development	Required	R	R	D	18.1.14
Amendment to Planned Unit Development	Required	R	R	D	18.1.14
LEGEND: R=Reviews and provides recommendation D=Reviews and makes decision					
* Refer to Section 18.1.16(9)(d)(vii)(1)					

its own initiative for a maximum of sixty-five (65) days after the date of the initial public hearing without the consent of the applicant. The Planning Commission or Town Board of Trustees may continue a public hearing for a maximum of ninety-five (95) days with the consent of the applicant. The reviewing authority shall have thirty-five (35) days after the close of a public hearing to issue written findings in accordance with this Section 18.1.17.(6)(c). Review and Decision. The following rules shall apply to review, recommendations, and decisions conducted at public hearings and summarized in Table 18.9: Summary of Applications and Reviewing Authority.

- a. The reviewing authority shall be the Town Planner, or other staff appointed by the Town Administrator, when the Town Staff has the authority to approve a development application. The reviewing authority shall be the Planning Commission and/or Town Board of Trustees for all zoning applications that are subject to a public hearing. The reviewing authority shall review zoning applications for compliance with all relevant standards and criteria as set forth in the specific procedures for the particular application in this Zoning Code, as well as the following general criteria which shall apply to all zoning applications:
 - i. The development application is complete.
 - ii. The development application provides sufficient information to allow the reviewing authority to determine that the zoning application complies with the relevant review criteria.
 - b. If the reviewing authority finds that the submittal materials are not adequate to evaluate the zoning against the review criteria, it may require additional studies as necessary. In doing so, the reviewing authority shall indicate the specific consequences or concerns for which the standard submittal requirements fail to provide adequate means of evaluation, and the data or information needed for proper evaluation. The results of any study or analysis shall not dictate either approval or disapproval of the proposed zoning request.
 - c. The reviewing authority shall adopt written findings which document that a recommendation or decision is based upon a determination of whether the zoning application complies with the applicable review criteria. The written findings shall state the conditions or mitigation.
 - d. Conditions. The reviewing authority may recommend approval or may approve a zoning application with conditions where such conditions are deemed necessary to ensure compliance with the applicable review criteria and the purpose and intent of this Zoning Code. Conditions shall be in written form. Conditions may include:
 - i. Specific time limits for performance of any condition.
 - ii. Financial performance guarantees from the applicant where the condition requires improvements for mitigation, where deemed necessary to public health, safety or welfare, or where deemed necessary to protect adjacent property or public infrastructure. Financial performance guarantees shall be in the form of an agreement that is acceptable to the Town.
 - iii. Limitation on hours and/or days of operation.
 - iv. Requirement for review, on an annual or other basis, of the history of permit condition compliance.
 - v. Right to prohibit or restrict transfer of a permit.
 - vi. Duration of a permit.
 - vii. Such other conditions as are found to be reasonable and appropriate to address or mitigate any significant negative impacts or a threat to public health, safety, or welfare presented by the proposal.
 - e. A decision by the reviewing authority shall become final unless a written appeal is timely submitted to the Town in accordance with the applicable provisions of this Zoning Code. The date of the decision shall be the date that the reviewing authority renders a decision. The Town shall mail the written findings and notification of decision to the applicant within five (5) days of the decision of the reviewing authority. The Town Board of Trustees reserves the authority to render a final decision on all decisions rendered under this Zoning Code, and only a decision of the Town Board of Trustees may be subject to legal challenge. The failure to timely submit a written appeal of a decision of the reviewing authority shall be deemed to be a waiver of any right to legally challenge such decision.
- 7) Expiration of Approval. All zoning approvals shall expire and become void one (1) year after the date of the approval if a building permit has not been issued prior to the expiration date, except when a different duration is specified in the zoning approval, a different duration is specified in the specific procedures for the zoning approval, or a request for extension is approved by the reviewing authority which granted the original zoning approval. The owner shall submit a written request for an extension to the Town Planner prior to the expiration date and shall state the reasons and circumstances for such extension request. The Town Planner and the Planning Commission may provide one (1) extension for a maximum of one (1) year. The Town Board of Trustees may provide multiple extensions and may provide extensions greater than one (1) year.

18.1.18 CONDITIONAL USES

- 1) Process for Conditional Use. Conditional Use requests will follow the procedures outlined in section 18.1.17, General Procedures.
- 2) Uses listed as conditional uses in Sections 18.1.5-18.1.12 for the various zoning districts provided in this Section shall be allowed only if the Planning Commission and Town Board of Trustees, when indicated on table 18.9, determines, following review procedure pursuant to Subsection 18.1.17, General Procedures, that the following criteria are substantially met with respect to the type of use and its dimensions.
 - a. The use will not be contrary to the public health, safety, or welfare.
 - b. The use is not materially adverse to the Town's Comprehensive Master Plan.
 - c. Streets, pedestrian facilities and bikeways in the area are adequate to handle traffic generated by the use with safety and convenience.
 - d. The use is compatible with existing uses in the area and other allowed uses in the district.
 - e. The use will not have an adverse effect upon other property values.
 - f. The location of curb cuts and access to the premises will not create traffic hazards.
 - g. The use will not generate light, noise, odor, vibration, or other effects that would unreasonably interfere with

Table. 18.10: Conditional Use Summary

CONDITIONAL USE PERMIT SUMMARY	
Pre-Application Meeting	Required in accordance with Table 18.9
Approximate Timeline	Two (2) months
Submittal Requirements	Conditional Review Application Evidence of good title Legal description Conditional Review fee Map, site plan, or plat/ILC
Submittal Deadline	Fifteen (15) days prior to Public Hearing with Planning Commission
Public Notification	Ten (10) days prior to Public Hearing (Table 18.8) - Posted notice at property - Mailed notice to property owners within 300 ft. - Published in newspaper
Review Process	In accordance with Table 18.9
Appeal Period	Ten (10) days following Planning Commission or Town Board of Trustees decision
Form of Decision	Permit

- the reasonable enjoyment of other property in the area.
- h. Visual impact due to a building's size shall be mitigated by means of design, landscaping, berming, and other methods of site treatment, and must be compatible with the mass and scale of existing buildings on adjacent properties, or if there are no such buildings, compatible with the mass and scale of buildings in the Town generally.
- 3) The burden shall be upon the applicant to prove that these requirements are met.

18.1.19 NONCONFORMING USES

- 1) Any use, building, or structure which at the effective date of this Section or at the time of annexation, if annexed subsequent to the effective date of this Section, was lawfully existing and maintained in accordance with the previously applicable County or Town Regulations and Ordinances, but that does not conform or comply with all of the requirements provided for in these Zoning Regulations, may continue to be maintained and used as a lawful nonconforming use only in compliance with the provisions and limitations imposed by this Subsection. Uses, structures, or buildings which were unlawful or illegal and not in compliance with previously applicable Regulations shall remain unlawful, illegal, and subject to abatement or other enforcement action.
- 2) If a use, building, or structure is lawfully nonconforming in that it is not a "Use By Right" or a "Conditional Use" that has been approved pursuant to the review provisions of Section 18.1.18, Conditional Uses, the following shall apply:
 - a. If the building, manufactured home, mobile home, or structure involved in the use is removed or if it is destroyed or damaged so that repair, replacement, or reconstruction will cost more than fifty percent (50%) of the fair market value of the building, manufactured home, mobile home, or structure after repair, it shall no

- longer be lawful to use the building, manufactured home, mobile home, or structure except in compliance with the Use Regulations for the District within which it is located.
- b. If the nonconforming use is abandoned or discontinued for a period of six (6) months, then the premises may only be used in compliance with the Use Regulations for the zone within which it is located.
 - c. The use may be continued only substantially as it existed at the effective date of this Section or of annexation, and no material change in the addition to type use shall be allowed, unless the Planning Commission determines, following the review procedure provided in the Subsection 18.1.17, General Procedures, that the criteria set out in Subsection 18.1.18, Conditional Uses, will be met, and that the new use is a more restrictive use than the existing nonconforming use for all purposes of this Section.
 - d. The extent or area of the premises utilized for, or by, the nonconforming use, building, or structure may not be materially extended or enlarged, or substantially altered, unless the Planning Commission determines, following the review procedure of Subsection 18.1.17, General Procedures, that the criteria set out in Subsection 18.1.18, Conditional Uses, will be met.
- 3) If the use, building, or structure is nonconforming with respect to dimensional requirements, design and performance standards, or other provisions not related to “use”, the following provisions shall apply:
 - a. If the nonconformity of the building, use, or structure is abandoned, removed, or corrected, such nonconformity may not be re-established.
 - b. If the building, manufactured home, mobile home, or structure is damaged so that the cost of replacing or restoring it is greater than fifty percent (50%) of its fair market value after replacement, the building, manufactured home, mobile home, or structure may be repaired or replaced only in compliance with these Zoning Regulations.
 - c. If the building or structure is damaged in such a way as to remove the nonconformity, the nonconforming feature may not be re-established by any repair or reconstruction, unless it is unfeasible to repair the building without re-establishing the nonconforming feature.
 - d. No alteration may be made to the use, building, or structure which would increase the amount or degree of the nonconforming feature. Changes in the use, building, or structure may be made which will decrease the degree or amount of nonconformity.
 - 4) This Subsection shall not apply to signs. Nonconforming signs shall be governed by the provisions of Subsection 18.1.15, Sign Regulations.
 - 5) Manufactured homes and Factory-Built Housing:
 - a. Notwithstanding the foregoing provisions of this Section, a lawful nonconforming manufactured home owned and occupied by the owner of the land upon which it sits may be replaced by another manufactured home to be owned and occupied by said owner if the Planning Commission determines, following the review procedure of Subsection 18.1.17, General Procedures, that the criteria set out in Subsection 18.1.18, Conditional Uses, will be met, and that the replacement manufactured home will comply with all other applicable Town regulations including the provisions of Section 15.20, Buildings and Construction of Manufactured Housing, of the Meeker Municipal Code.
 - b. Notwithstanding any of the foregoing provisions of this Subsection 18.1.19, any Factory-Built Housing, which is nonconforming as to restrictions on use or design and performance standards, which for a period of one (1) year is either unoccupied or does not have any authorized use of Town supplied water occur on the premises, shall be removed from the premises unless the structure has previously been issued a permit pursuant to Section 2.45.050, Public Sale of Abandoned Property, and it is erected on a permanent foundation complying with the requirements of the Town Building Code.

18.1.20 VARIANCE AND APPEAL

- 1) Process for Variance. Variance requests will follow the procedures outlined in Section 18.1.17, General Procedures.
- 2) Purpose for Variance
 - a. The Planning Commission may grant a variance from the Dimensional Requirements, Sign Regulations, Design or Performance Standards, and other provisions of these regulations not related to “use” and excluding Off-Street Parking Requirements, following the review procedure of Subsection 18.1.17, General Procedures, provided that the criteria of this Subsection will be met. No variance shall be granted from the provisions governing “Uses By Right” or “Conditional Uses” within any zoning district. Variances shall be granted only if all of the following criteria are met:
 - i. There are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the zoning ordinance.
 - ii. The spirit of the ordinance will be observed; the public health, safety, and welfare secured; and substantial justice done by granting the variance.
 - iii. The need for the variance has not been created by action of the applicant.

- b. The Planning Commission may grant a variance from the Off-Street Parking Requirement in the Town Core Zoning District, following the review procedure of Subsection 18.1.17, General Procedures, provided the criteria of this Subsection will be met. Variances may be granted if the spirit of the ordinance will be observed; the public health, safety, and welfare secured; and substantial justice done by granting the variance and any one of the following criteria are met:
- The variance is requested for an addition to an existing building, or the construction of a purely accessory structure and these modifications will have a de minimis effect on traffic and parking.
 - The placement of on-site parking is not congruent with the goals and objectives of the downtown and as such, will create an undesirable effect on the downtown streetscape, potentially interrupting, impeding, or otherwise adversely affecting existing or future infrastructure, such as pedestrian walkways and landscape areas.
 - There are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the Off-Street Parking Requirements.
- c. The burden shall be on the applicant to show that these criteria have been met.
- d. No variance or appeal shall be granted with less than three (3) votes of the Planning Commission.

Table 18.11: Variance and Appeal Summary

VARIANCE SUMMARY	
Pre-Application Meeting	Required
Approximate Timeline	One (1) month
Submittal Requirements	Completed Variance Application Evidence of good title Legal description Variance Application fee Agreement of payment form Context and vicinity map Map, site plan, or plat/ILC
Submittal Deadline	Fifteen (15) days prior to Public Hearing with Planning Commission
Public Notification	Ten (10) days prior to Public Hearing <ul style="list-style-type: none"> - Posted notice at property - Mailed notice to property owners within 300 ft. - Published in newspaper
Review Process	Town Staff – Reviews and Recommends Planning Commission – Reviews and Makes Decision
Appeal Period	Ten (10) days following Planning Commission decision
Form of Decision	Letter from Town of Meeker

18.1.21 AMENDMENTS AND ADDITIONS TO THE OFFICIAL ZONING MAP AND ZONING REGULATIONS (REZONING)

- Process for Rezoning. Rezoning requests will follow the procedures outlined in section 18.1.17, General Procedures.
- Rezoning:
 - Amendments to the Official Zoning Map involving any change in the boundaries of an existing zoning district, or change in the designation of a district, shall be allowed only upon a determination following a Public Hearing with the Planning Commission where recommendation is given to the Town Board of Trustees who will make the final decision, that the following criteria are met:
 - The amendment is not adverse to the public health, safety, and welfare.
 - Either:
 - The amendment is in substantial conformity with the Master Plan.
 - The existing zoning is erroneous.
 - Conditions in the area affected or adjacent areas have changed materially since the area was last zoned.

- b. Rezoning may be requested or initiated by the Town, the Planning Commission, or the owner of any legal or equitable interest in the property or their representative. The area considered for rezoning may be enlarged by the Planning Commission on its own motion over the area requested in the application as part of its recommendation. Any person desiring an amendment to the Zoning Regulations shall submit an application on forms provided by the Town, accompanied by the most recent application fee. Town staff shall have thirty (30) days from the date an application is submitted to review such submittal, and to advise the applicant of any deficiencies. Once submittal is deemed complete, it may be processed for further review by the Planning Commission and the Town Board of Trustees. The burden shall be on the applicant to show that the criteria of this Subsection have been met. No fee or formal application is required for action initiated by the Town or the Planning Commission.
- 3) Zoning of Additions:
- a. The Planning Commission may recommend to the Town Board of Trustees a zoning district designation for all property annexed to the Town not previously subject to Town zoning. Proceedings concerning the zoning of property to be annexed may commence at any time prior to the effective date of the annexation ordinance or thereafter.
- b. The zoning designation for newly annexed property shall not adversely affect the public health, safety, and welfare.
- 4) Legislative Zoning: Comprehensive review and re-enactment of all, or a significant portion, of the Official Zoning Map shall be a legislative action and shall not be required to meet any of the criteria set out in this Subsection.
- 5) Amendments to these regulations may be made only by ordinance.
- 6) All proposals to amend the Official Zoning Map shall be referred to the Planning Commission for recommendation.
- 7) The Town Board of Trustees shall review all proposals to amend the Official Zoning Map as the "Review Board" in substantial conformity with the review procedures set out in Subsection 18.1.17, General Procedures.

Table 18:12: Rezoning Summary

REZONING SUMMARY	
Pre-Application Meeting	Required
Approximate Timeline	Approximately three (3) months
Submittal Requirements	Completed Land Use Application Evidence of good title Legal description Land Use Application fee Agreement of payment form Zoning amendment map Mineral, oil, and gas notice verification
Submittal Deadline	Fifteen (15) days prior to Public Hearing with Planning Commission
Public Notification	Ten (10) days prior to Public Hearing <ul style="list-style-type: none"> - Posted notice at property - Mailed notice to property owners within 300 ft. - Mailed notice to mineral estate owners - Published in newspaper
Review Process	Town Staff – Reviews and Recommends Planning Commission – Reviews and Recommends Town Board of Trustees – Reviews and Makes Decision
Appeal Period	Ten (10) days following Town Board of Trustees decision
Form of Decision	Ordinance

18.1.22 ENFORCEMENT AND ADMINISTRATION

- 1) The Town Staff shall be responsible for the interpretation, administration, and enforcement of the provisions of these regulations, as amended; the Official Zoning Map, as amended; and of any decisions entered by the Planning Commission, Board of Appeals or Town Board of Trustees, pursuant to this Section.
- 2) No building permit, occupancy permit, or other permit or license shall be issued, nor shall any other action of approval be taken or allowed by the Town for any property that is not in compliance with the provisions of these Zoning Regulations, and any decision issued pursuant hereto.
- 3) Whenever necessary to make an inspection to enforce any of the provisions of these Zoning Regulations; or any provision of a decision entered, pursuant to this Section; or whenever there is reasonable cause to believe that a violation of any provision of these Zoning Regulations, or of any decision issued, pursuant to this Section exists the Chief of Police, building inspector, or their authorized representative, shall have the right to enter upon such building or premises at all reasonable times for purposes of inspection, or to perform any other duty imposed by this Section. Prior to entry, they shall identify themselves and request permission to enter from the occupant or person in charge of the premises if they can be found by reasonable efforts. If entry is refused, they shall have recourse to any remedy provided by law to secure entry.
- 4) The Town may maintain an action, in a court of competent jurisdiction, to enjoin any violation of these Zoning Regulations or of the terms of any decision entered pursuant to this Section.
- 5) It shall be unlawful to violate any of the provisions of these Zoning Regulations or the terms of any decision entered pursuant to this Section. Any person convicted of such a violation may be punished by a fine of up to \$300.00. Each day any violation continues shall constitute a separate violation.
- 6) Continuing violations of this Section, the terms of any decision issued pursuant to this Section, are hereby declared to be a nuisance, and may be abated in any lawful manner.

18.1.23 FEES AND COSTS

- 1) Schedule of Fees. A schedule of fees for Zoning applications will be adopted by resolution of the Town Board and may be amended from time to time by resolution. These fees shall be based on the costs incurred by the Town in processing, reviewing, and recording such applications. A copy of the schedule of fees is to be made available at Town Hall and on the Town's website.
- 2) The Town Board of Trustees, in its sole discretion, may defer, reduce, and/or waive certain land use fees within this Chapter 18 for projects demonstrating significant public benefit such as perpetual, deed-restricted affordable, or workforce housing projects.

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Chapter 18

Section 2

Subdivision Regulations

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18.2.1 GENERAL PROVISIONS

- 1) These Regulations shall be known and may be cited as the Town's "Subdivision Regulations".
- 2) These Regulations shall apply within the corporate limits of the Town.
- 3) The purposes of these Regulations are to:
 - a. Promote and protect the public health, safety, and welfare.
 - b. Ensure that new development bears its fair share of the cost of providing improvements and services resulting from the development of subdivisions.
 - c. Set forth uniform procedures and standards for the handling of subdivisions.
 - d. Ensure adequate and safe public services such as water, sewer, fire protection, streets, and storm drainage.
 - e. Implement the Town's Master Plan, Future Land Use Plan, and Development Regulations.
 - f. Encourage development which limits hazards due to erosion, flood, soil conditions, and excessive slopes.
 - g. Obtain land for parks, schools, and other public purposes.
 - h. Protect the quality of the water, air, and environment.
 - i. Encourage energy conservation, use of solar energy, clustered development, and infilling.
 - j. Encourage development which will not adversely affect adjacent property, historical, or recreational values.
 - k. Discourage development inconsistent with existing services and infrastructures.
 - l. Provide for safe and efficient flow of vehicles.
- 4) These Regulations shall not create any liability on the part of the Town, or any officer or employee thereof, arising from reliance upon these regulations or any administrative act, or failure to act, pursuant to these regulations.
- 5) These Regulations also apply to Planned Unit Development Plans as provided in Subsection 18.1.14, of the Town's Zoning Regulations.
- 6) The Town staff is authorized to accept electronic documents in lieu of paper copies if the Town staff determines that the documents in question can be appropriately and adequately distributed and reviewed electronically. Electronic copies shall be in an electronic format (.pdf, etc.) compatible with Town equipment.
- 7) Day calculation: Business days shall be used to calculate days one (1) to fourteen (14). Calendar days shall be used to calculate days over fifteen (15), including day fifteen (15). Day one (1) is defined as the first complete 24-hour day.

18.2.2 INTERPRETATION

- 1) In interpreting and applying provisions of these Subdivision Regulations, they shall be regarded as a minimum required for the protection of the public health, safety, and welfare. They shall be liberally construed to further the purposes specified in Subsection 18.2.1 above.
- 2) Whenever a provision of these Regulations and any other provision found in another Town ordinance or applicable law contains any restrictions or regulations covering the same subject matter, the restriction or regulation which is more restrictive or imposes a higher standard or requirement shall govern.

18.2.3 ENFORCEMENT

- 1) Whoever being the owner, or agent of the owner, of any land located within a subdivision transfers or sells, agrees to sell, or negotiates to sell any land by reference to or exhibition of, or by use of a plat of a subdivision before such plat has been approved by the Planning Commission, and recorded or filed in the office of the Rio Blanco County Clerk and Recorder, shall pay a penalty of \$100 to the Town of Meeker for each lot or parcel so transferred or sold, or agreed or negotiated to be sold. The description of such lot or parcel by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties, or from the remedies provided in this Subsection. The Town may enjoin such transfer or sale or agreement by action for injunction brought in any court of competent jurisdiction and may recover the penalty by civil action in any court of competent jurisdiction.
- 2) It shall be unlawful to erect, construct, reconstruct, use, or alter any building or structure, or to use any land in violation of any of these Subdivision Regulations, or to otherwise violate any provision of these Subdivision Regulations, or any provision of a Subdivision Improvements Agreement approved pursuant to these Regulations. Any person convicted of such a violation may be sentenced to a term of imprisonment not to exceed ninety (90) days, or fined an amount not to exceed **amount TBD**, or be sentenced to both such fine and imprisonment; however, no person under the age of eighteen (18) years shall be subject to any term of imprisonment, except for contempt of court. A separate offense shall be deemed committed during each day during which any violation continues.
- 3) No septic tank permit, building permit, or occupancy permit shall be issued for the development of property with respect to which a violation of these Subdivision Regulations, or a Subdivision Improvements Agreement approved pursuant to these Regulations has occurred, until the violation has been remedied satisfactorily to the Town.
- 4) The Town may bring an action in a court of competent jurisdiction to enjoin or abate any violation of these Subdivision Regulations, or of a Subdivision Improvements Agreement entered into pursuant to these Subdivision Regulations.

18.2.4 DEFINITIONS

For the purpose of these Regulations the following definitions shall apply:

APPLICANT: An owner of real property, including mineral owners and lessees, or the owner's representative, or owner of an option to acquire the property or portion thereof, who is authorized to represent the owner, and/or act upon any application or submittal.

BLOCK: A unit of land or a group of lots, bounded by streets or by a combination of streets and public lands or other rights-of-way other than an alley, waterway, or any barrier to the continuity of development, or land which is designated as a block on any recorded subdivision plat.

COMMON OPEN SPACE: Open space designed and intended primarily for the use or enjoyment of residents, occupants, and owners of a specific property or development.

COVENANTS: Private written agreements outlining regulations specific to a development. As private restrictions, they are not enforced by the Town. In the event of conflict between the covenants and this Code, this Code controls.

DEDICATION: Any grant by the owner of a right to use real property for the public in general, involving a transfer of property rights, and an acceptance of the dedicated property by the appropriate public agency.

DEVELOPER: Any person, partnership, joint venture, limited liability company, association, or corporation who participates as owner, promoter, developer, or sales agent in the planning, platting, development, promotion, sale, or lease of a development.

DEVELOPMENT: The grading or clearing of land; the erection, construction or alteration of structures; the change of use of a property; or the division of property to create two (2) or more separate ownership interests. "Development" shall also include:

- 1) Any construction, placement, reconstruction, alteration of the size, or material change in the external appearance of a structure on land.
- 2) Any change in the intensity of use of land, such as an increase in the number of dwelling units in a structure or on a tract of land, or a material increase in the intensity and impacts of the development.
- 3) Any change in use of land or a structure.
- 4) Any alteration within thirty (30) feet of a shore or bank of a river, stream, lake, pond, reservoir, or wetland.
- 5) The commencement of drilling oil or gas wells, mining, stockpiling of fill materials, storage of equipment or materials, filling, or excavation on a parcel of land.
- 6) The demolition of a structure.
- 7) The clearing of land as an adjunct of construction.

- 8) The deposit of refuse, solid or liquid waste, or fill on a parcel of land.
- 9) The installation of landscaping within the public right-of-way, when installed in connection with the development of adjacent property.
- 10) The construction of a roadway through or adjoining an area that qualifies for protection as a wildlife or natural area.

“Development” shall not include:

- 1) Work by a highway or road agency or railroad company, for the maintenance or improvement of a road or railroad track, if the work is carried out on land within the boundaries of the right-of way.
- 2) Work by any public utility for the purpose of inspecting, repairing, renewing, or constructing, on established rights-of-way, any mains, pipes, cables, utility tunnels, power lines, towers, poles, or the like; however, this exemption shall not include work by a public entity in constructing or enlarging mass transit, fixed guide way mass transit depots, terminals, or any similar traffic generating activity.
- 3) The maintenance, renewal, improvement, or alteration of any structure, if the work affects only the interior or the color of the structure, or the decoration of the exterior of the structure.
- 4) The use of any land for an agricultural activity.
- 5) A change in the ownership, or form of ownership, of any parcel or structure.;
- 6) The creation or termination of rights of access, easements, or covenants concerning development of land or other rights in land.

DRAINAGE (SYSTEM): A built system of pipes, channels or trenches, or finished grades utilized to convey stormwater runoff.

EASEMENT: An ownership interest in real property, entitling the holder thereof the use, but not possession, of that real property for one (1) or more specific purposes, public or private.

ENGINEER: A professional engineer licensed by the State of Colorado.

HOMEOWNERS ASSOCIATION: The association set up to enforce covenants and maintain common areas and buildings for a development (also known as "owners association").

LANDSCAPE AREA: The portion of a parcel of land with any combination of living plants, such as trees, shrubs, vines, ground cover, native grasses, flowers, or lawns; natural features and nonliving ground cover, such as rock, stone, and bark; and structural features, such as fountains, reflecting pools, art works, screen walls, fences, and benches, but shall not include paved walkways or parking areas.

LOT: A parcel of real property as shown with a separate and distinct number or letter on a plat recorded with the Rio Blanco County Clerk and Recorder, or when not so platted in a recorded subdivision, a parcel of real property abutting upon at least one (1) public street and held under separate ownership.

NEIGHBORHOOD: A geographical area, the focus of which is residential use, but also may include a mixture of activities that people need to live. A neighborhood may include a diversity of housing types, schools, parks, shopping, jobs (frequently service-type), and civic buildings.

OPEN SPACE: Any land or water area with its surface open to the sky, which serves specific uses of providing park and recreation opportunities, conserving natural areas and environmental resources, structuring urban development form, and protecting areas of agricultural, archeological, or historical significance. "Open space" shall not be considered synonymous with vacant or unused land, but serves important urban functions. Usable open space shall exclude areas used for off-street parking, off-street loading, service driveways, setbacks from oil and gas wells and their appurtenances, or other hazards to the public.

PARCEL: A tract or plot of land.

PARK: An area open to the general public and reserved for recreational, educational, or scenic purposes.

PERSON: A natural person, association, firm, limited liability company, partnership or corporation, trust, or other legal entity.

PHASE: A portion of property that is being platted and engineered for development at the same time.

PLAN: The map and supporting documentation for a development which includes, but is not limited to, lots, blocks, easements, rights-of-way, pedestrian ways, park and school sites, open space areas, and conservation areas in accordance with the requirements of this Development Code.

PLAT: A map of certain described land, prepared in accordance with the requirements of this Development Code and Section 38-51-106, C.R.S., as an instrument for the recording of real estate interests with the Rio Blanco County Clerk and Recorder.

PUBLIC HEARING: A meeting called by a public body, for which public notice has been given, and which is held in a place at which the general public may attend to hear issues and to express their opinions.

SITE PLAN: A scaled drawing of a lot, showing the actual measurements, the size and location of any existing or proposed buildings, the location of the lot in relation to abutting streets, and other details such as parking areas, access points, landscaped area, building areas, setbacks from lot lines, building heights, floor areas, densities, utility locations, and easements.

SUBDIVISION: The platting of a lot, or the division of a lot, tract, or parcel of land into two (2) or more lots, plots, sites, or airspace units.

TOWN: Town of Meeker, Colorado, and any authorized officer, employee, or agent thereof.

18.2.5 GENERAL PROCEDURES AND REQUIREMENTS

The following procedures shall apply to all development applications which are reviewed under this Chapter.

- 1) **Pre-application Conference.** A Pre-application Conference is required for all development applications, except Building Permit applications, unless waived by the Town Planner.
 - a. The Pre-application Conference serves to assist the applicant with:
 - i. Identifying information that must be provided for a complete development application.
 - ii. Understanding the development application review process.
 - iii. Identifying appropriate referral agencies for review and comment.
 - iv. Achieving compliance with development standards.
 - v. Understanding relevant planning issues.
 - vi. Determining appropriate fees.
 - b. The Town Planner may include other Town and agency representatives in the Pre-application Conference as deemed appropriate. The applicant shall provide sufficient information to the Town Planner at least five (5) days prior to a scheduled Pre-application Conference, unless such time frame is waived by the Town Planner. Minimum information shall include:
 - i. Applicant information.
 - ii. Property description.
 - iii. Description of the proposed development, or nature of the development application.
 - iv. Conceptual site plans or drawings which illustrate the nature of the development application.
 - c. The Town Planner will provide a written letter no more than ten (10) days after the Pre-application Conference summarizing application submittal requirements, review procedures, development standards, planning issues, and required fees. The informal evaluation of the Town Planner and staff provided at the Pre-application Conference is not binding upon the applicant or the Town. Critical issues relevant to a development application may not be apparent at the Pre-application Conference and may require additional review, submissions, or studies later in the application process.
- 2) **Application Submittal.**
 - a. The owner of real property or authorized representative of the owner with a properly acknowledged power of attorney, may submit a development application. No development application shall be received for processing or approved, and no application for a building permit shall be granted, when the applicant is in default under any related or unrelated agreement or obligation to the Town.
 - b. The applicant shall submit the application to the Town Planner. Application submittal requirements for every application type shall be established by the Town Planner on submittal forms available in the Appendices to this Section. The Town Planner may adopt standards and requirements for electronic and graphic information for application submittal requirements. The Town Planner may waive submission requirements where appropriate to specific applications; however, the waiver of any submission requirement shall not preclude the Planning Commission or Town Board of Trustees from requiring such information where deemed necessary for evaluation of the development application with the applicable review criteria. The minimum submittal requirements for all applications shall include:
 - i. Completed application form.
 - ii. Owner's signature, or an acknowledged power of attorney if the owner has authorized an agent or representative to act as the applicant.

- iii. Title insurance commitment which has been updated within sixty (60) days of the application submittal, along with copies of all documents listed in the exceptions.
 - iv. Legal description of the property subject to the development application.
 - v. Development application review fees.
 - vi. Survey no more than three (3) years old, stamped by a surveyor licensed in the State of Colorado.
 - c. Reports or studies as may be necessary to adequately evaluate the development application for compliance with the review criteria. Such reports include but are not limited to, studies of soils, geological hazards, fiscal impacts, market analysis, traffic impacts, and/or environmental impacts. The applicant shall furnish the reports or studies needed at the applicant's sole expense. The Town may require independent peer review of any report or study provided by the applicant. The applicant and the Town may agree to retain a mutually acceptable consultant to prepare a report or study, which cost shall be paid by the applicant. All required reports or studies shall be executed by professionals or other persons qualified to provide the requested reports. The form and content of reports or studies may be established by the Town Planner.
 - d. Concurrent Review Permitted. Where multiple development applications concern the same property, the Town Planner may permit concurrent review of the development applications for efficiency and practicality.
 - e. Fees shall be paid in accordance with Section 18.2.14, Fees.
- 3) Application Processing.
- a. Determination of Completeness. A development application shall be reviewed for completeness by the Town Planner within fourteen (14) business days after receipt. If the application is determined to not be complete, then a written communication shall be promptly provided to the applicant indicating the specific deficiencies in the application. The determination that an application is complete, or the failure to determine an application is incomplete within fourteen (14) days shall not preclude the Town from requiring information which is necessary and relevant to evaluate the development application for compliance with the review criteria. A determination by the Town Planner that the application is incomplete may be appealed to the Town Board of Trustees in accordance with the procedures in Section 18.1.20, Variance and Appeal.
 - b. Referral to Other Agencies. Development applications may be referred to other agencies for review and comment. Referral to other agencies shall be sent within ten (10) days from the Determination of Completeness. Referral agencies shall submit written comments to the Town Planner within twenty-one (21) days. Failure to submit comment within the time frame shall constitute approval. The Town Planner shall identify appropriate referral agencies and shall consider the comments from referral agencies as part of the staff review and report. The Planning Commission and Town Board of Trustees may determine that referral of a development application to an agency for review and comment is appropriate where such referral agencies may provide comments relevant to evaluating the development application for compliance with the review criteria. The review of any proposal may be delayed if additional information and/or studies are required to determine if applicable regulations can be met. Referral agencies shall include, but are not limited to:
 - i. Any utility, local improvement, or service district or ditch company, when applicable.
 - ii. Any governmental or quasi-governmental entity or department.
 - iii. The Colorado Department of Transportation (CDOT) when the proposed development is adjacent to or in sufficient proximity to affect a CDOT right-of-way, interchange, or other facility.
 - iv. The Colorado Geological Survey for findings and recommendations pertaining to geologic factors, including geologic hazards, mineralized areas, and sand and gravel areas that would have a significant impact on the proposed use of the land.
 - v. Any other agency concerned with a matter or area of local interest that could be affected by the application.
 - c. Staff Review and Report. The Town Planner shall review the application in accordance with the criteria established in this Development Code and shall prepare written findings of fact and include any relevant conditions. The Town Planner shall prepare a recommendation and submit the recommendation and findings to the appropriate review and decision-making authority.
 - d. Required Processing. Applicants shall be required to continuously and diligently pursue their development applications, which shall include responding in a timely manner to staff comments and requests. An applicant who fails to respond to staff comments or requests for a period of four (4) months shall have their application administratively withdrawn by the Town Planner unless the Town Planner determines that good cause exists to extend the application time frame and approves such extension in writing.

- 4) Notice. Notice shall be required for all public hearings conducted by the Planning Commission and Town Board of Trustees. Public hearings (in contrast to public meetings) and notice of such meetings are subject only to the requirements of the Colorado Open Meetings Law, CRS § 24-6-401, et seq.
 - a. The following types of notice shall be used to notify the public of applications submitted to the Town for review and decision:
 - i. Publication in a newspaper of general circulation.
 - ii. Mail to property owners within 300 feet.
 - iii. Posting a sign on the property.
 - iv. Certified mail to mineral rights owners, if applicable.
 - b. Published Notice. Notice shall be published in the legal section of a newspaper of general circulation within the Town.
 - c. Posted Notice.
 - i. Notice shall be posted in the designated official places of posting by the Town.
 - ii. Posting of notices on the property subject to an application shall be prepared by the Town and meet the following standards:
 1. Include information on how to access the application materials.
 2. Include Town contact information.
 3. Be of a size and form and consist of at least a single sign facing, and that is reasonably visible and legible from an adjacent public right-of-way. If there is no location on the subject property that is conspicuously and readily visible from the adjacent public right-of-way, the Town Planner can approve an alternate location. The Town Planner may require large properties to include additional signage.
 - d. Mailed Notice. For procedures that require mailed notice, notice shall be sent by first-class mail. The Rio Blanco County Assessor's records may be used to determine the addresses of real property owners. Mailed notice shall be sent by the Town at the applicant's expense. The Town shall include a certificate of mailing in the public record.
 - e. Notice Content. Every required form of notice shall state the date, time, and place of the hearing(s); the name of the applicant; a general description of the subject property indicating its location; a brief summary of the subject matter of the hearing; a description of the proposed development; a statement that the application or information relating to the proposed change or amendment is available at Town Hall during regular business hours, for review or inspection by the public; and a statement that written comments may be submitted to the Town.
 - f. Public Notice Time Requirements. Unless otherwise provided in this Code, public notice time requirements include the day the notice is posted, appears in the newspaper, is mailed, and shall also include the day of the public hearing.
 - g. Constructive Notice. Minor defects in any notice shall not impair the notice or invalidate proceedings pursuant to the notice if a bona fide attempt has been made to comply with applicable notice requirements. Minor defects in notice shall be limited to errors in a legal description or typographical or grammatical errors that do not impede communication of the notice to affected parties. In all cases, however, the requirements for the timing of the notice and for specifying the time, date, and place of a hearing shall be strictly construed. Any person who appears at a public hearing is deemed to have received constructive notice and waived any grounds to challenge defective notice. If a question arises at the hearing regarding the adequacy of notice, the reviewing or decision-making body shall make a formal finding as to whether there was substantial compliance with the notice requirements of this Development Code. When the records of the Town document the publication, mailing, and posting of notices as required by this Section, it shall be presumed that notice was given as required by this Section. If the reviewing or decision-making body takes action to continue a hearing to a future specified date, time, and location, then constructive notice is deemed to have been provided for such continued hearing date and additional notices shall not be required.
- 5) Public Hearings. The Town Planner shall schedule a public hearing date before the Planning Commission and/or Town Board of Trustees after a complete application has been received, Town staff has completed Town staff review, and referral agencies have had an opportunity to provide comments. The Town Planner may delay the scheduling of a public hearing to a subsequent meeting when an agenda of the Planning Commission or Town Board of Trustees is full. A complete application shall be scheduled for an initial public hearing within seventy-five (75) days after the date that the application is determined to be complete unless the applicant consents to scheduling the public hearing on a later date.

The Planning Commission or Town Board of Trustees may continue a public hearing on its own initiative for a maximum of sixty-five (65) days after the date of the initial public hearing without the consent of the applicant. The Planning Commission or Town Board of Trustees may continue a public hearing for a maximum of ninety-five (95) days with the consent of the applicant. The reviewing authority shall have thirty-five (35) days after the close of a public hearing to issue written findings in accordance with Section 18.2.5(6)(c).

- 6) Review and Decision. The following rules shall apply to review, recommendations, and decisions conducted at public hearings:
- a. The reviewing authority shall be the Town Planner, or other staff appointed by the Town Administrator, when Town Staff has the authority to approve a development application. The reviewing authority shall be the Planning Commission and/or Town Board of Trustees for all development applications which are subject to public hearing. The reviewing authority shall review development applications for compliance with all relevant standards and criteria as set forth in the specific procedures for the particular application in this Development Code, as well as the following general criteria which shall apply to all development applications:
 - i. The development application is complete.
 - ii. The development application provides sufficient information to allow the reviewing authority to determine that the development application complies with the relevant review criteria.
 - iii. The development application complies with the goals and policies of the Town's Comprehensive Master Plan.
 - iv. The demand for public services or infrastructure exceeding current capacity is mitigated by the development application.
 - b. If the reviewing authority finds that the submittal materials are not adequate to evaluate the development against the review criteria, it may require additional studies as necessary. In doing so, the reviewing authority shall indicate the specific consequences or concerns for which the standard submittal requirements fail to provide adequate means of evaluation, and the data or information needed for proper evaluation. The results of any study or analysis shall not dictate either approval or disapproval of the proposed project.
 - c. The reviewing authority shall adopt written findings which document that a recommendation or decision is based upon a determination of whether the development application complies with the applicable review criteria. The written findings shall state the conditions or mitigation.
 - d. Conditions. The reviewing authority may recommend approval, or may approve a development application with conditions where such conditions are deemed necessary to ensure compliance with the applicable review criteria, and the purpose and intent of this Development Code. Conditions shall be in written form. Conditions may include:
 - i. Specific time limits for performance of any condition.
 - ii. Financial performance guarantees from the applicant where the condition requires improvements for mitigation; where deemed necessary to public health, safety, or welfare; or where deemed necessary to protect adjacent property or public infrastructure. Financial performance guarantees shall be in the form of an agreement that is acceptable to the Town.
 - iii. Limitation on hours and/or days of operation.
 - iv. Requirement for review, on an annual or other basis, of the history of permit condition compliance.
 - v. Right to prohibit or restrict transfer of a permit.
 - vi. Duration of a permit.
 - vii. Such other conditions as are found to be reasonable and appropriate to address or mitigate any significant negative impacts or a threat to public health, safety, or welfare presented by the proposal.
 - e. A decision by the reviewing authority shall become final unless a written appeal is timely submitted to the Town in accordance with the applicable provisions of this Development Code. The date of the decision shall be the date that the reviewing authority renders a decision. The Town shall mail the written findings and notification of decision to the applicant within five (5) days of the decision of the reviewing authority. The Town Board of Trustees reserves the authority to render a final decision on all decisions rendered under this Development Code, and only a decision of the Town Board of Trustees may be subject to legal challenge. The failure to timely submit a written appeal of a decision of the reviewing authority shall be deemed to be a waiver of any right to legally challenge such decision.
- 7) Expiration of Approval. All development approvals shall expire and become void one (1) year after the date of the approval if a building permit has not been issued prior to the expiration date, except when a different duration is specified in the development approval, a different duration is specified in the specific procedures for the development approval, or a

request for extension is approved by the reviewing authority which granted the original development approval. The owner shall submit a written request for an extension to the Town Planner prior to the expiration date and shall state the reasons and circumstances for such extension request. The Town Planner and the Planning Commission may provide one (1) extension for a maximum of one (1) year. The Town Board of Trustees may provide multiple extensions and may provide extensions greater than one (1) year.

18.2.6 SUBDIVISIONS

The purpose of the subdivision review procedures is to ensure compliance with all the standards and requirements in this Development Code, and encourage quality development consistent with the goals, policies, and objectives in the Town's Comprehensive Master Plan and purposes of this Development Code.

- 1) Purpose and Intent: The procedures of this Section shall apply to all subdivisions or re-subdivisions that result in the portioning, dividing, combining, or altering of any lot, parcel, or tract of land, including land used for condominiums, apartments, cottage court, or any other multiple dwelling units, or creation of an estate in airspace, except any subdivisions that are specifically excluded by state law. If a tract of land that has been created or subdivided in the past is later described as a single tract in deeds, recorded documents, or plat by the legal or equitable owners, any later subdivisions of that tract, even if along the lines of the earlier subdivision, shall be subject to the requirements of these regulations. If any tract of land or airspace has been subdivided as one (1) type of subdivision, and thereafter is subdivided so as to create a different type of subdivision (for example, conversion of a condominium subdivision to a timesharing subdivision), the conversion shall be subject to the requirements of this Development Code. Unless the method of disposition is adopted for the purpose of evading the requirements of the Development Code, this procedure shall not apply to any division of land that:
 - a. Is created by a lien, mortgage, deed of trust, or any other security instrument.
 - b. Is created by any interest in an investment entity.
 - c. Creates cemetery lots.
 - d. Creates an interest or interests in oil, gas, minerals, or water that are severed from the surface ownership of real property.
 - e. Is created by the acquisition of an interest in land in the name of a husband and wife, or other persons in joint tenancy, or as tenants in common of such interest. For the purpose of this Paragraph, any interest in common or owned in joint tenancy shall be considered a single interest.
 - f. Creates a leasehold interest with a term of less than twenty (20) years and involves no change in use or degree of use of the leasehold estate.
 - g. Is created by a contract concerning the sale of land which is contingent upon the purchaser's obtaining approval to subdivide, pursuant to this Section and any applicable Town regulations, the land to be acquired pursuant to the contract.
- 2) Categories of subdivisions are established and defined as follows for the purpose of determining the appropriate subdivision review procedure:
 - a. Administrative Subdivisions. Administrative subdivisions are subdivisions that include:
 - i. Subdividing a parcel of land for a duplex, Section 18.2.10, Duplex Conversion Subdivision.
 - ii. Encroachment in Town right-of-way, Section 18.2.9, Encroachment.
 - iii. Replatting for the purpose of correcting survey, typographical, or similar errors ("Plat Corrections").
 - iv. Replatting that adjusts lot lines between buildable lots, does not change the number of lots, and does not decrease the size of any non-conforming lot ("Lot Line Adjustments").
 - v. Replatting to merge contiguous, platted lots into one (1) or more lots, and that involves no rezoning or vacation of rights-of-way or easements ("Consolidation Plat"). The Town Planner has the authority to determine that an Administrative Subdivision application shall be processed as a Minor Subdivision where the character of the subdivision application or multiple applications presents issues which, in the opinion of the Town Planner, warrant review as a Minor Subdivision.
 - b. Minor Subdivisions. Minor subdivisions include all subdivisions that would create less than four (4) separate parcels of land, or that subdivide a parcel of land for the purpose of cottage court development, and, that do not require or propose public right-of-way dedications or public improvements, but shall not include subdivisions that are administrative subdivisions.
 - c. Major Subdivision. Major subdivisions include all subdivisions that:

- i. Create five (5) or more separate parcels of land.
 - ii. Re-subdivisions where five (5) or more separate parcels of land.
 - iii. Subdivide a parcel greater than six (6) acres.
 - iv. Involve the dedication of public rights-of-way or construction of public improvements.
- 3) Applications for a subdivision shall follow the general review procedures set forth below. The Town Planner may combine Sketch Plan, Preliminary Plan, and/or Final Plat reviews when the subdivision applications can be reviewed efficiently and effectively with a combined process with written approval from the Board of Trustees.
 - a. Pre-application conference is required for all subdivision applications. The Town Planner shall submit a conference summary to the applicant within ten (10) days. The pre-application conference serves to assist the applicant with the following:
 - i. Identifying information that must be provided for a complete subdivision application.
 - ii. Understanding the subdivision application review process.
 - iii. Identifying appropriate referral agencies for review and comment.
 - iv. Achieving compliance with development standards, understanding planning issues.
 - v. Determining appropriate fees.
- 4) Sketch Plan Review.
 - a. Joint Board of Trustees and Planning Commission review at a public meeting. Such meeting shall be scheduled no less than seven (7) days and not more than twenty-one (21) days following the determination by Town Staff that the application is complete.
 - i. At the public meeting the Board of Trustees may approve, approve with conditions, modify, deny or table the application for up to forty-five (45) days.
 - ii. Recommendations are Preliminary. The Board of Trustees and Planning Commission's review comments and recommendations are preliminary, based on conceptual review, and are not binding upon formal review of the application. Also, it shall not constitute, or be deemed to constitute, any other approval or vested property rights.
 - b. The reviewing authority will use the following review criteria as the basis for recommendations and decisions on applications for Sketch Plan subdivision applications:
 - i. The land use mix within the project conforms to the Official Zoning Map and furthers the goals and policies of the Town's Comprehensive Master Plan.
 - ii. The Sketch Plan represents a functional system of land use and is consistent with the rationale and criteria set forth in this Development Code and the Town's Comprehensive Master Plan.
 - iii. The utility and transportation designs are adequate, given existing and planned capacities of those systems.
 - iv. Negative impacts on adjacent land uses have been identified and proposed mitigation is adequate.
 - v. There is a need or desirability within the community for the applicant's development and the development will help achieve a balance of land use and/or housing types according to the Town's Comprehensive Master Plan and goals and purposes of this Development Code.
 - c. Validity of Sketch Plan
 - i. A sketch plan shall be valid for a period of two (2) years from the date of the resolution approving the sketch plan.
- 5) Preliminary Plan Review.
 - a. The Planning Commission review at a public hearing. Such meeting shall be scheduled no less than forty-five (45) days and not more than sixty (60) days following the determination by Town Staff that the application is complete.
 - i. At the public hearing the Planning Commission may recommend approval, approval with conditions, modification, or denial to the Board of Trustees. The Planning Commission may table the application for up to forty-five (45) days.
 - b. The Board of Trustees shall review the preliminary plan during a public hearing scheduled within twenty-eight (28) days of the decision of the Planning Commission.
 - i. At the public hearing the Board of Trustees may approve, approve with conditions, modify, or deny, or table the application for up to forty-five (45) days.
 - c. The reviewing authority will use the following review criteria as the basis for recommendations and decisions on applications for Preliminary Plan subdivision applications:
 - i. The Preliminary Plan is consistent with the approved Sketch Plan and incorporates the reviewing authority's recommendations and conditions of approval.

- ii. The proposed subdivision complies with all applicable use, density, development, and design standards set forth in this Development Code that have not otherwise been modified or waived pursuant to this Section, and that would affect or influence the layout of lots, blocks, and streets, and the proposed subdivision does not create lots or patterns of lots that will render compliance with such development and design standards difficult or infeasible.
 - iii. The subdivision application complies with the purposes of this Development Code.
 - iv. The subdivision application and proposed land use mix is consistent with the Official Zoning Map, the Town's Comprehensive Master Plan, and any other applicable community planning documents.
 - v. The land is physically suitable for the proposed development or subdivision.
 - vi. The proposed subdivision is compatible with surrounding land uses.
 - vii. There are adequate public facilities for potable water supply, sewage disposal, solid waste disposal, electrical supply, fire protection, and roads, and will be conveniently located in relation to schools, police, fire protection, and emergency medical services.
 - viii. The proposed utility and road extensions are consistent with the utility's service plan and are consistent with the Master Plan.
 - ix. The utility lines are sized to serve the ultimate population of the service area to avoid future land disruption to upgrade under-sized lines.
 - x. The subdivision is compatible with the character of existing land uses in the area and shall not adversely affect the future development of the surrounding area.
 - xi. Any proposed subdivision for an existing PUD shall be consistent with the relevant PUD Master Plan as reflected in the approval of that PUD.
 - xii. Appropriate utilities, including water, sewer, electric, gas, and telephone utilities, have provided a "conditional capacity to serve" letter for the proposed subdivision.
 - xiii. That the general layout of lots, roads, driveways, utilities, drainage facilities, and other services within the proposed subdivision are designed in a way that minimizes the amount of land disturbance, minimizes inefficiencies in the development of services, maximizes the amount of open space in the development, preserves existing trees/vegetation and riparian areas, protects critical wildlife habitat, and otherwise accomplishes the purposes of this Development Code.
 - xiv. Evidence that all areas of the proposed subdivision that may involve soil or topographical conditions presenting hazards or requiring special precautions have been identified by the applicant and that the proposed use of these areas are compatible with such conditions or that adequate mitigation is proposed.
 - xv. The subdivision application addresses the responsibility for maintaining all roads, open spaces, and other public and common facilities in the subdivision, and that the Town can afford any proposed responsibilities to be assumed by the Town.
 - xvi. Adverse impacts on adjacent or nearby land uses have been identified and appropriate and effective mitigation is proposed.
 - xvii. If applicable, the declarations and owners' association are established in accordance with the law and are structured to provide adequate assurance that any site design standards required by this Development Code or conditions of approval for the proposed subdivision will be maintained or performed in a manner that is enforceable by the Town.
 - xviii. As applicable, the proposed phasing for development of the subdivision is rational in terms of available infrastructure capacity and financing.
 - xix. A letter of credit or Surety Bond.
 - d. Validity of Preliminary Plan
 - i. A preliminary plan shall be valid for a period of two (2) years from the date of the resolution approving the preliminary plan.
- 6) Final Plat Review.
- a. After approval of a Preliminary Plan, the applicant may submit an application for a Final Plat.
 - b. The Planning Commission review at a public hearing. Such meeting shall be scheduled no less than seven (7) days and not more than twenty-one (21) days following the determination by Town Staff that the application is complete.
 - i. At the public hearing the Planning Commission may recommend approval, approval with conditions, modification, or denial to the Board of Trustees.

- c. The Board of Trustees shall review the preliminary plan during a public hearing scheduled within twenty-eight (28) days of the decision of the Planning Commission.
 - i. At the public hearing the Board of Trustees may approve, approve with conditions, modify, or deny, or table the application for up to forty-five (45) days.
 - d. The following criteria shall apply to review of a Final Plat subdivision application:
 - i. The Town shall confirm the legal description of the subject property to determine that:
 - 1. The property described contains all contiguous single ownership and does not create a new or remaining unrecognized parcel of less than thirty-five (35) acres in size.
 - 2. The lots and parcels have descriptions that both close and contain the area indicated.
 - 3. The plat is correct in accordance with surveying and platting standards of the state.
 - ii. The Final Plat conforms to the approved Preliminary Plan and incorporates all recommended changes, modifications, and conditions attached to the approval of the Preliminary Plan.
 - iii. The Final Plat conforms to all Preliminary Plan criteria.
 - iv. The development will substantially comply with all sections of the Development Code.
 - v. The Final Plat complies with all applicable technical standards adopted by the Town.
 - vi. Appropriate utilities have provided an ability to serve letters, including, but not limited to, water, sewer, electric, gas, and telecommunication facilities.
- 7) Revocation. An approval of a Final Plat is revoked pursuant to this Section.
- a. Recording. The applicant shall cause the Final Plat and restrictive covenants, if any, to be recorded within ninety (90) days from the date of approval and acceptance of the Town Board of Trustees. In the event that the plat is not recorded, the approval of the Town Council shall be deemed to be void, and such plat shall not thereafter be recorded, unless and until the Mayor executes a written authorization for recording the Final Plat.
 - b. Vacation. The Final Plat approval shall include a determination of a reasonable time agreed upon by the applicant and Town Board of Trustees by which the project should be completed. All Final Plats given final approval shall contain a notation, or be subject to a development agreement cited thereon, indicating the date by which a project is expected to be completed, that shall be prima facie evidence of a reasonable time by which the project should have been completed. A plat, or any portion thereof, that has been given final approval by the Town Board of Trustees and has been recorded shall be subject to vacation proceedings if the project that is the subject of the subdivision is not completed within the time set by the Town Board of Trustees.
 - c. Extension. Extensions of the time limit for project completion may be obtained from the Town Board of Trustees for good cause shown, upon request by the applicant or owner of the tract, if made before vacation proceedings are instituted.

Table 18.13: Subdivision Summary

Approval Requested		Notice Requirements					Approval Authority	Pre-Application Conference	Required Public Meeting and/or Public Hearing			Final Documentation	Appeal
		Mailed	Mineral Estate	Posted	Published	Referral			Who	Type	Action		
Administrative Subdivision		---	---	---	---	Twenty-one (21) day period	TS	Required	---			Recorded Final Plat within ninety (90) days of TS approval	BOT
Major Subdivision	Sketch Plan	---	---	Standard PM Posting	Standard PM Posting	---	BOT	Required	BOT PC	Joint PM	D	Resolution within forty-five (45) days of sketch plan meeting	
	Preliminary Plat	At least ten (10) day prior to PC PH	At least thirty (30) day prior to PC PH	At least ten (10) day prior to PC PH	At least ten (10) day prior to PC PH	Twenty-one (21) day prior to PC PH	BOT	Required	PC	PH	R	Resolution within forty-five (45) days of preliminary plat meeting	
									BOT	PH	D		
	Final Plat	At least ten (10) day prior to PC PH	At least thirty (30) day prior to PC PH	At least ten (10) day prior to PC PH	At least ten (10) day prior to PC PH	Twenty-one (21) day prior to PC PH	BOT	Required	PC	PH	R	Recorded Final Plat within ninety (90) days of BOT approval	
									BOT	PH	D		
	Minor Subdivision	At least ten (10) day prior to PC PH	---	At least ten (10) day prior to PC PH	At least ten (10) day prior to PC PH	Twenty-one (21) day prior to PC PH	BOT	Required	PC	PH	R	Recorded Final Plat within ninety (90) days of BOT approval	
Planned Unit Development	Administrative PUD Amendment	---	---	---	---	---	TS	Required	---			Letter from Town Staff and Recorded Final PUD Plan within thirty (30) days of TS approval	BOT
	Minor PUD Amendment	At least ten (10) day prior to PC PH	---	At least ten (10) day prior to PC PH	At least ten (10) day prior to PC PH	Twenty-one (21) day prior to PC PH	BOT	Required	PC	PH	R	Letter from Town Staff and Recorded Final PUD Plan within thirty (30) days of TS approval	
									BOT	PH	D		
	Major PUD Amendment	Ten (10) days prior to PC PH	At least thirty (30) day prior to PC PH	At least ten (10) day prior to PC PH	At least ten (10) day prior to PC PH	Twenty-one (21) day prior to PC PH	BOT	Required	PC	PH	R	Resolution and Recorded Final PUD Plan within thirty (30) days of BOT approval	
									BOT	PH	D		
	Sketch Plan	---	---	Standard PM Posting	Standard PM Posting	---	BOT	Required	BOT PC	Joint PM	D	Resolution within forty-five (45) days of sketch plan meeting	
	Preliminary Plat	Ten (10) days prior to PC PH	At least thirty (30) day prior to PC PH	At least ten (10) day prior to PC PH	At least ten (10) day prior to PC PH	Twenty-one (21) day prior to PC PH	BOT	Required	PC	PH	R	Resolution within forty-five (45) days of preliminary plat meeting	
									BOT	PH	D		
	Final Plat	Ten (10) days prior to PC PH	At least thirty (30) day prior to PC PH	At least ten (10) day prior to PC PH	At least ten (10) day prior to PC PH	Twenty-one (21) day prior to PC PH	BOT	Required	PC	PH	R	Recorded Plat within ninety (90) days of BOT approval	
									BOT	PH	D		
	Vacation of ROW or Public Utility Easement	Ten (10) days prior to PC PH	---	At least ten (10) day prior to PC PH	At least ten (10) day prior to PC PH	Twenty-one (21) day prior to PC PH	BOT	Required	PC	PH	R	Recorded ordinance and final plat if any	
										BOT	PH	D	

Responsible Entity:
 BOT = Board of Trustees | PC = Planning Commission | TS = Town Staff

LEGEND
 Type:
 PH = Public Hearing | PM = Public Meeting

Action:
 R = Recommend | D = Decision

18.2.7 REQUIRED IMPROVEMENTS

- 1) The following improvements shall be constructed at the expense of the subdivider in accordance with the design standards provided by these Regulations.
 - a. Survey monuments.
 - b. A sewer collection system connected to the Meeker Sanitation District sewage system shall be required and dedicated to the Meeker Sanitation District.
 - c. A domestic water distribution system connected to the Town's system and dedicated to the Town.
 - d. A fire prevention system.
 - e. Electricity, telephone, broadband, and CATV.
 - f. Streets within and adjacent to the subdivision as necessary to provide access to each lot. Existing streets maintained by the Town for public use shall be improved by the subdivider to the extent necessary to provide access to abutting lots and to provide proper drainage, grade, and sidewalk grade. Streets shall be paved in circumstances where required by Town street specifications. Streets shall be dedicated to the Town.
 - g. Street signs, stop signs, or similar traffic control devices.
 - h. A storm drainage system.
 - i. Streetlights.
 - j. Curb and gutter shall be provided along paved streets and where required by Town specifications. Concrete sidewalk shall be provided along all abutting streets except when the Planning Commission and Town Board of Trustees determine that sidewalk is necessary on only one side of a local street because of the shortness of the street, unusual topographical factors, or other circumstances that alleviate the need for such sidewalk. In those cases where the proper grade of the sidewalk cannot be determined, the Planning Commission and Town Board of Trustees may authorize the execution and recording of an agreement, on forms provided by the Town, to join in an improvement district to install the sidewalk at such time as sidewalk construction becomes feasible instead of immediate construction.
- 2) Subdivision Improvements Agreement.
 - a. No Final Plat shall be approved or recorded until the subdivider has properly completed, and the Town has approved, the street base, lights, and traffic control devices, and water, sewer, electricity, gas, telephone, and drainage system as adequate to serve each lot, and has submitted, and the Town Board of Trustees has approved, a Subdivision Improvements Agreement guaranteeing construction of all other required improvements and as-builts therefore that have not previously been completed and approved by the Town. The Subdivision Improvements Agreement shall list the improvements to be made, builds required, estimated costs, and completion dates.
 - b. All improvements shall be completed and accepted within two (2) years following approval of the Final Plat by the Town, unless a longer interval is provided for in the Subdivision Improvements Agreement.
 - c. The Subdivision Improvements Agreement shall contain or be accompanied by a security arrangement approved by the Town, which reasonably guarantees that all required improvements shall be completed, such as escrowed funds, clean irrevocable letter of credit, or lien agreement. Such security and agreement shall provide that the Town may cause the improvement to be completed if not completed pursuant to the Subdivision Improvements Agreement. The cost of completion may then be collected pursuant to the security and the agreement or in any lawful manner. The amount of the security shall be adequate, taking inflation into account.
 - d. The security shall not be released until the Town has inspected the improvements and approved them as completed in accordance with the Final Plat, other plans, and applicable Town specifications.
 - e. The subdivider shall be responsible for the costs to correct and repair any defect in any improvements due to materials or workmanship which appears for a period of one (1) year from the date of approval of completion of any improvement, or such later date as provided in any Subdivision Improvements Agreement. As-built plans shall be submitted upon completion with the request for inspection and approval.
 - f. No lot may be sold in any subdivision nor may any building, occupancy, or other permit be issued if a breach of the improvements agreement occurs until such breach is remedied.
- 3) Weed Abatement
 - a. Prior to, or at the time of submitting any Final Plat for any subdivision or Planned Unit Development (or an amendment or replat thereof), the subdivider or applicant shall submit, for review and approval by the Town of Meeker Planning Commission, a written statement from a recognized weed control expert certifying that the subject real property is then free of all "noxious plants" (as such term is defined by C.R.S. 35-5.5-103(16)). Alternately, if any such noxious plants are then determined to be present upon the subject property, the subdivider or applicant shall submit for such review and approval a written plan for the abatement of such noxious plants. The approved plan shall be incorporated into an overall Subdivision Improvements Agreement and the subdivider or applicant shall remain individually responsible for the implementation thereof for a period

of not less than two (2) years unless a shorter period is expressly provided for in the Subdivision Improvements Agreement.

- b. The foregoing requirements shall be in addition to ordinary weed control requirements imposed upon all landowners by the provisions of Section 8.20, Trash and Weed Abatement, of the Meeker Town Code.

18.2.8 DEVELOPMENT STANDARDS

- 1) All subdivisions shall conform to the minimum design standards of this Section. The Town Board of Trustees may allow deviation from these standards if it determines that unusual topography or a hardship exists, or that alternative standards will more effectively protect the quality of the subdivision and the public welfare, or more effectively achieve the purposes of these Subdivision Regulations.
- 2) All subdivisions shall be developed in accordance with the Town's Master Plan, Zoning Regulations, Flood Plain Regulations, and other applicable Town ordinances, regulations, and specifications.
- 3) Streets, Alleys, Lots, and Blocks:
 - a. Public Streets and Sidewalks
 - i. All streets and alleys shall be constructed and designed in accordance with Town of Meeker Street Master Plan, Section 12.12, of the Meeker Municipal Code.
 - ii. All lots shall have access to a street connected to the public street system. In order to ensure access by emergency service responders, any new subdivision street system must be connected by at least two separate routes to public streets.
 - iii. Access to any public highway under the jurisdiction of the Colorado Department of Transportation shall be subject to the provisions of the State Highway Access Code.
 - iv. Driveways and street access shall be subject to the Meeker Municipal Code.
 - v. Streets shall be aligned to join with planned or existing streets and shall be designed to bear a logical relationship to the topography.
 - vi. Intersections shall approximate right angles as closely as possible.
 - vii. Half streets shall be prohibited.
 - viii. Cul-de-sacs and dead-end streets
 1. Cul-de-sacs shall be permitted, provided they are not more than six hundred (600) feet in length.
 2. Surface drainage shall be toward the intersecting street or, if this is not possible, a drainage easement shall be required through the cul-de-sac.
 3. Cul-de-sacs shall not serve more than twenty (20) lots.
 4. Cul-de-sacs shall have a minimum outside radius of fifty (50) feet at the closed end.
 5. All cul-de-sacs longer than two hundred fifty (250) feet shall provide pedestrian ways and bicycle access routes at the bulb-end of the cul-de-sac to connect the cul-de-sac to an appropriate street to permit easy pedestrian/bicyclist circulation and access. On all other cul-de-sacs, the decision-making body may require pedestrian ways and bicycle access routes connecting the cul-de-sac to an appropriate street when necessary to permit easy pedestrian/ bicyclist circulation and access to adjacent community facilities, such as parks, schools, or employment centers.
 6. Dead-end streets, with the exception of cul-de-sacs, shall be prohibited unless they are designed to connect with future streets in adjacent land that has not been platted, in which case a temporary turn-around easement of fifty (50) feet shall be required.
 - ix. Street, alley and easement right-of-way widths and grades shall not be less than the following:

Table 18.14: Street Requirements

	RIGHT-OF-WAY	TRAFFIC LANE	PARKING & GUTTER	CURB & LANDSCAPING	SIDEWALK	MINIMUM GRADE	MAXIMUM GRADE
Collector Street	80'	12'	8'	6'	4'	0.4%	10%
Arterial Street	80'	14'	8'	8'	6'	0.4%	10%
Private Gravel	60'	12'	8'	None	10'	None	None
Alleys (where permitted)	20'						

- i. The Town may require any street, sidewalk, and related infrastructure on a steep slope, or where there is any evidence to suspect problems due to instability or other adverse soil conditions, to be owned and maintained by the lot owners or an owners' association or may require an extended warranty of maintenance and repair from the subdivider. A slope easement shall be dedicated to the Town to accommodate the area of any cut or fill off the right-of-way and an additional ten (10) feet beyond the cut or fill. Such easement shall allow the Town to maintain the slope, cut and fill, and street improvements. Additionally, such easements may be accompanied by a plat not holding the Town harmless on account of any sloughing or disturbance due to maintenance, the cut, or the fill.
 - b. Alleys
 - i. Alleys shall be provided in commercial and industrial areas, except that this requirement may be waived where other provisions are made and approved for service access.
 - c. Lots and Blocks
 - i. Block lengths and widths shall be suitable for the uses contemplated and shall be adequate for requirements pertaining to minimum lot sizes and dimensions.
 - ii. Lots with double frontage shall be avoided, except where essential for separation from major arterials or from incompatible land uses.
 - iii. Side lot lines shall be substantially at right angles or radial to street lines.
 - d. Private Streets
 - i. Private streets shall only be allowed in zones RR and I.
 - ii. Private streets shall be on the Preliminary Plan and Final Plat by the name of street followed by the designation "Private Street" in boldface print.
 - iii. Private streets must be constructed to standards for private gravel streets, in compliance with the Town's Construction Standards for such streets. The applicant shall provide for the perpetual maintenance and repair of all private streets in the subdivision through the creation of a property owner's association or special improvement district. Such streets shall be plowed, graded, and cindered as necessary for the safe passage of emergency vehicles, and the property owner's association, if applicable, shall retain an on-call snowplow operator under contract at all times during the months of October to April.
 - iv. The Town reserves access to such streets, easements, and driveways within the subject subdivisions for the purpose of provision of utility access and maintenance, provision of emergency response services, and any other acts or duties of the Town or service providers related to the provision of the public health, safety, and welfare, subject to limits of this Section.
 - v. Installation of traffic control devices, as provided by the latest edition of the Colorado Department of Transportation Manual of Uniform Traffic Control Devices, shall be the sole responsibility of the applicant.
 - vi. All private streets shall be posted at the entrance to the private street with a sign, measuring twenty-four (24) inches wide and thirty (30) inches high, with white background and black lettering stating the following "PRIVATE STREET – NO TOWN MAINTENANCE."
 - vii. Inclusion of private streets within a subdivision may be denied based on potential conflicts with planned public streets in the Comprehensive Plan, or current or future Town capital improvement plans.
 - viii. A private street shall end in a cul-de-sac.
- 4) Public Utilities and Utility Easements:
 - a. Utility easements shall be a minimum of twenty (20) feet, centered on the rear or side lot lines or, where appropriate, ten (10) feet on either side of a street.
 - b. All utilities shall be installed underground unless existing utilities are overhead, and the existing poles can be used.
- 5) Water and Sewer Systems: Water, fire prevention, and sewer systems shall be designed by a professional engineer and constructed in accordance with good engineering practices to Town design and construction standards and specifications.
- 6) Curb, Gutter, and Sidewalks: Curb, gutter, and sidewalks shall be designed and constructed in accordance with Town design and construction standards and specifications and good engineering practices.
- 7) Monuments: Monuments shall be placed at the corners of all street intersections, at the intersections of the boundary of the subdivision with street right-of-way lines, at angle points and points of curve in each street, at points of change and direction of the exterior of the subdivision, and at other locations required by statute. The top of the monument shall have a metal cap, set flush to identify the location. Lot corners shall be marked as required by law. Monuments shall be constructed as provided in Town street and road specifications.

- 8) Drainage Systems: Drainage systems shall be provided in accordance with the Final Plat as approved. Drainage easements shall generally direct the flow to the front of the lots or to natural drainage ways as such exist, utilizing a minimum twenty (20) foot easement. Where water courses or ditches traverse the subdivision, lots and improvements shall be designed and provided to protect against flooding in accordance with the Town's Flood Plain Regulations. The drainage system shall be designed to avoid increasing the discharge to property outside the subdivision unless agreed to by the owner of any property affected.
- 9) Parks, Trails, and Open Space Requirements:
- Land dedication for parks, trails, and open space areas subject to new residential subdivision development may have an impact on the Eastern Rio Blanco Metropolitan Recreation and Park District and its capability to provide an adequate level of facilities within a reasonable period of time of the subdivision's development. In conjunction with such a need, it is also necessary to be cognizant that new residential development pay no more or less than its fair share of the cost of capital expenditures necessary to adequately provide for additional public facilities. Therefore, any subdivision Preliminary Plan shall be referred to the Eastern Rio Blanco Metropolitan Recreation and Park District for its determination of, and comment upon, the subdivision's impact on the park, recreation, and trail facilities resulting from the subdivision's development.
 - Common open space requirements. Each subdivision or development shall permanently set aside the minimum amount of common open space shown in Table 18.15 below, for the exclusive use and enjoyment of its residents or users. The amount of common space is in addition to lands reserved or dedicated to the Town, or to improvement fees which may be paid for public parks, trails, and other open space lands.
- 10) Other Improvements: Any other improvements provided shall comply with any applicable Town standards and specifications and shall be designed and constructed in accordance with good engineering practices.
- 11) Plat Notes:
- Plat notes and covenants may be required by the Town as appropriate to implement the provisions of these regulations, and to hold the Town harmless from risks associated with natural hazards and conditions or other risks, which should be borne by the subdivider. Plat notes shall be on Town approved forms, run with the land, and bind all successors in interest thereto.
 - Any plat notes on prior County Subdivision or PUD plats, or plats of survey that created new parcels, including those notes requiring release by the County Commissioners, shall not be enforceable by the Town and are superseded unless reiterated on the plat. Plat notes that are intended to benefit lot owners within the subdivision will be reiterated unless such owners sign a document to indicate their concurrence with the proposed plat notes.
 - Plat notes on prior Town plats are superseded unless reiterated or incorporated by reference on the plat.
 - Plat notes may be required in the following circumstances:
 - To set out maintenance requirements of the lot owners, enforceable by the Town, for various improvements such as drainage, detention and retention facilities, commonly owned areas, private streets, and other private improvements.
 - To require engineered foundations in areas of steep slopes or other questionable soil conditions, together with provisions giving notice of, and holding the Town harmless from, potential problems due to slopes, cut and fill areas, adverse soil conditions, or other natural hazards.

Table 18.15: Common Open Space Requirements

COMMON OPEN SPACE REQUIREMENTS	
Development Type	Minimum Common Open Space Required*
Single-Family Residential	10%
Multi-Family Residential	20%
Nonresidential	20%
* (% of Gross Land Area Devoted to Each Use)	

18.2.9 ENCROACHMENT

- 1) Encroachment on Town Right-of-Way: Applicant completes the Encroachment Application with the Town of Meeker, pays application fee, and Town Administration will complete the review process and Encroachment Agreement and record with Rio Blanco County Clerk and Recorder.

18.2.10 DUPLEX CONVERSION SUBDIVISION

- 1) A duplex conversion subdivision is generally subject to the administrative review process established in Section 18.2.6, Subdivisions. The subdivision of a single lot, on which an existing duplex dwelling is located or is to be constructed, into two (2) separate lots will be approved if all of the following conditions have been met:

- a. Common Wall. The duplex is to be divided along a code-compliant fire-resistant common wall into two (2) separate single-family dwelling units on separate lots.
- b. Separate Utilities. Utilities are available and each of the dwelling units is served by its own separate utility service lines and meters, inclusive of water, sewer, electricity, and natural gas.
- c. Maintenance Agreement. A common wall maintenance agreement shall be established and recorded to run with the land comprising the proposed duplex lots.
- d. Zone District Compliance. Except for the original primary structure comprising the dwelling units and any common and/or side-by-side or connected garages or driveways, all new structures, or the expansion of any existing structures on the two (2) new duplex lots, shall be subject to the setback requirements for the underlying zone district in which the lots are located.
- e. Lot Size. Each separate lot created shall meet the minimum lot size (square feet) for the underlying zone district in which the lots are located. The proposed duplex lots shall be the same size, or approximately the same.
- f. Any other agreements deemed necessary from the Town.

18.2.11 MULTI-SITE DEVELOPMENT

- 1) Any development, regardless of the form of ownership, which involves any of the following, shall be subject to the provisions of this Subsection 18.2.11.
 - a. Development with more than one (1) building (other than accessory buildings limited to only accessory uses clearly accessory to the principal use or building) including, but not limited to, apartment and shopping center complexes, condominiums, or other common interest ownership complexes involving more than one (1) building.
 - b. Development providing for or creating separate lots, tracts, sites, or units, regardless of how denominated.
- 2) All development subject to Subsection 18.2.6, Subdivisions, must either comply with these subdivisions regulations or be approved as a Planned Unit Development pursuant to Subsection 18.1.14, Planned Unit Developments, of the Meeker Municipal Code.
- 3) Regardless of the form of ownership, each development subject to the provisions of this Subsection shall provide, at the cost of the subdivider, public streets and all other improvements required by Subsection 18.2.7, Required Improvements, adequate to directly serve each building, lot, site, tract, unit, or parcel.
- 4) Principal buildings must be set back from one another similar to what zoning dimensional requirements would mandate if separate lots were assumed to be created.

18.2.12 RIGHT-OF-WAY VACATION

- 1) The purpose of this Section is to provide procedures and standards for the vacation of rights-of-way in the Town. The procedures and authority set forth in Section 43-2-301, et seq., C.R.S., shall apply unless in conflict with any specific provision set forth in this Section. Public easements are also considered rights-of way that may be vacated pursuant to this Section.
 - a. Review Procedures. Applications for the vacation of a right-of-way shall follow the general review procedures set forth in Section 18.2.5, General Procedures and Requirements. Applications for vacation of a right-of-way may be initiated by the Town Council or by a property owner abutting the right-of-way proposed for vacation. Applications to move or alter a right-of-way shall be processed as a subdivision application concurrently with a right-of-way vacation application, in which case the ordinance approving the vacation of a right-of-way, or portion thereof, shall also approve a Final Plat which results in the dedication of the moved or altered right-of-way or portion thereof. Public easement vacations can be processed concurrently with a major or minor subdivision application. Vacation of a right-of-way shall be approved by an ordinance of the Town Council.
 - b. Review Criteria. The Town Council shall use the following review criteria as the basis for a decision on an application to vacate a right-of-way:
 - i. No right-of-way shall be vacated so as to leave any land adjoining the vacated right-of-way without an established public road or private-access easement connecting said land with another established public road.
 - ii. The right-of-way is determined to be platted on terrain which is not practical for the construction of a right-of-way due to terrain, topography, natural features, or other constraints, and the right-of-way

- does not provide any other potential benefit to the public including, but not limited to, utility connections, pedestrian or recreation connections, drainage. or public landscaping.
- iii. Sufficient easements for utilities, access, or other purposes are retained.
- iv. Compensation may be required for the area of vacated right-of-way based upon the fair market value per square foot of the area vacated and the applied zoning.
- v. The vacated area of right-of-way shall be included in the same zone district as the abutting property to which the vacated right-of-way vests.
- c. Recording. The ordinance vacating a right-of-way shall be recorded in the office of the Rio Blanco County Clerk and Recorder and shall reference any exceptions, easements, or reservations of the vacation.

18.2.13 VESTED PROPERTY RIGHTS

- 1) Intent and Purpose: The purpose of this Section is to establish a system of vested property rights for these regulations as authorized by Section 24-68-101 et seq. C.R.S, as amended.
 - a. Establishment of Vested Property Rights.
 - i. General. Pursuant to these regulations, a vested property right shall be deemed established for a period of three (3) years or more, as per Section 18.2.13(1)(a)(iii), Development Agreement and Extension of Vested Property Rights, with the approval of a Site-Specific Development Plan as defined in Section 18.2.13(1)(a)(ii) Site-Specific Development Plan, of this Section. When a Site-Specific Development Plan is approved with a Minor Subdivision, Major Subdivision, or Planned Unit Development, the permit shall confer upon the landowner the right to undertake and complete the development and use of the property under the terms and conditions of the Site-Specific Development Plan. If the term of approval for the Site-Specific Development Plan is extended pursuant to these Regulations, the term of vested property rights is extended to conform to the extended approval term.
 - ii. Site-Specific Development Plan. For the purposes of this Section, the following final approvals shall constitute a Site-Specific Development Plan establishing a vested property right.
 1. A Final Plat or a Final PUD Plan. Applications will follow the review procedures outlined in Section 18.2.6, Subdivisions, and 18.1.14, Planned Unit Development, of this Development Code.
 2. The document that triggers a vested property right shall be so identified at the time of its approval.
 - iii. Development Agreement and Extension of Vested Property Rights. The Town Board of Trustees may enter into a development agreement with the landowner for the extension of vested property rights where, at the discretion of the Board of Trustees, an extension is warranted due to project size and/or phasing of the development. The Board of Trustees may also consider an extension of vested property rights for economic cycles and/or market conditions.

18.2.14 FEES

- 1) Schedule of Fees. A schedule of fees for Subdivision/Zoning applications has been adopted by the Town Board of Trustees and may be amended from time to time by resolution. These fees shall be based on the costs incurred by the Town in processing, reviewing, and recording such applications. A copy of the schedule of fees is to be made available at Town Hall and on the Town's website.
- 2) In addition to the above fees, the subdivider shall reimburse the Town for all out-of-pocket costs incurred during review of the subdivision, including legal fees, postage, notice and publishing costs, map costs, engineering fees, etc., together with wages and associated costs for contract employees, plus ten percent (10%) to cover overhead and administration. The Town shall bill the subdivider periodically as such costs are incurred. Each bill shall be due thirty (30) days after its date. Bills not paid by the due date shall accrue interest at the rate of one- and one-half percent (1-1/2%) per month or part thereof. No plat shall be recorded, improvements accepted, lien released, building permit issued, tap approved, or other approval action taken until all fees then due are paid to the Town. The Town may suspend review of submittals, inspection of improvements, and processing of the subdivision, as it deems appropriate unless all amounts are paid as due. Such fees may be certified to the Rio Blanco County Treasurer for collection as delinquent charges.

The Town Board of Trustees, in its sole discretion, may defer, reduce, and/or waive certain land use fees within this Chapter 18.2, for projects demonstrating significant public benefit such as perpetual, deed-restricted affordable, or workforce housing.

Chapter 18

Section 3

Annexation Regulations

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18.3.1 GENERAL PROVISIONS

- 1) Purpose and Intent: The purpose of this Section is to establish a procedure to bring land under the jurisdiction of the Town in compliance with the Colorado Municipal Annexation Act of 1965 ("Annexation Act"), as amended, §§ 31-12-101, C.R.S., et seq. This Section, in part, provides supplemental requirements for annexation pursuant to the Annexation Act, and is not to be construed as altering, modifying, eliminating, or replacing any requirement set forth in that Act, or any other requirements set forth in the Code. In the event of a conflict between the Act, the provisions of this Article, or any other requirements set forth in the Code, it is the express intent of the Town Board of Trustees that the more restrictive provision shall control.
- 2) Day calculation: Business days shall be used to calculate days one (1) to fourteen (14). Calendar days shall be used to calculate days over fifteen (15) including day fifteen (15). Day one is defined as the first complete 24-hour day.

18.3.2 STATEMENT OF POLICY AND REVIEW CRITERIA

It shall be the general policy of the Town with respect to annexations and the consideration of annexation petitions that:

- 1) Annexation is a discretionary act. With the exception of an initiated petition for the annexation of an enclave, the Town Board of Trustees shall exercise its sole discretion in the annexation of territory to the Town.
- 2) The land to be annexed and the uses proposed for the land shall conform to the goals, policies, and strategies of the most recent Town Future Land Use Plan, Comprehensive Plan, and annexation plan, as amended. The land to be annexed shall not create an unreasonable burden on the physical, social, economic, or environmental resources of the Town.
- 3) Certain public facilities and amenities are necessary and must be constructed and/or upgraded to Town standards as part of any territory annexed to the Town to ensure the area is served by adequate public facilities. These facilities include, but are not limited to, arterial streets, bridges, public parks and recreation areas, school sites, fire and police station sites, and storm drainage facilities. The annexation of lands to the Town shall not create any additional cost or burden on the then-existing residents of the Town to provide such public facilities to any newly annexed area.
- 4) The petitioner for annexation shall be responsible for paying the Town's full cost for processing the annexation petition, from initial discussion with Town staff before submittal of the petition, through the approval and recording of the final annexation documents.
- 5) Annexed areas will not divide tracts of land to prevent further annexation of adjoining parcels. (For example, leaving a "gap" or a "strip" of land between property to be annexed and the adjoining property.)
- 6) All subsurface (non-tributary) water rights shall be deeded to the Town at the time of annexation.

- 7) The Town shall have in place an annexation plan for the three-mile area surrounding the Town, meeting the requirements of § 31-12-105(1)(e)(I), C.R.S. The annexation plan shall be updated after each annexation or annually, whichever is less.

18.3.3 METHODS OF ANNEXATION

Annexations may be accomplished by one (1) of four (4) methods:

- 1) Filing a petition for annexation by ordinance, referred to herein as "petition for annexation by ordinance".
- 2) Filing a petition for annexation by election, referred to herein as "petition by election".
- 3) Annexation by ordinance for enclaves (property completely surrounded by property within the boundaries of the Town), referred to herein as "enclave annexation".
- 4) Annexation of municipal owned property, referred to herein as "unilateral annexation."

With the exception of enclaves, all property annexed into the Town must meet the eligibility requirements set forth below. Once eligibility is established, the Town Board of Trustees has the discretion to approve or deny annexation.

18.3.4 ELIGIBILITY FOR ANNEXATION

Property lying outside the Town boundaries shall be eligible for annexation. Eligibility for annexation shall be determined by conformity with the requirements of the Annexation Act, including but not limited to Sections §§ 31-12-104 and 31-12-105, C.R.S., as amended, and as determined by the Board of Trustees in its sole discretion.

- 1) Not less than one-sixth of the perimeter of the area proposed to be annexed is contiguous with the Town, excluding platted streets or alleys, public or private rights-of-way, public or private transportation rights-of-way, or areas, public lands, whether owned by the state, the United States, or an agency thereof, except county-owned open space, or a lake, reservoir, stream, or other natural or artificial waterway between the Town and the land proposed to be annexed. Contiguity may be established by the annexation of one (1) or more parcels in a series.
- 2) A community of interest exists between the area proposed to be annexed and the Town; said area is urban or will be urbanized in the near future; and said area is integrated with or is capable of being integrated with the Town. The fact that the area proposed to be annexed has the contiguity with the Town required by Subsection 18.3.4, shall be a basis for a finding of compliance with these requirements unless the Town Board of Trustees finds that at least two (2) of the following are shown to exist:
 - a. Less than fifty percent (50%) of the adult residents of the area proposed to be annexed make use of part or all of the following types of facilities of the Town: Recreational, civic, social, religious, industrial, or commercial; and less than twenty-five percent (25%) of said area's adult residents are employed in the Town. If there are no adult residents at the time of the hearing, this standard shall not apply.
 - b. One-half (½) or more of the land in the area proposed to be annexed (including streets) is agricultural, and the landowners of such agricultural land, under oath, express an intent to devote the land to such agricultural use for a period of not less than five (5) years.
 - c. It is not physically practicable to extend to the area proposed to be annexed those urban services that the Town provides to all of its citizens on the same terms and conditions as such services are made available to such citizens. This standard shall not apply to the extent that any portion of an area proposed to be annexed is provided, or will within the reasonably near future be provided, with any service by or through a special district.

The contiguity required by this Subsection may not be established by use of any boundary of an area that was previously annexed to the Town if the area, at the time of its annexation, was:

- 1) Not contiguous at any point with the boundary of the Town.
- 2) Not otherwise in compliance with this Subsection, and
- 3) Located more than three (3) miles from the nearest boundary of the Town,

Nor may such contiguity be established by use of any boundary of territory that is subsequently annexed directly to, or which is indirectly connected through subsequent annexations to, such an area.

18.3.5 PROCEDURES FOR PETITIONS AND FOR ANNEXATION BY ORDINANCE

Annexation petitions shall be processed and considered as follows:

- 1) Annexation Pre-Application Conference. The application process begins with a pre-application conference with Town staff to determine the feasibility of the annexation request. Following this informal meeting, the applicant shall submit a letter of intent requesting annexation, an annexation petition, a completed annexation application form, annexation maps, and supporting documents.
- 2) Annexation Petition Certification and Completion. The petition for annexation and all other documents submitted shall be reviewed by staff for completeness and compliance with the provisions of the Annexation Act, and the Code. The applicant shall be notified within a reasonable time of any deficiencies or inadequacies in the materials submitted. An incomplete submission shall not be processed, nor referred to the Town Board of Trustees for a determination of substantial compliance.
- 3) Annexation Petition Referral to Town Board of Trustees. Upon the staff's determination that the petition and supporting documentation are complete and in compliance with provisions of the Annexation Act and the Code, the Town Planner shall refer the petition to the Town Board of Trustees.
- 4) Town Board of Trustees Determination of Substantial Compliance. The Town Board of Trustees, without undue delay, shall make an initial determination of whether the property described in the petition is eligible for annexation as evidenced by substantial compliance with the Annexation Act.
 - a. If the Town Board of Trustees determines that the petition is in substantial compliance with the Annexation Act, the Board of Trustees shall, by the adoption of a Resolution of Intent to Annex, set the annexation (and zoning if concurrently requested) for public hearing on a specified date, time, and place, not less than thirty (30) days nor more than sixty (60) days from the effective date of the Resolution of Intent to Annex, pursuant to § 31-12-108, C.R.S.
 - b. If the Town Board of Trustees determines that the petition is not in compliance with the Annexation Act, no further action shall be taken, except that the Town Board of Trustees' determination shall be made by resolution.
- 5) Completion Of Impact Report. Unless waived by the Town and the Rio Blanco County Board of County Commissioners, petitioners for annexation of property exceeding ten (10) acres shall, twenty-five (25) days prior to the public hearing, prepare and submit to the Town in electronic form an impact report, containing all the elements established in Section 31-12-108.5, C.R.S. Within five (5) days of receiving the report, the Town shall forward copies of the impact report to the Rio Blanco County Board of County Commissioners and the Rio Blanco County Attorney.
- 6) Planning Commission Review and Recommendations:
 - a. Subsequent to the Board of Trustees' determination that the application is in substantial compliance with the Annexation Act, the Planning Commission shall consider the petition for annexation at a regular or special meeting to be held prior to the date of the Board of Trustees public hearing. If zoning of the property is requested concurrent with annexation, the Planning Commission shall hold a public hearing on the zoning of the property at the same meeting. Notice of the public hearing on zoning shall be given as set forth below.
 - b. The Planning Commission, upon the conclusion of the meeting at which it considers the petition, shall make a recommendation to the Board of Trustees to deny or approve the petition for annexation, with or without modifications and/or conditions. If zoning has been considered concurrent with the annexation request, the Planning Commission shall make a recommendation to the Board of Trustees to deny or approve the zoning, with or without modifications and/or conditions.
- 7) Town Board of Trustees Public Hearing and Action on The Annexation:
 - a. The Board of Trustees shall hold the public hearing on the petition for annexation, and zoning if requested in conjunction with the annexation, on the date and at the time set by the Resolution of Intent to Annex. The petitioners shall present evidence in support of the petition, and zoning if applicable. Staff shall testify as to the elements required by statute for annexation. Any person may appear at the hearing and present evidence on any matter determined by the Board of Trustees to be relevant to the annexation petition. The Board of Trustees may continue the hearing to another date without providing additional notice if the volume of material to be reviewed cannot be presented within the time available. All proceedings at the hearing and any continuances thereof shall be recorded, but the recorder's notes need not be transcribed unless proceedings for judicial review are initiated, as provided by § 31-12-116, C.R.S. At the conclusion of the public hearing, the Board of Trustees shall adopt a resolution containing the findings of fact and conclusions, including:
 - i. Whether or not the requirements of § 31-12-104 and 105, C.R.S. and this Article have been met.
 - ii. Whether or not additional terms and conditions are to be imposed.
 - iii. Whether or not an election is required, either as a result of a petition for election or the imposition of additional terms and conditions.

- b. If the Board of Trustees finds that the area proposed for annexation does not comply with the requirements of §§ 31-12-104 and 31-12-105, C.R.S., the annexation proceeding shall be terminated.
 - c. If the Board of Trustees, in its sole discretion, finds that the annexation is not in the best interest of the Town, it may deny the petition by resolution, stating the grounds for such denial.
- 8) Approval Criteria. The Board of Trustees may approve the petition and annex the property by ordinance if it finds:
 - a. The annexation is in compliance with the requirements of § 31-12-104 and 105, C.R.S.
 - b. That an election is not required under § 31-12-107(2), C.R.S.
 - c. The petition has been signed by more than fifty percent (50%) of the landowners of the area proposed to be annexed, who own more than fifty percent (50%) of the land proposed to be annexed, exclusive of public streets and alleys.
 - d. No additional terms and conditions are to be imposed. If additional conditions are imposed by the Town, see Section 18.3.6, below.
- 9) Zoning Approval. The zoning of the property, if requested concurrent with annexation, shall be approved by separate ordinance.

18.3.6 PROCEDURES FOR ANNEXATION BY ELECTION

An annexation election must be held prior to the Town Board of Trustees annexing the property when the Board of Trustees receives a petition for an annexation election, or the Board of Trustees determines during the process of reviewing a petition for annexation by ordinance that additional terms and conditions should be imposed upon the area proposed to be annexed. Petitions for election must be signed by at least forty (40) qualified electors or ten percent (10%) of said electors, whichever is less, of the area proposed to be annexed. In the event Rio Blanco County's population exceeds 25,000 in habitants, petitions for election must be signed by at least seventy-five (75) qualified electors or ten percent (10%) of said electors, whichever is less, of the area proposed to be annexed. The following process must be followed to complete an annexation by election:

- 1) The Town and the Petitioners must complete steps established in Sections 18.3.1 through 18.3.7 above.
- 2) Upon a determination by the Town Board of Trustees that the requirements of §§ 31-12-104 and 105, C.R.S. have been met, and that an election is required pursuant to §§ 31-12-107(2), C.R.S., or that additional terms and conditions should be imposed, the Town will petition the District Court of Rio Blanco County to conduct an election.
- 3) If a majority (more than fifty percent (50%)) of the qualified electors and landowners who cast votes approve the annexation in accordance with § 31-12-112, C.R.S., the Board of Trustees may, but is not required to, approve the annexation by ordinance. In the event the annexation is not approved by a majority of the qualified electors and landowners casting votes, the annexation proceeding will be terminated.
- 4) If the Board of Trustees, in its sole discretion, finds that the annexation is not in the best interest of the Town, it may still deny the annexation by resolution, stating the grounds for such denial.

18.3.7 PROCEDURES FOR ENCLAVE ANNEXATION

Upon receipt of a petition for annexation of an enclave entirely contained within the boundaries of the Town for three (3) or more years, the Town and petitioner shall complete the steps established in Section 18.3.1 through 18.3.3 above, as a hearing and eligibility findings are not required for annexation of such enclaves. The Town shall also publish notice, once a week for four (4) consecutive weeks, beginning at least thirty (30) days prior to adoption of an ordinance annexing the enclave property. The Board of Trustees shall adopt an ordinance annexing the enclave without complying with the steps established in Sections 18.3.4 through 18.3.7.

- 1) No part of the municipal boundary or territory surrounding such enclave consists solely of a public right-of-way, including streets and alleys, and no other municipal property is immediately adjacent to such right-of-way.
- 2) No part of the territory surrounding the enclave was annexed to the municipality since May 16, 2023, without compliance with the provisions of the state constitution governing annexations. Colo. Const. § 30, Art. II.
- 3) The population of the enclave does not exceed one hundred (100) persons and the enclave contains fewer than fifty (50) acres.

18.3.8 POST APPROVAL ACTIONS

- 1) After final passage of the annexation ordinance, the Town shall file one (1) copy of the annexation map with the original of the annexation ordinance in the office of the Town Clerk. The Town will file for recording with the Rio Blanco County Clerk and Recorder three (3) certified copies of the annexation ordinance and annexation map. The Town shall request the Rio Blanco County Clerk and Recorder to forward one (1) copy of the annexation map and ordinance to the Division of Local Government in the Colorado Department of Local Affairs, and one (1) copy of the annexation map and ordinance to the Colorado Department of Revenue.
- 2) In the event zoning was requested concurrent with the annexation, zoning shall be granted by ordinance and copies of the official zoning map amendment shall be recorded with the Rio Blanco County Clerk and Recorder. If the property was not zoned concurrent with annexation, the Town shall zone the annexed area within ninety (90) days of the effective date of the annexation ordinance.
 - a. During the ninety (90) day period, or such portion of thereof, to bring property under the Town's zoning ordinance, the Town may refuse to issue any building permit or occupancy permit for any portion or all of the newly annexed area.

18.3.9 PUBLIC HEARING NOTICES

- 1) Notice of the public hearing for annexation set by the Resolution of Intent to Annex shall be given in accordance with § 31-12-108, C.R.S. A copy of the Resolution of Intent to Annex, or the petition(s) as filed (exclusive of signatures), together with a notice of the date and time and place set by the Board of Trustees for the public hearing, shall be published once a week for four (4) consecutive weeks in a newspaper of general circulation in the area proposed to be annexed. The first publication of such notice shall be at least thirty (30) days prior to the date of the public hearing.
- 2) A copy of the published notice, together with a copy of the adopted Resolution finding the petition to be in substantial compliance with the Annexation Act and the petition as filed, shall be sent by certified mail to the Rio Blanco County Board of County Commissioners and the Rio Blanco County Attorney and any special district or school district having territory within the area to be annexed, at least twenty-five (25) days prior to the date fixed for the public hearing.
- 3) A copy of the published notice, together with the letter of intent provided with the application, the annexation map, and the concept plan for the development of the property shall be sent by certified mail to the owners of real property within 300 feet of the boundaries of the proposed annexation, irrigation ditch companies whose rights-of-way traverse the property to be annexed, and to the mineral estate owners and their lessees of the property to be annexed. Notice provided by the Town to the owners of the mineral estate owners and their lessees shall not relieve the petitioner(s) of the responsibility to provide notice as required by § 24-65.5-101, C.R.S., et seq.
 - a. In the case of a "flagpole" annexation, the Town shall also provide notice to abutting property owners as specified in § 31-12-105(e.1) and (e.3), C.R.S.
- 4) Petitioner's responsibilities—Mailing and posting notices, notice to mineral estate owners and lessees.
 - a. The petitioner shall provide the Town with a list of addresses for all owners of real property within 300 feet of the property to be annexed. The list shall be prepared by/with the Rio Blanco County Assessor, no more than thirty (30) days prior to the date of submission of the annexation petition.
 - b. The petitioner shall provide the Town with a list of addresses for all mineral interest owners and lessees of the property to be annexed, the irrigation ditch companies whose rights-of-way traverse the property to be annexed, and the special districts in which the property to be annexed is located. The list is to be prepared and certified by a title insurance company licensed by the State of Colorado, no more than thirty (30) days prior to the date of submission of the annexation petition.
 - c. The petitioner shall provide the Town with twenty (20) large manila envelopes to mail notices to the affected special districts, the Rio Blanco County Board of County Commissioners and Rio Blanco County Attorney, and referral agencies, as directed by the Town. The petitioner shall also provide a sufficient number of legal sized self-adhesive envelopes (no return address) to mail the notice to the owners of real property and mineral interest owners and lessees identified in the mailing list.
 - d. The petitioner shall be responsible for providing notice of each public hearing (Planning Commission and Board of Trustees) to the owners of the mineral estate on the property to be annexed, and to their lessees, as required by § 24-65.5-101, C.R.S., et seq. The petitioner shall certify to the Town not less than fifteen (15) days prior to the date of the public hearing(s), the petitioner's conformance with this notice requirement.

18.3.10 REIMBURSEMENT OF TOWN FOR ANNEXION EXPENSES

- 1) The petitioner shall reimburse the Town for expenses incurred for reviewing and processing the annexation petition, including, but not limited to, legal publications, engineering services, attorney fees, consultant fees, reproduction of

material, postage, public hearing expenses, and recording fees. The Town may require petitioners to pay a reasonable administrative processing fee and execute an agreement for the payment of development review expenses in excess of the fees paid. The Board of Trustees may, by resolution, establish the initial administration fees.

18.3.11 ANNEXATION PETITION AND APPLICATION SUBMITTAL STANDARDS

- 1) The initial annexation petition submittal shall include one (1) original and three (3) copies of the forms, maps, and letters and documents described below, to be delivered to the Town with the appropriate fees. The documents shall be submitted in separate three-ring binders of suitable size to hold the material. The binders shall contain a table of contents and be tabbed accordingly.
- 2) Following staff review and notice of acceptance for referral to the Board of Trustees, the applicant shall provide fifteen (15) copies of the annexation documents. Fifteen (15) sets shall be bound in three-ring binders as above. All copies shall be collated into complete application packets and bound with binder clips only.
- 3) The annexation application shall include:
 - a. Letter Of Intent. A letter of intent addressed to the Board of Trustees serving as a cover letter to the formal petition, introducing the applicant(s) to the Board of Trustees, requesting annexation of the petitioner's property, and describing the development plans for the property.
 - b. Annexation Application Form. A completed, signed, and dated annexation application form.
 - c. Agreement For Payment of Development Review Expenses Incurred by The Town. Form agreement provided by the Town for the payment of development review expenses incurred by the Town.
 - d. Petition For Annexation. The Town's standard petition for annexation form, which complies with § 31-12-107, C.R.S. If the Town Attorney approves use of a petition that is not on the Town's standard form, the petition shall contain the following statements:
 - i. An allegation that it is desirable and necessary that the area be annexed to the Town.
 - ii. An allegation that eligibility requirements and limitations set forth above and in §§ 31-12-104 and 105, C.R.S. have been met or addressed.
 - iii. An allegation that the petitioners comprise the landowners of more than fifty percent (50%) of the territory included in the proposed annexation area (excluding streets and alleys).
 - iv. A request that the Town approve the annexation.
 - v. A waiver of any right to election pursuant to Section 28 of Article X of the Colorado Constitution before a district can impose property tax levies and special assessments.
 - vi. The dated signatures of petitioning landowners. Petition signatures must have been collected within one hundred eighty (180) days of the date the petition is first submitted to the Town.
 - vii. The mailing and physical address of each signer of the petition.
 - viii. The full legal description of land owned by each signer of the petition (if platted, by lot and block; if unplatted, by metes and bounds).
 - ix. The affidavit of each petition circulator that each petitioner's signature is valid.
 - e. Annexation Map. Four (4) copies of the annexation map, signed and sealed by the registered land surveyor or engineer preparing the map, or under whose supervision the annexation map was prepared, and one (1) small format copy of the annexation map (not less than 8½" × 11", nor more than 11" × 17"). The annexation map(s) shall comply with the annexation map technical standards set forth herein.
 - f. Concept Plan Map: Four (4) copies of the concept plan map, and one (1) small format paper copy of the concept plan map (not less than 8½" × 11", nor more than 11" × 17"), complying with the concept plan map technical standards set forth herein.
 - g. Title Report. Proof of ownership in the form of a current title commitment, or other legal document, whose effective date shall be less than thirty (30) days prior to the date of submittal of the annexation petition. Ownership in the title report must match the ownership listed in the petition. If the legal description of the area to be annexed as shown on the annexation map does not match the legal description in the title commitment, because of road rights-of-way or other reasons, then the title policy must certify that the property owned is wholly contained within the described area on the annexation map. If the applicant is not the owner, in addition to the title commitment naming the owner as the insured, the submittal must include a notarized affidavit by the owner stating the applicant is authorized by the owner to make application for annexation. The applicant must also provide an electronic version (PDF) of the legal description matching the title commitment legal description.
 - h. Property Tax Statement. A copy of the prior year's property tax statement for all property to be annexed.
 - i. Labels And Envelopes. Mailing labels and envelopes for county, special districts, irrigation ditch companies, mineral interest owners, and adjacent property owners.
 - j. Annexation Assessment Report:

- i. A hard copy and an electronic version of a narrative report assessing the effect of the proposed annexation upon the community and existing services and facilities. It shall detail the need for any expansion of those services and facilities to accommodate the development proposed for the property being annexed. The narratives shall be adequate in length to fully explain the needs, concepts, and proposed solutions for each of the following:
 1. An assessment of the community needs for the proposed annexation and land use.
 2. The economic impact to the municipality of the proposed annexation, including an analysis of short-term and long-term municipal revenues likely to be generated by the development, short-term and long-term municipal expenses likely to be incurred as a result of the annexation and development, and proposals to mitigate any negative impacts.
 3. The school impacts including an estimate of the number of students to be generated by development of the property, capital construction required to accommodate the students, and proposals to mitigate any negative school impacts.
 4. The impacts on the existing transportation system and proposals to mitigate any negative transportation impacts upon the community, including, but not limited to, arterial and collector street improvements, intersection improvements, intersection signalization, and alternative modes of transportation such as public transit, bikeways, pedestrian walkways and trails, etc.
 5. The impacts of the proposed development on the existing storm drainage system and proposals to mitigate any negative drainage impacts upon the community including, but not limited to, historic rainfall drainage patterns, detention and retention areas, storm sewer requirements, discharged irrigation ditches, floodways, and floodplains, etc.
 6. The impacts of the proposed development on the Town police department and proposals to mitigate any impact upon the existing police services, including, but not limited to, special security needs, additional officers required, additional equipment requirements, etc.
 7. The impacts of the proposed development on providers of fire protection services and proposals to mitigate such impacts, including but not limited to, special fire hazards, fire prevention, fire detection, emergency access, additional equipment requirements, additional manpower requirements, additional fire stations, etc.
 8. The impacts of the proposed development on Town park facilities and recreation programs, and proposals to mitigate any impact upon the existing facilities and programs, including, but not limited to, additional facilities, additional recreation programs, additional personnel required, etc.
 9. The impacts of the proposed development on the natural environment, and proposals to mitigate any negative impacts on environmentally sensitive areas, endangered species, significant habitats, etc.
 10. The short-term and long-term economic development potential for the property, including, but not limited to, the number of jobs to be created, sales and use tax generation, property tax generation, utility revenue generation, incentives to be offered, etc.
 11. The compatibility of the proposed development with the street master plan as depicted by the Town's Street Master Plan, and proposals for mitigating any negative impacts
 12. The compatibility of the proposed development with the Town Future Land Use Plan or Comprehensive Plan, whichever has been most recently updated, and any plan amendments that may be necessary for the proposed development.
 13. The compatibility of the proposed development with the Town's zoning and subdivision regulations and any deviations in setbacks, space requirements, and permitted uses that may be required.
 14. A review of existing and adjacent land uses, areas of compatibility or conflict, and possible mitigation measures.
- ii. To ensure compliance with § 31-12-108.5, C.R.S., the narrative report shall also contain:
 1. A statement setting forth the plans for extending to or otherwise providing for, within the area to be annexed, municipal services required by the Town.
 2. A statement setting forth the method under which the property owners and/or Town plan to finance the extension of the municipal services into the area to be annexed.
 3. A statement identifying existing special districts within the area to be annexed.

4. A statement regarding the effect of the annexation upon local school districts, including the estimated number of students generated and the capital construction required to educate such students.
- iii. A map or maps of the municipality and adjacent territory showing the present and proposed boundaries of the municipality in the vicinity of the proposed annexation; the present streets, major trunk water mains, sewer interceptors and outfalls, other utility lines and irrigation and drainage ditches, and the proposed extension of such streets and utility lines in the vicinity of the proposed annexation; and the existing and proposed land use patterns and zoning in the areas to be annexed. An inaccurate, incomplete, or poorly drawn "existing conditions" map shall be rejected.
- iv. A copy of any draft or final pre-annexation agreement, if available.
- v. At its discretion, the Board of Trustees may waive any or all the components of an Annexation Assessment set forth herein, if requested by the applicant, except that an Annexation Assessment meeting the minimum requirements set forth in § 31-12-108.5, C.R.S., shall not be waived for any property exceeding ten (10) acres, for which the Rio Blanco County Board of County Commissioners has not granted a waiver.
- k. Town Comprehensive Plan Compatibility. A narrative response on the compatibility of the annexation to the goals, policies, and strategies identified in the Comprehensive Plan.
- l. Water Rights Report. A "water rights report" prepared by a qualified water engineer or water attorney, detailing the water rights appurtenant to, and severed from the property to be annexed and their historical use. The report must include both surface (tributary) and subsurface (non-tributary and not non-tributary groundwater). The applicant shall provide a signed warranty deed(s) for sufficient water rights to meet the domestic needs of property to be developed as a result of the annexation. In addition, the applicant shall provide a signed warranty deed for the transfer to the Town of all subsurface (non-tributary) water rights.
- m. Zoning Of Property to Be Annexed. If zoning is requested simultaneously with annexation, a completed zoning application form, zoning map of the property, a zoning amendment map amending the Official Zoning Map, and the application and recording fees. If zoning is not requested simultaneous with annexation, the property must be zoned within ninety (90) days of the completion of the annexation process.
- n. Letters Of Consent. Letters of consent for inclusion of the property into applicable special districts and public utility providers or other entities servicing to the area to be annexed.

18.3.12 ANNEXATION AGREEMENT

- 1) The Town shall provide the applicant with a draft annexation agreement, as deemed necessary by the Board, in its sole discretion, not less than three (3) weeks prior to the annexation public hearing before the Board of Trustees. This document outlines the responsibilities of the applicant and the Town, including, but not limited to, the provision and extension of streets and utilities, the dedication of water rights, the applicability of Town regulations, and any other conditions of annexation imposed at the discretion of the Board of Trustees. If a property to be annexed has multiple ownership, more than fifty percent (50%) of the landowners who own more than fifty percent (50%) of the land proposed for annexation must sign the annexation agreement. If multiple properties are combined for annexation purposes, but each will be developed separately, separate annexation agreements must be signed by each owner. The final document shall be signed by the applicant and made available to the Town not less than two (2) weeks before the date of the public hearing on the annexation.

18.3.13 ANNEXATION MAP TECHNICAL STANDARDS

The annexation map shall be prepared by, or under the supervision of, a registered professional land surveyor licensed by the State of Colorado. The annexation map shall conform to the following drafting standards and contain the following information. It shall be a neat, clear, permanent, legible, and reproducible document. Inaccurate, incomplete, or poorly drawn maps shall be rejected.

- 1) The annexation map shall be an original drawing on 24" × 36" sheet(s) of double matte mylar film, using only permanent black ink that will adhere to drafting films, or an acceptable "fix-line" photographic reproduction (emulsion down), or a computer-generated reproduction of the original drawing. Unless otherwise specified, text and numbers shall be large enough to be clearly legible.
- 2) Paper copies of the annexation map(s) shall be blue-line or black-line copies of the original. The applicant shall also provide one (1) paper copy no larger than 11" × 17" and no smaller than 8½" × 11" of the annexation map(s).
- 3) The annexation map shall be drafted at a scale that best conveys the detailed survey and confines the drafting error to less than one percent (1%). Acceptable scales are 1" = 50' or 1" = 100', and for annexations exceeding 100 acres 1" =

200'. Under special circumstances another scale may be approved by the Town. When an annexation requires multiple sheets, an index shall be provided that delineates the boundaries and identifies each sheet number. The scale of a composite map may be different from the individual sheets, as approved by the Town. A title sheet containing the certifications and signature blocks shall be provided in the event the sheet containing the annexation map is too crowded.

- 4) The title of the annexation shall be centered at the top of the sheet along the long dimension of each sheet and shall include the name of the proposed annexation, a general legal description stating the section, township, range, 6th P.M., town, county, state, and total acreage, as shown below. Annexation names must be original.

TITLE BLOCK EXAMPLE:

White River Estate Annexation to the Town of Meeker, Colorado
A Part of the E½ of Section 23
Township ____ North, Range ____ West, 6th P.M.,
Town of Meeker, County of Rio Blanco, State of Colorado
5.5 Acres

- 5) There shall be a title block in the lower right-hand corner, or along the right-hand margin that contains the name, address, and telephone number of the landowner, the developer, and the engineer or surveyor preparing the drawing, an appropriate title for the drawing, the preparation date, sheet number, the preparer's project identification numbers, revision dates, and draftsman's initials.
- 6) Adjacent to the title block, in the lower right-hand corner, there shall be a legend block that shall include a description of lines, points and symbols, a double-headed north arrow designated as true north, and a written and graphic scale.
- 7) Adjacent to the right margin, or in a column to the right of the center of the title page if the page is crowded, there shall be the Town's standard statement of ownership containing a written metes and bounds legal description of the land to be annexed (including the full width of abutting roadways not already within the Town), followed by owner's signature block(s) and notary block(s) for each owner or mortgagee.
- 8) Immediately following the ownership certificate, there shall be the Town's standard Surveyor's certificate, signed, dated, and sealed by a licensed surveyor or engineer.
- 9) Immediately following the Surveyor's certificate, there shall be the Town's standard certificate blocks for the Planning Commission and Board of Trustees.
- 10) Immediately following the Board of Trustees; approval certificate, there shall be the Town's standard recording certificate block for the Rio Blanco County Clerk and Recorder.
- 11) A vicinity map that depicts the area to be annexed and the area that surrounds the proposed annexation within a two (2) mile radius superimposed on a current USGS Topographical Map, at a scale no smaller than one (1) inch equals two thousand (2,000) feet, shall be placed on the left side of an annexation map, or on the left side of the title sheet.
- 12) The annexation map drawing shall contain the following:
 - a. The boundaries of the area to be annexed.
 - b. For all references to recorded documents, the book, page, map number, reception number, and location where publicly recorded.
 - c. All recorded and apparent rights-of-way lines of roads both within and without the periphery of land to be annexed, including roads adjacent, adjoining, contiguous, and/or coincident to the boundary. Provide all road names, right-of-way widths at each leg of an intersection, at the point of curve and point of tangent, at dead ends and at angle points; and right-of-way lines with accurate bearings and dimensions including chord lengths and bearings, central angles, and radii of all curves. Whenever the centerline of a road has been established or recorded, the date and recording information shall be shown.
 - d. A drawing of the contiguous boundary of the Town and the contiguous boundary of any other municipality abutting the area proposed to be annexed. A hatched boundary line shall be used to depict the boundary contiguous to the Town (example: //////////), and a calculation of the amount of contiguity between the existing boundary and the annexation area.
 - e. The section, quarter section, and other monument corners. Display ties to section corners and to the state grid, if available, that show dimensions of all primary boundary survey control points with complete monument and location descriptions, all parcel lines showing dimensions with lengths, bearings, and curve data, including chord lengths and bearings, basis of bearings, and relation to true meridian and similar data. Only circular curves shall be used. No spirals, parabolas, etc., shall be used. All dimensions are to be shown to the nearest 0.01' or in the case of degrees, to the nearest second. An accuracy of 1:50,000 (second order) minimum for linear and angular (bearing) closure shall be required for the boundary. All internal lots, tracts, or parcels shall have a closure accuracy of 0.01'.

- f. A description of all monuments, both found and set, which mark the boundaries of the property, and all control monuments used in conducting the survey.
- g. The location of each ownership tract in unplatted land and, if part or all of the area is platted, the boundaries and plat numbers of plots, or of lots and blocks.
- h. The names and locations of all abutting subdivisions. The locations of all abutting unplatted parcels and public lands shall also be depicted and designated as such.
- i. The purpose, widths, location (with fine dashed lines,) and ownership of all easements and all abutting easements, including, but not limited to, utility, oil and gas gathering and transmission lines, and irrigation ditches (fee or prescriptive). If any easement already of record cannot be definitively located, a statement of its existence, the nature thereof, and its recorded reference must appear on the title sheet. The widths of all easements and sufficient data to definitively locate the same with respect to the parcel to be annexed must be shown. All easements must be clearly labeled and identified.
- j. All lines, names, and descriptions on the annexation map that do not constitute a part of the annexation shall be depicted in dashed or screened lines. Any area enclosed by the annexation, but not a part thereof, shall be labeled "not a part of this annexation."
- k. Accurate depiction of one hundred-year floodplains, all existing and proposed watercourses, retention and detention areas, wetlands, aquifer recharge areas, streams, lakes, or inlets on the affected property.
- l. The length and bearing of all lines described in the written description.
- m. Labeled section numbers, quarter section quadrants, township, and range lines.
- n. All lines, calls, arcs, etc., described in a narrative.
- o. An ellipse around each location where a detailed drawing will be provided, and designation for each detail such as "see detail A."
- p. "Point of beginning" in bold letters with an arrow.
- q. "True point of beginning" with bold letters and arrow, when appropriate.
- r. A map note indicating the total perimeter of the annexation boundary, the contiguous length to the existing Town boundary, and the length representing one-sixth (1/6) of the total annexation boundary perimeter.
- s. An electronic copy of the legal description in uppercase text.

18.3.14 CONCEPT PLAN MAP TECHNICAL STANDARDS

- 1) The concept plan map shall be prepared by, or under the supervision of, a qualified land planner or architect. The scale and layout of the concept plan map shall be consistent with the technical standards set forth in Subsection 18.3.13, above. It shall be a neat, clear, permanent, legible, and reproducible document. Inaccurate, incomplete, or poorly drawn maps shall be rejected.
- 2) Paper copies of the concept plan map(s) shall be blueline or blackline copies of the original. The applicant shall also provide a paper copy, no larger than 11" x 17" and no smaller than 8½" x 11", reductions of the concept plan map(s).
- 3) The concept plan map drawing shall contain the following:
 - a. The boundary of the area to be developed.
 - b. A written legal description of the area to be developed.
 - c. The general location of each proposed land use on the property and the percentage of the whole for each use. General location of land uses may be shown as irregular graphic shapes depicting the approximate size and relationship to adjacent land uses. A table shall be used to list densities and land use by type, including the area of each, the density and maximum and minimum lot sizes of any residential development, and the maximum square footage, and maximum and minimum lot sizes of commercial and industrial buildings.
 - d. Existing and proposed arterial and collector streets and their relationship to the principal land uses on the site.
 - e. Existing and proposed major utility lines or facilities and their relationship to the principal land uses on the site.
 - f. Contour lines at ten-foot intervals, except when there are significant geographical features on the land and a different interval is determined to be more appropriate.
 - g. Significant natural or manmade features on the site and contiguous to the property, including, but not limited to, bluffs, tree galleries, lakes and ponds, irrigation ditches, watercourses, and wetlands.