

Appendix I

Relevant Excerpts of the Weld County Charter
& Weld County Code

Section 3-12. - Quorum.

Three of the members of the Board in office at the time shall be a quorum for the transaction of business.

Sec. 14-9-40. - Maximum permissible noise levels.

- A. Sound levels shall be measured as provided for in Section 14-9-50 below.
- B. Sound levels are hereby established for each type of property during specific hours of the day. Any sound level which exceeds the level set for a type of property at any time of day is prohibited.

<i>Land Use</i>	<i>Maximum Noise (dB(A)) 7:00 a.m. — 9:00 p.m.</i>	<i>Maximum Noise (dB(A)) 9:00 p.m. — 7:00 a.m.</i>
Residential Property or Commercial Area	55 dB(A)	50 dB(A)
Industrial Area or Construction Activities	80 dB(A)	75 dB(A)
Nonspecified Areas	55 dB(A)	50 dB(A)

- C. Between the hours of 9:00 p.m. and 7:00 a.m., the noise levels set forth above may be exceeded by up to ten (10) decibels for up to fifteen (15) minutes in a one-hour period.
- D. Vehicles operating in the public right-of-way are subject to the following maximum noise levels:

<i>Vehicle Class (GVWR)</i>	<i>Maximum Noise in Speed Limit 35 m.p.h. or less zone</i>	<i>Maximum Noise in Speed Limit over 35 m.p.h. zone</i>

Manufacturer's gross vehicle weight rating (MGWR) over 10,000 pounds (4,536 kg), or any combination of vehicles towed by such motor vehicle	86	90
Any other motor vehicle or any combination of vehicles towed by any motor vehicle, including but not limited to automobiles, motorcycles, vans or light trucks, with a gross vehicle weight rating (GVWR) less than 10,000 pounds (4,536 kg)	80	84

E. No person shall operate, anywhere in the County, any vehicle that is not equipped with a muffler in constant operation which is properly maintained to prevent noise in excess of that set forth in this Section; nor shall any person operate, in unincorporated Weld County, any vehicle having a muffler that has been equipped or modified with a cutoff, bypass or similar device or modification.

(Weld County Code Ordinance 2008-4)

Sec. 22-2-20. - Agriculture goals and policies.

A. A.Goal 1. Respect and encourage the continuation of agricultural land uses and agricultural operations for purposes which enhance the economic health and sustainability of agriculture.

1. A.Policy 1.1. Establish and maintain an agricultural land use designation to promote the County's agricultural industry and sustain viable agricultural opportunities for the future.
2. A.Policy 1.2. Support the development of creative policies for landowners to voluntarily conserve agricultural land.

a. Recommended Strategy A.1.2.a. Examine opportunities to provide preservation techniques and incentives for voluntary conservation.

3. A.Policy 1.3. Encourage management practices which sustain practical agricultural productivity when irrigated lands are converted to nonirrigated agricultural uses through water transfers, dry-ups or land-idling programs.

a. Recommended Strategy A.1.3.a. Explore incentives or programs to ensure that weeds are properly managed on dried-up properties.

4. A.Policy 1.4. Recognize the changing dynamics of agricultural land uses, their locations and the size and scope of operations when developing land use regulations.
5. A.Policy 1.5. Support and entice agriculturally related businesses and processing facilities.

B. A.Goal 2. Continue the commitment to viable agriculture in Weld County through mitigated protection of established (and potentially expanding) agricultural uses from other proposed new uses that would hinder the operations of the agricultural enterprises.

1. A.Policy 2.1. Adjacent lands owned or leased by an agricultural operation should be used in determining allowable animal unit densities.
2. A.Policy 2.2. Allow commercial and industrial uses, which are directly related to or dependent upon agriculture, to locate within agricultural areas when the impact to surrounding properties is minimal or mitigated and where adequate services and infrastructure are currently available or reasonably obtainable. These commercial and industrial uses should be encouraged to locate in areas that minimize the removal of agricultural land from production.

a. Recommended Strategy A.2.2.a. Establish land use regulations which minimize burdensome restrictions placed on the land use changes.

b. Recommended Strategy A.2.2.b. Facilitate a timely determination in the approval process for agriculturally related enterprises.

3. A.Policy 2.3. Encourage development of agriculture and agriculturally related businesses and industries in underdeveloped areas where existing resources can support a higher level of economic activity. Agricultural businesses and industries include those related to

ranching, confined animal production, farming, greenhouse industries, landscape production and agri-tainment or agri-tourism uses.

C. A.Goal 3. County land use regulations recognize and respect the rights afforded by the State Constitution and associated statutes of individually decreed water rights. Water rights are considered real property and should be protected as any other private property right.

1. A.Policy 3.1. Land use regulations and policies should encourage water rights to voluntarily remain and be put to beneficial use in the County.
2. A.Policy 3.2. Land use regulations should not interfere with the transfer of water rights and/or their associated uses.
3. A.Policy 3.3. Land use regulations should consider the traditional and future operational viability of water-delivery infrastructure when applications for proposed land use changes are considered.
4. A.Policy 3.4. Land use regulations should attempt to limit increased exposure of liability to water-delivery entities when land use changes are considered.

D. A.Goal 4. Promote a quality environment which is free of derelict vehicles, refuse, litter and other unsightly materials.

1. A.Policy 4.1. Property owners should demonstrate responsibility of ownership by minimizing safety and health hazards resulting from, but not limited to, unsafe or dangerous structures and noncommercial junkyards.
 - a. Recommended Strategy A.4.1.a. Develop programs for cleanup of abandoned property, junk and weeds.*

E. A.Goal 5. Provide for the minimum buildable lot size of parcels in the agricultural areas created without County approval to be in conformance with state statutes.

1. A.Policy 5.1. Recognize that viable agricultural operations can function on small acreages.
 - a. Recommended Strategy A.5.1.a. Review County regulations and consider creating a minimum lot size standard of thirty-five (35) acres in agricultural areas.*

F. A.Goal 6. Provide mechanisms for the division of land in agricultural areas to support the continuation of agricultural production.

1. A.Policy 6.1. Support the continuation of division of lands in agricultural areas that are exempt from subdivision regulations.
 - a. Recommended Strategy A.6.1.a. Consider road reservation/dedication and road access location requirements for land use changes that are exempt from the subdivision process, as applicable, and in accordance with the Weld County Transportation Master Plan.*
2. A.Policy 6.2. Support opportunities, such as but not limited to hobby farming and home businesses, to supplement family income and reduce living expenses for farm families and others who prefer a rural lifestyle.

3. A.Policy 6.3. Encourage multi-generational, caretaker, guest and accessory quarters.
 - a. *Recommended Strategy A.6.3.a. Develop land use regulations that allow for auxiliary housing, without an attachment or square footage requirement, on agricultural lands that are suitable for those uses. This would include those units that are now considered nonconforming. Regulations could address compatibility and impacts associated with such housing.*
 4. A.Policy 6.4. Encourage agri-tourism.
 - a. *Recommended Strategy A.6.4.a. Review land use regulations to ensure that they are consistent with this Policy and that they support agri-tourism. Explore other regulatory and nonregulatory options that promote and enable rural tourism events and sites.*
- G. A.Goal 7. County land use regulations should protect the individual property owner's right to request a land use change.**
1. A.Policy 7.1. County land use regulations should support commercial and industrial uses that are directly related to, or dependent upon, agriculture, to locate within the agricultural areas, when the impact to surrounding properties is minimal, or can be mitigated, and where adequate services are currently available or reasonably obtainable.
 - a. *Recommended Strategy A.7.1.a. Review the zoning regulations to ensure that they are consistent with this Policy.*
 2. A.Policy 7.2. Conversion of agricultural land to nonurban residential, commercial and industrial uses should be accommodated when the subject site is in an area that can support such development, and should attempt to be compatible with the region.
 - a. *Recommended Strategy A.7.2.a. Review land use regulations for small home-based businesses that are not uses allowed by right in the Agricultural Zone District, and which are located in rural subdivisions.*
 3. A.Policy 7.3. Conversion of agricultural land to urban residential, commercial and industrial uses should be considered when the subject site is located inside an Intergovernmental Agreement area, Urban Growth Boundary area, Regional Urbanization Area or Urban Development Nodes, or where adequate services are currently available or reasonably obtainable. A municipality's adopted comprehensive plan should be considered, but should not determine the appropriateness of such conversion.
- H. A.Goal 8. Ensure that adequate services and facilities are currently available or reasonably obtainable to accommodate the requested new land use change for more intensive development.**
1. A.Policy 8.1. The land use applicants should demonstrate that adequate sanitary sewage and water systems are available for the intensity of the development.
 2. A.Policy 8.2. The land use applicants are responsible for contacting and determining the status of a water well through the State Division of Water Resources and should be aware that ownership of a parcel of land with a well does not guarantee the use of the well.

3. A.Policy 8.3. The land use applicants should demonstrate that the roadway facilities associated with proposed development are adequate in width, classification and structural capacity to serve the proposed land use change.
 4. A.Policy 8.4. The land use applicants should demonstrate that drainage providing stormwater management for the proposed land use change is adequate for the type and style of development and meets the requirements of county, state and federal rules and regulations.
 5. A.Policy 8.5. The land use applicants should demonstrate that public service providers, such as but not limited to schools, emergency services and fire protection, are informed of the proposed development and are given adequate opportunity to comment on the proposal.
- I. A.Goal 9. Reduce potential conflicts between varying land uses in the conversion of traditional agricultural lands to other land uses.**
1. A.Policy 9.1. Employ consistency and fairness in the application of the principles of this Comprehensive Plan to help reduce conflicts between the residents, the County, the municipalities and the varying land uses.
 2. A.Policy 9.2. Consider the individuality of the characteristics and the compatibility of the region of the County that each proposed land use change affects, while avoiding requirements that do not fit the land use for that specific region.
 3. A.Policy 9.3. Consider mitigation techniques to address incompatibility issues. Encourage techniques and incentives, such as but not limited to clustered development and building envelopes, to minimize impacts on surrounding agricultural land.
 4. A.Policy 9.4. Consider conservation of natural site features such as topography, vegetation and water courses, in conjunction with the conversion of land uses.
 - a. *Recommended Strategy A.9.4.a. Provide land owners with information about voluntary techniques to preserve significant agricultural lands, historic sites and wildlife habitats.*
 5. A.Policy 9.5. Applications for a change of land use in the agricultural areas should be reviewed in accordance with all potential impacts to surrounding properties and referral agencies. Encourage applicants to communicate with those affected by the proposed land use change through the referral process.
 6. A.Policy 9.6. Municipalities should be encouraged to include all private property owners, business owners and residents outside of their municipal boundaries in any growth management discussions and decisions that affect the future land use of such private property owners' land.
 - a. *Recommended Strategy A.9.6.a. Collaborate with municipalities to notify unincorporated property owners of municipal land use policies that may affect the future land uses of private property owners' land.*
 7. A.Policy 9.7. Protect privately owned open space. Privately owned agricultural lands provide relatively open landscapes. Unlike urban open space areas, public access to these lands is

not allowed. These lands are not guaranteed to remain traditional agricultural lands, but can be converted by the individual land owner to other uses through the appropriate land use processes.

a. Recommended Strategy A.9.7.a. Explore strategies for educating the public about protecting privately owned open space.

J. A.Goal 10. The County recognizes the right to farm.

1. A.Policy 10.1. Distribute informational handouts and make available electronic sources of information pertaining to what should be expected of living in agricultural areas, for use by rural homeowners, landowners and residents.
2. A.Policy 10.2. In order to validate this recognition of a right to farm, the statement listed below should be incorporated into all land use plats and Homeowners' Association (HOA) documents.

Weld County Right to Farm Statement

Weld County is one of the most productive agricultural counties in the United States, typically ranking in the top ten counties in the country in total market value of agricultural products sold. The rural areas of Weld County may be open and spacious, but they are intensively used for agriculture. Persons moving into a rural area must recognize and accept there are drawbacks, including conflicts with long-standing agricultural practices and a lower level of services than in town. Along with the drawbacks come the incentives which attract urban dwellers to relocate to rural areas: open views, spaciousness, wildlife, lack of city noise and congestion, and the rural atmosphere and way of life. Without neighboring farms, those features which attract urban dwellers to rural Weld County would quickly be gone forever.

Agricultural users of the land should not be expected to change their long-established agricultural practices to accommodate the intrusions of urban users into a rural area. Well-run agricultural activities will generate off-site impacts, including noise from tractors and equipment; slow-moving farm vehicles on rural roads; dust from animal pens, field work, harvest and gravel roads; odor from animal confinement, silage and manure; smoke from ditch burning; flies and mosquitoes; hunting and trapping activities; shooting sports, legal hazing of nuisance wildlife; and the use of pesticides and fertilizers in the fields, including the use of aerial spraying. It is common practice for agricultural producers to utilize an accumulation of agricultural machinery and supplies to assist in their agricultural operations. A concentration of miscellaneous agricultural materials often produces a visual disparity between rural and urban areas of the County. Section 35-3.5-102, C.R.S., provides that an agricultural operation shall not be found to be a public or private nuisance if the agricultural operation alleged to be a nuisance employs methods or practices that are commonly or reasonably associated with agricultural production.

Water has been, and continues to be, the lifeline for the agricultural community. It is unrealistic to assume that ditches and reservoirs may simply be moved "out of the way" of residential development. When moving to the County, property owners and residents must realize they cannot take water from

irrigation ditches, lakes or other structures, unless they have an adjudicated right to the water.

Weld County covers a land area of approximately four thousand (4,000) square miles in size (twice the size of the State of Delaware) with more than three thousand seven hundred (3,700) miles of state and County roads outside of municipalities. The sheer magnitude of the area to be served stretches available resources. Law enforcement is based on responses to complaints more than on patrols of the County, and the distances which must be traveled may delay all emergency responses, including law enforcement, ambulance and fire. Fire protection is usually provided by volunteers who must leave their jobs and families to respond to emergencies. County gravel roads, no matter how often they are bladed, will not provide the same kind of surface expected from a paved road. Snow removal priorities mean that roads from subdivisions to arterials may not be cleared for several days after a major snowstorm. Services in rural areas, in many cases, will not be equivalent to municipal services. Rural dwellers must, by necessity, be more self-sufficient than urban dwellers.

People are exposed to different hazards in the County than in an urban or suburban setting. Farm equipment and oil field equipment, ponds and irrigation ditches, electrical power for pumps and center pivot operations, high-speed traffic, sand burs, puncture vines, territorial farm dogs and livestock and open burning present real threats. Controlling children's activities is important, not only for their safety, but also for the protection of the farmer's livelihood.

(Weld County Code Ordinance 2002-6; Weld County Code Ordinance 2008-13)

Sec. 22-2-100. - Commercial development Goals and Policies.

A. C.Goal 1. Promote the location of commercial uses within municipalities, County Urban Growth Boundary areas, Intergovernmental Agreement urban growth areas, growth management areas as defined in municipal comprehensive plans, the Regional Urbanization Areas, Urban Development Nodes or where adequate services are currently available or reasonably obtainable.

1. C.Policy 1.1. Ensure that adequate levels of services and facilities are currently available or reasonably obtainable.
2. C.Policy 1.2. Encourage new commercial development within existing commercial areas.
3. C.Policy 1.3. Neighborhood commercial uses should be allowed in residential areas. These commercial uses should consist only of neighborhood-oriented businesses. Commercial uses that service a greater area than the neighborhood and create an undesirable impact, such as increased vehicular traffic, are not considered appropriate in residential neighborhoods.

B. C.Goal 2. Encourage appropriate commercial development to annex into a municipality if the new or expanding commercial development is adjacent to the municipality's corporate limits.

1. C.Policy 2.1. Municipalities may have comprehensive plans that include lands in unincorporated areas of the County. Applicants are encouraged to discuss their land use plans with those affected municipalities.
 - a. Recommended Strategy C.2.1.a. Pursue Intergovernmental Agreements between municipalities and the County.*

C. C.Goal 3. All new commercial development should pay its own way.

1. C.Policy 3.1. New development should pay for the additional costs associated with those services directly impacted by the new commercial development.
2. C.Policy 3.2. Cooperation or consolidation of urban services among counties, municipalities, special districts and companies should be encouraged, when appropriate, to avoid duplication and overlapping costs

and to establish a satisfactory level of quality, quantity and dependability of those services.

D. C.Goal 4. New commercial uses or expansion of existing commercial uses should meet existing federal, state and local policies and legislation.

1. C.Policy 4.1. Commercial uses should be evaluated using criteria, including but not limited to the effect the development would have on air and water quality, natural drainage ways, soil properties and natural patterns and suitability of the land.

a. Recommended Strategy C.4.1.a. Review the zoning regulations to ensure that they are consistent with this Policy.

2. C.Policy 4.2. Commercial uses should be encouraged to enhance desirable natural features, which may include favorable space for wildlife, and minimize pollution. Development improvements should minimize permanent visual scarring from grading, road cuts and other site disturbances. Require stabilization and landscaping of final land forms, and that runoff be controlled at historic levels.

E. C.Goal 5. Minimize the incompatibilities that occur between commercial uses and surrounding properties.

1. C.Policy 5.1. Consider the compatibility with surrounding land uses and natural site features.

a. Recommended Strategy C.5.1.a. Establish development standards for such issues as use, building height, scale, density, traffic, dust and noise.

b. Recommended Strategy C.5.1.b. Consider identifying commercial sub-areas and corresponding design guidelines after notification to the relevant landowners.

2. C.Policy 5.2. Support the use of visual and sound barrier landscaping to screen open storage areas from residential uses or public roads.
3. C.Policy 5.3. Encourage informational neighborhood meetings for proposed commercial uses that do not require a public hearing.

a. Recommended Strategy C.5.3.a. Develop options for neighborhood meeting processes.

4. C.Policy 5.4. Ensure that commercial properties are free of derelict vehicles,

refuse, litter and other unsightly materials.

a. Recommended Strategy C.5.4.a. Develop programs for cleanup of derelict property, junk and weeds.

F. C.Goal 6. Consider how transportation infrastructure is affected by the impacts of new or expanding commercial developments.

1. C.Policy 6.1. Support transportation systems within and into commercial developments that address a full range of mobility needs, and which effectively provide connectivity in a cost-effective, efficient and comprehensive manner. Encourage shared access points.

2. C.Policy 6.2. The land use applicant should demonstrate that the roadway facilities associated with the proposed commercial development are adequate in width, classification and structural capacity to serve the development proposal.

a. Recommended Strategy C.6.2.a. Coordinate transportation plans between Weld County, other counties, municipalities and other jurisdictions.

b. Recommended Strategy C.6.2.b. Establish road reservation/dedication standards for commercial developments that are in accordance with the Weld County Transportation Master Plan and with other local and regional transportation plans.

(Weld County Code Ordinance 2002-6; Weld County Code Ordinance 2005-01; Weld County Code Ordinance 2006-2; Weld County Code Ordinance 2006-4; Weld County Ordinance 2008-13)

Sec. 22-2-120. - Residential development Goals and Policies.

A. R.Goal 1. Ensure that adequate services and facilities are currently available or reasonably obtainable to serve the residential development or district.

1. R.Policy 1.1. The land use applicant should demonstrate that adequate sanitary sewage and water systems are currently available or reasonably obtainable to serve residential development proposals.
2. R.Policy 1.2. The land use applicant should demonstrate that the roadway facilities associated with the proposed development are adequate in width, classification and structural capacity to serve the development proposal.
3. R.Policy 1.3. The land use applicant should demonstrate that drainage facilities providing stormwater management for the proposed development are adequate for the type and style of development and meet the regulatory requirements of the county, state and federal rules and regulations.
4. R.Policy 1.4. The land use applicant should demonstrate that public service providers such as schools, emergency services, fire protection and other providers are informed of the proposed development and are given adequate opportunity to comment on the proposal.

B. R.Goal 2. Promote cost-effective delivery of facilities and services to residential development.

1. R.Policy 2.1. Improvements associated with residential development should be based on the direct impact that development proposals have on the infrastructure and services related to that development. This may include being required to address off-site improvements necessary to adequately support any individual development.
 - a. Recommended Strategy R.2.1.a. Consider road reservation/dedication for land development that is exempt from the subdivision process, such as but not limited to recorded exemptions, as applicable, and in accordance with the Weld County Transportation Master Plan.*
2. R.Policy 2.2. Ensure adequate mechanisms are in place to manage and maintain all public and private improvements in residential development. These improvements may include water delivery, sewage disposal, drainage facilities, roadways, common and private open space, landscaped areas and fencing. Mechanisms may include, but are not limited to, homeowners' associations, metropolitan or other improvement districts, agreements with utility or service providers, or protective covenants addressing privately owned property.
3. R.Policy 2.3. Mechanisms for funding infrastructure improvements should be promoted to ensure equitable participation by the developer, utility providers, service providers,

the County, future owners and surrounding properties. Such mechanisms may include oversizing or payback agreements, impact fees, interim/ultimate design and installation plans, improvement or metropolitan districts and/or other methods.

- a. Recommended Strategy R.2.3.a. Review existing impact fee policies every three (3) years and after each decennial census to ensure that the basis for impact fees remains equitable and fair and reflects the current costs of construction.*

C. R.Goal 3. Consider the compatibility with surrounding land uses, natural site features, nearby municipalities' comprehensive plans and general residential growth trends when evaluating new residential development proposals.

1. R.Policy 3.1. Mitigation techniques should be considered, to address incompatibility issues.
2. R.Policy 3.2. Consider conservation of natural site features, such as topography, vegetation and water courses, in conjunction with residential uses. Development improvements should minimize permanent visual scarring from grading, road cuts and other site disturbances. Require stabilization and landscaping of final land forms, and that runoff be controlled at historic levels.
3. R.Policy 3.3. Incorporated areas may have comprehensive plans that include lands in unincorporated areas of the County. Applicants are encouraged to discuss their land use plans with those affected incorporated areas.
4. R.Policy 3.4. County land use codes and regulations shall recognize that residential growth trends, patterns and rates are dynamic and are influenced by many factors. Regulations should be crafted to account for these fluctuations.

D. R.Goal 4. Residential development should support agriculture, and be supported in agricultural areas, in accordance with the goals and policies of Section 22-2-20 of this Article.

E. R.Goal 5. Support Rural Residential development. The density of Rural Residential development should be based on total gross area of land, with final density adjusted, if necessary, relative to infrastructure and services available or reasonably obtainable.

1. R.Policy 5.1. Encourage Rural Residential uses when the subject site is located in a non-urban area of the County.
2. R.Policy 5.2. The gross density of Rural Residential development proposed with public water, or wells, and individual sewage disposal systems should be lower than that of other types of Rural Residential development. Lots should have access to common or private open space, if applicable. Private open space is encouraged on individual lots, in order to support high-quality rural character.

- a. Recommended Strategy R.5.2.a. Review the subdivision and zoning regulations to ensure that they support this Policy. Study the possibility of allowing a gross density*

for Rural Residential development proposed with public water, or wells, and individual sewage disposal systems of one (1) dwelling unit per three (3.0) acres or more.

- b. Recommended Strategy R.5.2.b. Review regulations and consider a minimum lot or building envelope size of one and a quarter (1.25) acres for Rural Residential development proposed with public water, or wells, and individual sewage disposal systems.*
 - c. Recommended Strategy R.5.2.c. Review regulations to ensure adequate open space requirements. Consider standards such as common open space a minimum of thirty (30) feet wide, and private open space that is a minimum of three (3.0) acres, unimproved and a minimum of one hundred fifty (150) feet wide.*
3. R.Policy 5.3. The gross density of Rural Residential development proposed with public water and public sewer service may be higher than those proposed with public water, or wells, and individual septic systems, but lower than Urban Development. Such development should support lots having access to common open space. Off-road pedestrian connections (detached or attached sidewalks or trails) should connect all lots.
- a. Recommended Strategy R.5.3.a. Review the subdivision and zoning regulations to ensure that they support this Policy. Study the possibility of allowing a gross density for Rural Residential development proposed with public water and public sewer service of one (1) dwelling unit per one and a half (1.5) acres or more.*
 - b. Recommended Strategy R.5.3.b. Review regulations and consider a minimum lot or building envelope size of a half (0.5) acre for Rural Residential development proposed with public water and public sewer service.*
 - c. Recommended Strategy R.5.3.c. Review regulations to ensure adequate open space requirements. Consider standards such as common open space that is a minimum of twenty (20) feet wide, and private open space that is a minimum of one and a half (1.5) acres, unimproved and a minimum of one hundred (100) feet wide.*
 - d. Recommended Strategy R.5.3.d. Review regulations regarding Rural Residential development adjacent to urban development.*
 - e. Recommended Strategy R.5.3.e. Develop standards for rural pedestrian connections.*

F. R.Goal 6. Design Rural Residential development to include development patterns, design features, amenities and architecture that support a high-quality rural character.

- 1. R.Policy 6.1. Internal roadways that are rural in character, and yet adequately serve the intensity of the development, are encouraged.
 - a. Recommended Strategy R.6.1.a. Develop road standards for Rural Residential*

subdivisions. Where possible, different standards should be explored for different rural circumstances.

2. R.Policy 6.2. Access from Rural Residential developments onto perimeter roadways should be encouraged to share access roads, spaced according to County policies.
 3. R.Policy 6.3. Roadway and/or pedestrian connections to surrounding properties should be included, where feasible, to ensure connectivity between adjoining properties as they develop.
 4. R.Policy 6.4. Perimeter treatments, entryways and architectural design criteria are encouraged to be individually tailored to each development proposal, but should support a high-quality rural character.
 - a. *Recommended Strategy R.6.4.a. Develop a "Design Techniques to Support the Rural Character of Weld County" handbook. This handbook would offer suggestions for subdivision layout and street designs that maintain the look and feel of rural Weld County.*
 5. R.Policy 6.5. Setbacks and other bulk standards should be established so that they reflect the character and goals of Rural Residential development.
 - a. *Recommended Strategy R.6.5.a. Review the zoning regulations to ensure that they are consistent with this Policy.*
- G. R.Goal 7. Encourage Urban Residential uses when the subject site is located inside an approved Intergovernmental Agreement urban growth area, County Urban Growth Boundary area, Regional Urbanization Areas, Urban Development Nodes or where adequate infrastructure and services are currently available or reasonably obtainable.**
1. R.Policy 7.1. Urban residential development is any development more dense than Rural Residential development.
- H. R.Goal 8. Urban Residential development patterns, design features, infrastructure, amenities and other development elements should conform to urban design standards.**
1. R.Policy 8.1. Urban infrastructure elements such as roadways, water, sewer, drainage, sidewalks, parks, open space and other community services should be included in any urban design.
 2. R.Policy 8.2. Mixed uses, including varied lot sizes, multi-family dwellings, complimentary commercial, civic and public facilities, should be considered in all urban developments.
 3. R.Policy 8.3. As appropriate, incorporate neighborhood design techniques, so that ordinary activities of daily living can occur within walking distance of most residences.
 - a. *Recommended Strategy R.8.3.a. Develop a handbook that offers suggestions for neighborhood design techniques.*

I. R.Goal 9. Promote the development of affordable, quality housing for County residents.

1. R.Policy 9.1. Provide for housing developments, such as but not limited to multi-family and manufactured homes, to encourage lower-cost renter- or owner-occupied housing and employee housing.
 - a. *Recommended Strategy R.9.1.a. Explore incentive options for workforce housing development.*
2. R.Policy 9.2. Locate affordable housing developments within a reasonable distance of employment, community centers, parks, shopping areas and schools or where transportation services can be provided to enable access to these areas.
3. R.Policy 9.3. Provide for appropriate housing suitable as multi-generational quarters, caretaker quarters or accessory units.
 - a. *Recommended Strategy R.9.3.a. Review regulations concerning the amount, location and zoning of accessory units, including provision for auxiliary homes without an attachment or square footage requirement on lots that are suitable for multi-generational, caretaker, guest and accessory quarters.*
4. R.Policy 9.4. Consider proposals which provide affordable housing through various techniques, such as but not limited to higher densities, reduced amenities or reductions in open space requirements.

(Weld County Code Ordinance 2002-6; Weld County Code Ordinance 2008-13)

Division 1 - Amendments to Zoning Map

Sec. 23-2-10. - Amendment procedures.

- A. The Board of County Commissioners may amend the Official Zoning Map of Weld County. All requests for such changes of zone must be reviewed by the Planning Commission, whose recommendation shall be sent to and considered by the Board of County Commissioners. Such amendments shall be made in compliance with state statutes and with COUNTY procedures and regulations as established herein.
- B. In addition to the Board of County Commissioners, only the fee owner of a LEGAL LOT or a LOT of at least thirty-five (35) acres may request amendment of the Official Zoning Map of the COUNTY (a Change of Zone) for said property.
- C. Any person filing an application for a Change of Zone is required to comply with the appropriate procedures and regulations as stated in this Section; provided, however, that when the Board of County Commissioners desires to undertake a rezoning, to create and apply new zoning districts or to change the definitions of the various zoning districts, the only public notice requirement shall be publication in the newspaper designated by the Board of County Commissioners for publication of legal notices.
- D. Applications for a Change of Zone shall be completed as set forth in Section 23-2-50 below; provided, however, that any zone change initiated by the Board of County Commissioners shall only be required to meet the applicable requirements of Section 23-2-40.

(Weld County Codification Ordinance 2000-1; Weld County Code Ordinance 2019-02)

Sec. 23-2-20. - Duties of Department of Planning Services.

- A. Any person wanting to apply for a Change of Zone shall arrange for a preapplication conference with the Department of Planning Services. The Department of Planning Services shall be responsible for processing all applications for Change of Zone in the unincorporated areas of the COUNTY. The Department shall also have the responsibility of ensuring that all application submittal requirements are met prior to initiating any official action as listed below.
- B. Upon determination that the application submittal is complete, the Department of Planning Services shall:
 - 1. Refer the application to the applicable agencies listed in Appendix 23-G, as determined by the Department of Planning Services. The failure of any agency to respond within twenty-eight (28) days may be deemed to be a favorable response. The reviews and comments solicited by the COUNTY are intended to provide the COUNTY with information about the proposed Change of Zone. The Planning Commission and Board of County Commissioners may consider all such reviews and comments and may solicit additional information if such information is deemed necessary. The reviews and comments submitted by a REFERRAL

agency are recommendations to the COUNTY. The authority for making the decision to approve or deny the request for Change of Zone rests with the Board of County Commissioners.

2. Prepare staff comments for use by the Planning Commission addressing all aspects of the application, its conformance with Chapter 22 of this Code and the Comprehensive Plan or MASTER PLAN of affected municipalities, Intergovernmental Agreements, sound land USE planning practices, comments received from agencies to which the proposal was referred and standards contained in this Chapter.
3. Set a Planning Commission hearing date and a Board of County Commissioners hearing date.
4. An applicant may conduct a Neighborhood Meeting with area landowners. Such meeting is not required, but may be suggested by the Planning Services staff to encourage communication between a land use applicant and the neighbors.
5. Arrange for legal notice of hearings to be published once in the newspaper designated by the Board of County Commissioners for publication of notices. At the discretion of the Board of County Commissioners, a second notice may be published in a newspaper which is published in the area in which the rezoning is proposed. Failure to publish the second notice shall not create a jurisdictional defect in the hearing process. The date of publication shall be at least ten (10) days prior to the hearing.
6. Give notice of the proposed Change of Zone and the public hearing dates to those persons listed in the application as owners of property located within five hundred (500) feet of the parcel under consideration. Such notification shall be mailed, first-class, not less than ten (10) days before the scheduled Planning Commission public hearing. Such notice is not required by state statute and is provided as a courtesy to surrounding property owners (the surface estate). Inadvertent errors by the applicant in supplying such list or the Department of Planning Services in sending such notice shall not create a jurisdictional defect in the hearing process, even if such error results in the failure of a surrounding property owner to receive such notification.
7. A sign shall be posted for the applicant on the property under consideration for a rezoning. The sign shall be posted adjacent to and visible from a PUBLIC STREET/ROAD RIGHT-OF-WAY. In the event the property under consideration is not adjacent to a PUBLIC STREET/ROAD RIGHT-OF-WAY, one (1) sign shall be posted in the most prominent place on the property and a second sign posted at the point at which the driveway (access drive) intersects a PUBLIC STREET/ROAD RIGHT-OF-WAY. The sign shall be posted at least ten (10) days prior to the Planning Commission hearing and evidenced with a photograph. The sign will include the following information.
 - a. Rezoning request number.
 - b. Date, place and time of public hearings.

- c. Location and phone number of the public office where additional information may be obtained.
 - d. Applicant's name.
 - e. Size of the parcel of land.
 - f. Type of rezoning request.
- C. An electronic version of the Official Weld County Zoning Map, which includes all of the rezoning approvals made since the last adoption of the map by the Board of County Commissioners, shall be maintained. The map shall be available for public inspection with the Department of Planning Services and online.
- D. Submit to the County Clerk and Recorder the rezoning plat as required in Subsection 23-2-50.D for recording.

(Weld County Codification Ordinance 2000-1; Weld County Code Ordinance 2001-1; Weld County Code Ordinance 2003-10; Weld County Code Ordinance 2007-14; Weld County Code Ordinance 2008-8; Weld County Code Ordinance 2019-02)

Sec. 23-2-30. - Duties of Planning Commission.

- A. The Planning Commission shall hold a hearing to consider the application for the Change of Zone. The public hearing may involve either the rezoning application alone or may include the review of concurrent applications under the COUNTY's regulations concerning Uses by Special Review, OVERLAY ZONING DISTRICTS or SUBDIVISIONS. The Planning Commission shall provide recommendations to the Board of County Commissioners concerning the disposition of the requested change. The Planning Commission shall recommend approval of the request for the Change of Zone only if it finds that the applicant has met the standards or conditions of this Subsection A and Section 23-2-50. The applicant has the burden of proof to show that the standards and conditions of this Subsection A and Section 23-2-50 are met. The applicant shall demonstrate:
1. That the proposal is consistent with Chapter 22 of this Code; if not, then that the zoning of the property under consideration is faulty, or that changing conditions in the area warrant a Change of Zone.
 2. That the USES which would be allowed on the subject property by granting the Change of Zone will be compatible with the surrounding land USES.
 3. That adequate water and sewer service can be made available to the site to serve the USES permitted within the proposed zone district.
 4. That STREET/ROAD or highway facilities providing access to the property are adequate in size to meet the requirements of the proposed zone district. This will include updating and obtaining any new Access Permits, as required. The Access Permit may require an Improvements Agreement. In the event that the STREET/ROAD or highway facilities are not properly sized and are planned to be properly sized in the future, in conformance with the Transportation Plan or in conformance with the MASTER PLANS of affected municipalities,

the applicant may either wait to secure the rezoning until the improvements are made by the appropriate unit of government or the applicant may express a willingness to upgrade the STREET/ROAD or highway facilities at his or her own expense in order to expedite approval of the requested Change of Zone. In the latter event, it will be necessary for the applicant to either construct the necessary improvements before the building permits are issued, or submit suitable performance guarantees to the COUNTY to ensure construction of the required STREET/ROAD or highway facility improvements.

5. That, in those instances where the following characteristics are applicable to the rezoning request, the applicant has demonstrated compliance with the applicable standards:
 - a. If the proposed Change of Zone is located within any OVERLAY ZONING DISTRICT identified by maps officially adopted by the COUNTY, that the applicant has demonstrated compliance with the COUNTY regulations concerning OVERLAY ZONING DISTRICTS. Compliance may be demonstrated in a previous public hearing or in the hearing concerning the rezoning application.
 - b. That the proposed rezoning will not permit the USE of any area known to contain a COMMERCIAL MINERAL DEPOSIT in a manner which would interfere with the present or future extraction of such deposit by an EXTRACTOR to any greater extent than under the present zoning of the property.
 - c. If soil conditions on the site are such that they present moderate or severe limitations to the construction of STRUCTURES or facilities proposed for the site, that such limitations can be overcome and that the limitations will be addressed by the applicant and/or the applicant's successors or assigns prior to the DEVELOPMENT of the property.
- B. The Secretary of the Planning Commission shall forward the official recommendation of the Planning Commission and the information contained in the official record, which includes the Department of Planning Services case file, to the Board of County Commissioners within ten (10) days after said recommendation has been made.
- C. If the Planning Commission recommendation is conditional upon the applicant completing certain specified items prior to the hearing by the Board of County Commissioners, the ten-day period shall commence upon submission of the items by the applicant to the Department of Planning Services.

(Weld County Codification Ordinance 2000-1; Weld County Code Ordinance 2016-5; Weld County Code Ordinance 2019-02)

Sec. 23-2-40. - Duties of Board of County Commissioners.

- A. Reserved.
- B. The Board of County Commissioners shall hold a public hearing to consider the application and to take final action thereon. In making a decision on the proposed Change of Zone, the Board of County Commissioners shall consider the recommendation of the Planning Commission, and

from the facts presented at the public hearing and the information contained in the official record which includes the Department of Planning Services case file, the Board of County Commissioners shall approve the request for the Change of Zone only if it finds that the applicant has met the standards or conditions of Paragraphs 1 through 5 below and Section 23-2-50. The applicant has the burden of proof to show that the standards and conditions of Paragraphs 1 through 5 below and Section 23-2-50 are met. The applicant shall demonstrate:

1. That the proposal is consistent with the policies of Chapter 22 of this Code; if not, then that the zoning of the property under consideration is faulty, or that changing conditions in the area warrant a Change of Zone.
2. That the USES which would be allowed on the subject property by granting the Change of Zone will be compatible with the surrounding land USES.
3. That adequate water and sewer service can be made available to serve the site. If the rezoning is approved, the applicant shall demonstrate, prior to issuance of building permits on the site, that the water and sewer services are available at the site and are adequate and appropriate to meet the DEVELOPMENT requirements.
4. That STREET/ROAD or highway facilities providing access to the property are adequate in size to meet the requirements of the proposed zone district. In the event that the STREET/ROAD or highway facilities are not properly sized and are planned to be properly sized in the future, in conformance with the Transportation Plan or in conformance with the MASTER PLAN of affected municipalities, the applicant may either wait to secure the rezoning until the improvements are made by the appropriate unit of government or the applicant may express a willingness to upgrade the STREET/ROAD or highway facilities at his or her own expense in order to secure approval of the requested Change of Zone. In the latter event, it will be necessary for the applicant to either construct the necessary improvements before building permits are issued, or submit suitable performance guarantees to the COUNTY to ensure construction of the required STREET/ROAD or highway facility improvements. No rezoning shall be finally approved by the Board of County Commissioners until the applicant has submitted an Improvements Agreement or contract approved by the Board of County Commissioners which sets forth the form of improvements guarantees. Any such agreement or contract shall be made in conformance with the COUNTY policy on collateral for improvements. Approval of the Improvements Agreement will be a condition of obtaining an Access Permit.
5. That, in those instances where the following characteristics are applicable to the rezoning request, the applicant had demonstrated compliance with the applicable standards:
 - a. If the proposed Change of Zone is located within any OVERLAY ZONING DISTRICT identified by maps officially adopted by the COUNTY, that the applicant has demonstrated compliance with the COUNTY regulations concerning OVERLAY ZONING DISTRICTS. Compliance may be demonstrated in a previous public hearing or in the hearing concerning the rezoning application.

- b. That the proposed rezoning will not permit the USE of any area known to contain a COMM MINERAL DEPOSIT as defined by state statutes in a manner which would interfere with the future extraction of such deposit by an EXTRACTOR to any greater extent than under the p of the property.
- c. If soil conditions on the site are such that they present moderate or severe limitations to the construction of STRUCTURES or facilities proposed for the site, that such limitations will be addressed by the applicant and/or the applicant's successors or assigns prior to DEVELOPMENT of the property.
- C. Upon the Board of County Commissioners making its final decision, a resolution setting forth that decision will be drafted and signed. A record of such action and a copy of the resolution will be kept in the files of the Clerk to the Board.
- D. The Board of County Commissioners shall arrange for the County Clerk and Recorder to record the resolution and, if the proposed Change of Zone is approved, the Department of Planning Services shall record the rezoning plat.

(Weld County Codification Ordinance 2000-1; Weld County Code Ordinance 2001-1; Weld County Code Ordinance 2002-9; Weld County Code Ordinance 2003-10; Weld County Code Ordinance 2007-14; Weld County Code Ordinance 2016-5; Weld County Code Ordinance 2019-02.)

Sec. 23-2-50. - Application requirements for Change of Zone.

- A. The purpose of the application is to give the petitioner an opportunity to demonstrate through written and graphic information how the proposal complies with the standards of this Chapter.
- B. The following information shall be submitted on an application form which may be obtained from the Department of Planning Services:
 1. Name, address and telephone number of the applicant.
 2. Name and address of the fee owners of the property proposed for the Change of Zone if different from above.
 3. Legal description of the property under consideration as determined from a certified boundary survey.
 4. Total acreage of the parcel under consideration.
 5. Address of the parcel, if available.
 6. Present zone and OVERLAY ZONING DISTRICT, if appropriate.
 7. Proposed zone.
 8. Signatures of the applicant and fee owners or their authorized legal agent.
 9. A certified list of the names, addresses and the corresponding Parcel Identification Number assigned by the County Assessor of the owners of property (the surface estate) within five hundred (500) feet of the property subject to the application. The source of such list shall be the records of the County Assessor, or an ownership update from a title or abstract

company or attorney, derived from such records, or from the records of the County Clerk and Recorder. If the list was assembled from the records of the County Assessor, the applicant shall certify that such list was assembled within thirty (30) days of the application submission date.

10. The written certification required by Section 24-65.5-103.3, C.R.S., if applicable. Such certification may be submitted on the date of the initial public hearing referred to in Section 24-65.5-103(1), C.R.S.
 11. Such additional information as may be required by the Planning Commission or the Board of County Commissioners in order to determine that the application meets the standards and policies set forth in this Chapter and in ~~Chapter 22~~ and any other applicable code provision or ordinance in effect.
 12. The applicant shall provide the Department of Planning Services with a certificate from the County Treasurer showing no delinquent property taxes for the parcel area.
 13. The applicant shall submit to the Department of Planning Services a copy of an agreement with the mineral owners associated with the subject property. Such agreement shall stipulate that the oil and gas activities on the subject property have been adequately incorporated into the design of the site, OR shall provide written evidence that an adequate attempt has been made to mitigate the concerns of the mineral owners on the subject property.
 14. The applicant shall submit to the Department of Planning Services a copy of an agreement with the owner of any ditch located on or adjacent to the site, OR shall provide written evidence that an adequate attempt has been made to mitigate the concerns of the ditch owners. The agreement shall stipulate that ditch activities have adequately been incorporated into the design of the site. If such agreement cannot be reached, the applicant shall present evidence that an adequate attempt to reach such agreement has been made.
 15. Certificate of Conveyance dated within thirty (30) days of the application submittal.
 16. The names and addresses of any owner, operator, or user of any irrigation ditch, lateral, or pipeline that traverses the property.
- C. Reserved.
- D. A draft rezoning plat in electronic (.pdf) format shall be submitted as part of the general application.
1. Reserved.
 2. The scale of the map shall be one (1) inch equals one hundred (100) feet (1" = 100') or at other suitable scale when approved by the Department of Planning Services. The vicinity map shall be drawn at suitable scale on the land USE map (1" = 2000').
 3. The following information shall be shown:
 - a. Certified boundary survey of the parcel under consideration, showing all bearings and distances outside the perimeter boundary lines. The closure error of the survey may not

exceed one to five thousand (1:5,000). The boundaries and dimensions shall be shown to the nearest hundredth of a foot (or seconds of arc for angular dimensions and bearings). Curved boundaries and all curves on the rezoning plat shall include the radius of curve, central angle, chord distance, and bearing. Notation of non-tangent curves with radial bearings shall be shown to all points of non-tangency.

- b. Legal description, including total area involved, as certified and signed by the surveyor. The draft plat need not be signed or certified.
 - c. Title, scale and north arrow. The map shall be titled "Change of Zone Plat [case number]." The Department of Planning Services shall provide the appropriate number.
 - d. Date of drawing.
 - e. Current zoning.
 - f. Proposed zoning.
 - g. A vicinity map indicating the property with respect to adjacent STREETS/ROADS, rivers, and other major land features.
 - h. Irrigation ditches on or within two hundred (200) feet of the property.
 - i. Location of easements, RIGHTS-OF-WAY, and other similar interests of record on the parcel and within fifty (50) feet of the parcel.
 - j. Location of all existing utilities (electricity, gas, water and sewer) on the parcel, as well as within fifty (50) feet of the parcel.
 - k. SPECIAL FLOOD HAZARD AREAS on the property.
 - l. GEOLOGIC HAZARD AREAS on the property.
 - m. Mineral resource areas on the property.
 - n. Areas of moderate or severe soil limitations as defined by the Natural Resources Conservation Service or by a soil survey and study prepared by a soils engineer or soil scientist for the USES and associated STRUCTURES permitted within the proposed zone district.
 - o. Other information as may be reasonably required by the Department of Planning Services in order to determine that the application meets the standards and policies set forth in this Chapter and in ~~Chapter 22~~.
4. The following certificates shall appear on the map:
- a. Surveyor's certificate.
 - b. Planning Commission certificate.
 - c. Board of County Commissioners certificate.
 - d. Property owner's certificate.
- E. The following supporting documents shall be submitted as part of the general application:
1. Where an authorized agent signs the application for the fee owners, an authorization form

- provided by the Department of Planning Services signed by the fee owners.
2. A copy of the deed or legal instrument by which the applicant obtained an interest in the property under consideration.
 3. A statement on how the proposed rezoning is consistent with the policies of ~~Chapter 22~~ and any other applicable code provision or ordinance in effect.
 4. A statement which demonstrates how the proposed rezoning will correct what the applicant perceives as faulty zoning, or that demonstrates how the proposed rezoning will fit with what the applicant perceives as the changing conditions in the area.
 5. A statement which demonstrates how the USES allowed by the proposed rezoning will be compatible with the surrounding land USES.
 6. Statements from PUBLIC WATER and PUBLIC SEWER utilities which indicate that they are able to provide service for the site. If PUBLIC utilities are not to be used, the applicant shall submit information which documents the availability of water and suitability of the site for the sewage disposal system chosen by the applicant. The evidence shall document the adequacy of the proposed utility service for the USES permitted in the proposed zone district.
 7. A soil report of the site prepared by the Natural Resources Conservation Service or by a soils engineer or scientist. In those instances when the soil report indicates the existence of moderate or severe soil limitations for the USES proposed, the applicant shall detail the methods to be employed to mitigate the limitations.
 8. If STREET/ROAD or highway facilities which provide access to the property are not adequate to meet the requirements of the proposed zone district, the applicant shall supply information which demonstrates willingness and financial capability to upgrade the STREET/ROAD or highway facilities in conformance with the Transportation Plan and thereby meet the requirements of Section 23-2-40 B.4 of this Chapter. This shall be shown by an Improvements Agreement or contract guaranteeing installation of improvements by the applicant made in conformance with the COUNTY policy on collateral for improvements. Approval of the Improvements Agreement will be a condition of obtaining an Access Permit, pursuant to Section 12-5-10 et seq., and the Improvements Agreement shall meet the requirements of Appendix 12-A.
 9. If, according to maps and other information available to the COUNTY, the Department of Planning Services determines that there appears to be a sand, gravel or other mineral resource on or under the subject property, the applicant shall provide a mineral resource statement prepared by a professional geologist as defined in C.R.S. Section 23-41-208(1)(b) or other qualified expert, including but not limited to a Colorado Geological Survey employee. The statement shall indicate the estimated quantity of resources and the

economic feasibility of recovery, now and in the future, of the resources so that the Planning Commission and Board of County Commissioners can determine whether a COMMERCIAL MINERAL DEPOSIT is contained on or under the subject properties.

10. If the proposed Change of Zone is located within an OVERLAY ZONING DISTRICT identified by maps officially adopted by the COUNTY, the applicant shall submit information which either documents how the COUNTY regulations concerning OVERLAY ZONING DISTRICTS have been satisfied or documents how the applicant intends to meet the requirements of the COUNTY regulations concerning OVERLAY ZONING DISTRICTS.
 11. Applications for a Change of Zone located in the Regional Urbanization Area shall adhere to any and all applicable regulations in ~~Chapter 19~~ and any other applicable County ordinances as amended.
- F. Upon approval, the applicant shall submit the plat on Mylar or other drafting media approved by the Department of Planning Services, thirty-six (36) inches wide by twenty-four (24) inches high, along with all other documentation required as Conditions of Approval. The plat shall bear original signatures and seals in permanent black ink. The plat shall be recorded in the office of the County Clerk and Recorder by the Department of Planning Services. The plat shall be prepared in accordance with the requirements of Subsection 23-2-50.D of this Article. The plat shall be recorded within one hundred twenty (120) days from the date of the Board of County Commissioners resolution, or within a date specified by the Board of County Commissioners. The applicant shall be responsible for paying the recording fee. If a plat has not been recorded within one hundred twenty (120) days of the date of the approval of the Change of Zone (COZ), or within a date specified by the Board of County Commissioners, the Board may require the landowner to appear before it and present evidence substantiating that the COZ has not been abandoned and that the applicant possesses the willingness and ability to record the plat. The Board of County Commissioners may extend the date for recording the plat. If the Board determines that conditions supporting the original approval of the COZ cannot be met, the Board may, after a public hearing, revoke the COZ.
- G. Nothing in this Division 1 shall be interpreted as prohibiting the submittal of an application for a Site Plan Review or Use by Special Review concurrently with or prior to approval of a Change of Zone application. The Change of Zone plat shall be approved and recorded prior to recording of such Site Plan Review or Use by Special Review. If the Change of Zone is not approved, such Site Plan Review or Use by Special Review application shall be void.

(Weld County Codification Ordinance 2000-1; Weld County Code Ordinance 2001-1; Weld County Code Ordinance 2002-9; Weld County Code Ordinance 2003-10; Weld County Code Ordinance 2007-14; Weld County Code Ordinance 2010-6; Weld County Code Ordinance 2012-3; Weld County Code Ordinance 2013-10; Weld County Code Ordinance 2016-5; Weld County Code Ordinance 2019-02)

Sec. 23-2-60. - Effective date of approved amendments.

Any approved amendments to the Official Zoning Map shall be effective immediately upon approval by the Board of County Commissioners unless otherwise specified by the approving resolution of the Board of County Commissioners. However, no building permit shall be issued and no USE shall commence on the property until the plat required in Section 23-2-50.F is recorded.

(Weld County Codification Ordinance 2000-1; Weld County Code Ordinance 2019-02)

Sec. 23-2-150. - Intent and applicability.

- A. The intent of the Site Plan Review procedure is to provide present and future residents and users of land in the COUNTY a means whereby orderly and harmonious DEVELOPMENT is ensured in the COUNTY. Site Plan Reviews require additional consideration to ensure that the USES permitted are established and operated in a manner that is compatible with existing and planned land USES in the NEIGHBORHOOD. The regulation of Site Plan Reviews is designed to protect and promote the health, safety, convenience and general welfare of the present and future residents of the COUNTY.
- B. An approved Site Plan Review is required for certain USES as described in Article III of this Chapter, and any PUD Districts where the proposed USE would require an approved Site Plan Review in an R-3, Commercial or Industrial Zone District.
- C. No land, BUILDING or STRUCTURE shall be used, changed in USE or type of occupancy, DEVELOPED, erected, constructed, reconstructed, moved or structurally altered or operated in any zone district that requires a Site Plan Review until a Site Plan Review has been approved and a Site Plan Review map recorded by the Department of Planning Services.
- D. The Department of Planning Services shall not issue a building permit for any BUILDING or STRUCTURE in a zone district which requires a site plan review until a site plan review has been submitted, approved and recorded by the Department of Planning Services.
- E. No Site Plan Review shall be required for:
 - 1. Normal repairs and maintenance of an existing BUILDING or STRUCTURE.
 - 2. Alterations which do not affect more than twenty-five percent (25%) of the external dimensions of an existing BUILDING or STRUCTURE unless such alterations are made to change the USE or type of occupancy within part or all of the altered BUILDING or STRUCTURE.
 - 3. SIGNS, fencing, OIL AND GAS FACILITIES, or TEMPORARY STRUCTURES such as, but not limited to, those used for the sale of fireworks or Christmas trees.
- F. The Board of County Commissioners delegates the authority and responsibility for processing, approving and enforcing Site Plan Reviews to the Department of

Planning Services. The Department of Planning Services shall also have the responsibility of ensuring that all application submittal requirements are met prior to initiating any official action. Once an application is deemed complete, the Department of Planning Services shall send the application to applicable REFERRAL agencies listed in Appendix 23-G, as determined by the Department of Planning Services. The failure of any agency to respond within twenty-eight (28) days may be deemed a favorable response. All REFERRAL agency review comments are considered recommendations to the COUNTY. The authority and responsibility for approval and denial of a Site Plan Review application rests with the COUNTY.

- G. The Director of Planning Services may waive the Site Plan Review requirement for COMMERCIAL and INDUSTRIAL USES in a Planned Unit Development (PUD) upon determination that sufficient detailed information was submitted and reviewed in the Final PUD Plan.
- H. Any person filing an application for a Site Plan Review shall comply with the County procedures and regulations as set forth herein.
- I. Any person filing an application for a Site Plan Review shall comply with Article V and Article XI of this Chapter if the proposal is located within any OVERLAY ZONING DISTRICT or a SPECIAL FLOOD HAZARD AREA identified by maps officially adopted by the COUNTY.
- J. Applications for a Site Plan Review shall be completed as set forth in Section 23-2-160 below. The completed application and application fees shall be submitted to the Department of Planning Services.
- K. Required landscaping shall be installed within one (1) calendar year of issuance of a building permit or commencement of USE, whichever occurs sooner. The Director of Planning Services may grant a one-time extension of up to one hundred twenty (120) days, for good cause shown, upon a written request by the landowner.
- L. The applicant or owner shall submit an Improvements Agreement agreeing to construct the required improvements as shown in the application, plans and other supporting documents. The Agreement shall be made in conformance

with the County policy on collateral for improvements. The Agreement shall be approved by the Board prior to recording the Site Plan Review map, if applicable.

(Weld County Codification Ordinance 2000-1; Weld County Code Ordinance 2003-10; Weld County Code Ordinance 2007-14; Weld County Code Ordinance 2009-8; Weld County Code Ordinance 2011-9; Weld County Code Ordinance 2015-20; Weld County Code Ordinance 2019-02; Weld County Code Ordinance 2020-15.)

Sec. 23-2-230. - Duties of Board of County Commissioners.

- A. Reserved.
- B. The Board of County Commissioners shall hold a public hearing to consider the application and to take final action thereon. In making a decision on the proposed Use by Special Review, the Board of County Commissioners shall consider the recommendation of the Planning Commission, and from the facts presented at the public hearing and the information contained in the official record which includes the Department of Planning Services case file, the Board of County Commissioners shall approve the request for the Special Review Permit only if it finds that the applicant has met the standards or conditions of this Subsection B and Sections 23-2-240 and 23-2-250 of this Division. The applicant has the burden of proof to show that the standards and conditions of this Subsection B and Sections 23-2-240 and 23-2-250 of this Division are met. The applicant shall demonstrate:
1. That the proposal is consistent with in Chapter 22 and any other applicable code provisions or ordinances in effect.
 2. That the proposal is consistent with the intent of the district in which the USE is located.
 3. That the USES which would be permitted will be compatible with the existing surrounding land USES.
 4. That the USES which would be permitted will be compatible with the future DEVELOPMENT of the surrounding area as permitted by the existing zone and with future DEVELOPMENT as projected by Chapter 22 of this Code and any other applicable code provisions or ordinances in effect, or the adopted MASTER PLANS of affected municipalities.
 5. That the application complies with Articles V and XI of this Chapter if the proposal is located within any OVERLAY ZONING DISTRICT or a SPECIAL FLOOD HAZARD AREA identified by maps officially adopted by the County.
 6. That if the USE is proposed to be located in the A (Agricultural) Zone District, the applicant has demonstrated a diligent effort has been made to conserve PRIME FARMLAND in the locational decision for the proposed USE.
 7. That there is adequate provision for the protection of the health, safety and

welfare of the inhabitants of the NEIGHBORHOOD and the COUNTY.

- C. Where reasonable methods or techniques are available to mitigate any negative impacts which could be generated by the proposed USE upon the surrounding area, the Board of County Commissioners may condition the decision to approve the Special Review Permit upon implementation of such methods or techniques and may require sufficient performance guarantees to be posted with the COUNTY to guarantee such implementation.
- D. Upon the Board of County Commissioners making its final decision, a resolution setting forth that decision will be drafted and signed. A record of such action and a copy of the resolution will be kept in the files of the Clerk to the Board.
- E. If the Special Review Permit is approved, the Board of County Commissioners shall arrange for the Department of Planning Services to record the Special Review Permit Plan map with the County Clerk and Recorder.

(Weld County Codification Ordinance 2000-1; Weld County Code Ordinance 2007-14; Weld County Code Ordinance 2017-08; Weld County Code Ordinance 2019-02)

Division 1 - A (Agricultural) Zone District

Sec. 23-3-10. - Intent.

Agriculture in the COUNTY is considered a valuable resource which must be protected from adverse impacts resulting from uncontrolled and undirected business, industrial and residential land USES. The A (Agricultural) Zone District is established to maintain and promote agriculture as an essential feature of the COUNTY. The A (Agricultural) Zone District is intended to provide areas for the conduct of agricultural activities and activities related to agriculture and agricultural production, and for areas for natural resource extraction and energy development, without the interference of other, incompatible land USES.

(Weld County Codification Ordinance 2000-1; Weld County Code Ordinance 2019-02)

Sec. 23-3-20. - Uses allowed by right outside of subdivisions and historic townsites.

No BUILDING, STRUCTURE or land shall be used and no BUILDING or STRUCTURE shall hereafter be erected, structurally altered, enlarged or maintained in the A (Agricultural) Zone District on LOTS outside of SUBDIVISIONS and HISTORIC TOWNSITES except for one (1) or more of the following USES.

- A. ANIMAL BOARDING and animal TRAINING FACILITIES where the maximum number of ANIMAL UNITS or HOUSEHOLD PETS permitted in Section 23-3-70.D below is not exceeded and traffic to and from the facility does not exceed sixty (60) daily trips.
- B. Asphalt or concrete batch plant and borrow pits used TEMPORARILY and exclusively for an on-site construction project or the completion of a PUBLIC STREET/ROAD improvements project where the subject property is at, on, or near the STREET/ROAD on which improvements are being made. The six-month limitation for this TEMPORARY USE may be extended in six-month increments at the discretion of the Director of Planning Services up to two (2) times, and thereafter by the Board of County Commissioners.
- C. CAMPING, FISHING, HUNTING, and noncommercial WATER SKIING.
- D. COUNTY grader sheds.
- E. FARMING and GARDENING, including STRUCTURES for storage of agricultural equipment and agricultural products and confinement or protection of LIVESTOCK. Converted, partially dismantled, modified, altered or refurbished MANUFACTURED HOMES shall not be utilized as agriculturally exempt BUILDINGS or for the storage of agricultural equipment or agricultural products or confinement or protection of LIVESTOCK.
- F. NONCOMMERCIAL TOWERS no taller than seventy (70) feet. (See Article IV, Division 10,

of this Chapter.)

- G. Police, ambulance, and fire stations or facilities.
- H. PUBLIC parks.
- I. PUBLIC SCHOOLS.
- J. Sand, soil, and aggregate MINING that qualifies for a single limited impact operation under Section 34-32-110 C.R.S. (a 110 permit) or is exempt from any permits from the Colorado Division of Reclamation, Mining, and Safety, generates no more than five thousand (5,000) cubic yards of material per year for off-site USE, and does not involve crushing, screening, or other processing. An Improvements Agreement, as determined by the Department of Public Works, may be required prior to commencement of operations.
- K. One (1) SINGLE-FAMILY DWELLING, FOSTER CARE HOME, or GROUP HOME per LEGAL LOT.
- L. TELECOMMUNICATIONS ANTENNA TOWERS no taller than thirty-five (35) feet. (See Article IV, Division 10, of this Chapter.)
- M. UTILITY SERVICE FACILITIES.
- N. Water tanks, agriculture-related.

(Weld County Codification Ordinance 2000-1; Weld County Code Ordinance 2001-1; Weld County Code Ordinance 2002-9; Weld County Code Ordinance 2007-1; Weld County Code Ordinance 2007-14; Weld County Code Ordinance 2009-8; Weld County Code Ordinance 2010-6; Weld County Code Ordinance 2011-9; Weld County Code Ordinance 2012-4; Weld County Code Ordinance 2013-15; Weld County Code Ordinance 2015-26; Weld County Code Ordinance 2015-27; Weld County Code Ordinance 2018-05; Weld County Code Ordinance 2019-02)

Sec. 23-3-30. - Accessory uses outside of subdivisions and historic townsites.

The following BUILDINGS, STRUCTURES and USES shall be allowed in the A (Agricultural) Zone District on LOTS outside of SUBDIVISIONS and HISTORIC TOWNSITES so long as they are clearly incidental and ACCESSORY to an allowed USE.

- A. One (1) caregiver of medical marijuana grown and sold pursuant to the provision of Article 43.3, Title 12, C.R.S., and for a purpose authorized by Section 14 of Article XVIII of the Colorado Constitution per LEGAL LOT as per Article VII, Chapter 12, of this Code.
- B. Up to two (2) CARGO CONTAINERS per LEGAL LOT of less than eighty (80) acres. Up to five (5) CARGO CONTAINERS may be allowed per LEGAL LOT of eighty (80) or more acres.
- C. NONCOMMERCIAL JUNKYARD, as long as it is ENCLOSED within a BUILDING or STRUCTURE or SCREENED from all ADJACENT properties and PUBLIC RIGHTS-OF-WAY in

conformance with a SCREENING plan approved by the Department of Planning Services.

- D. OFFICES.
- E. OUTDOOR STORAGE of materials accessory to an allowed USE, as long as the materials are SCREENED from ADJACENT LOTS and RIGHTS-OF-WAY.
- F. Parking areas and parking STRUCTURES, including parking of one (1) COMMERCIAL VEHICLE per LEGAL LOT.
- G. Up to two (2) SEMI-TRAILERS used as ACCESSORY storage per LEGAL LOT.
- H. STRUCTURES and BUILDINGS ACCESSORY to USES permitted under Section 23-3-20.
- I. WIND GENERATORS allowed as ACCESSORY USES in Section 23-4-450 of this Chapter.

(Weld County Codification Ordinance 2000-1; Weld County Code Ordinance 2001-1; Weld County Code Ordinance 2002-9; Weld County Code Ordinance 2003-10; Weld County Code Ordinance 2006-2; Weld County Code Ordinance 2006-4; Weld County Code Ordinance 2008-16; Weld County Code Ordinance 2009-8; Weld County Code Ordinance 2010-6; Weld County Code Ordinance 2011-9; Weld County Code Ordinance 2012-3; Weld County Code Ordinance 2013-15; Weld County Code Ordinance 2015-7; Weld County Code Ordinance 2017-08; Weld County Code Ordinance 2019-02)

Sec. 23-3-35. - Uses allowed by permit outside of subdivisions and historic townsites.

No USE listed in this Section shall commence construction or operation in the A (Agricultural) Zone District on LOTS outside of SUBDIVISIONS and HISTORIC TOWNSITES without prior approval of a land use permit from the Department of Planning Services or Department of Public Health and Environment, as applicable.

- A. AGRICULTURAL PRODUCTION permitted under Division 17 of Article IV of this Chapter.
- B. AGRITAINMENT, agriculture-related EVENT FACILITIES, AGRITOURISM, and HUNTING LODGES permitted under Division 17 of Article IV of this Chapter.
- C. AIRPORTS and AIRSTRIPS, including crop-dusting operations, permitted under Division 17 of Article IV of this Chapter.
- D. AUXILIARY QUARTERS, which shall require approval of a certificate of compliance by the Department of Planning Services to ensure the USE complies with the definition in Section 23-1-90 of this Code.
- E. BED AND BREAKFAST FACILITIES permitted under Division 17 of Article IV of this Chapter.
- F. Disposal of BIOSOLIDS and/or DOMESTIC SEPTAGE permitted under Chapter 14 of this Code.
- G. BREW PUBS, BREWERIES, DISTILLERIES, and WINERIES permitted under Division 17 of Article IV of this Chapter.

- H. COMMUNITY BUILDINGS permitted under Division 17 of Article IV of this Chapter.
- I. CONTRACTOR'S SHOPS permitted under Division 17 of Article IV of this Chapter.
- J. CUSTOM MEAT PROCESSING permitted under Division 17 of Article IV of this Chapter.
- K. Golf courses permitted under Division 17 of Article IV of this Chapter.
- L. HOME OCCUPATIONS permitted under Division 13 of Article IV of this Chapter.
- M. Keeping between five (5) and eight (8) HOUSEHOLD PETS of one (1) species, or between eight (8) and sixteen (16) HOUSEHOLD PETS of two (2) or more species and, in addition, up to thirty (30) birds, permitted under Division 17 of Article IV of this Chapter.
- N. LANDSCAPING COMPANIES permitted under Division 17 of Article IV of this Chapter.
- O. MANUFACTURED HOMES and STRUCTURES permitted under Division 3 of Article IV of this Chapter.
- P. NONCOMMERCIAL TOWERS between seventy (70) and one hundred thirty (130) feet in height permitted under Division 10 of Article IV of this Chapter.
- Q. OIL AND GAS FACILITIES.
 - 1. 1041 WOGLA Permit Required. No OIL AND GAS FACILITY shall be developed in the A (Agricultural) Zone District until a 1041 WOGLA Permit has been issued in accordance with the application and hearing procedures set forth in Article V, Chapter 21 of this Code.
- R. PIPELINES - NATURAL GAS or PIPELINES - PETROLEUM PRODUCTS OTHER THAN NATURAL GAS permitted under Division 11 of Article II of this Chapter.
- S. RECREATIONAL FACILITIES, PUBLIC and PRIVATE, permitted under Division 17 of Article IV of this Chapter.
- T. One (1) second SINGLE-FAMILY DWELLING per LEGAL LOT, subject to the provisions of Division 8 of Article IV of this Chapter.
- U. SHOOTING RANGES permitted under Division 17 of Article IV of this Chapter.
- V. TELECOMMUNICATIONS ANTENNA TOWERS between thirty-five (35) and seventy (70) feet in height. (See Article IV, Division 10, of this Chapter.)
- W. TEMPORARY seasonal USES permitted under Division 7 of Article IV of this Chapter.
- X. Veterinary clinics or animal hospitals permitted under Division 17 of Article IV of this Chapter.
- Y. WIND GENERATORS requiring a zoning permit under Division 6 of Article IV of this Chapter.

(Weld County Code Ordinance 2019-02; Weld County Code Ordinance 2019-11; Weld County Code Ordinance 2020-11)

Sec. 23-3-40. - Uses by special review outside of subdivisions and historic townsites.

The following BUILDINGS, STRUCTURES and USES may be constructed, occupied, operated and maintained on LOTS outside of SUBDIVISIONS and HISTORIC TOWNSITES in the A (Agricultural) Zone District upon approval of a Special Review Permit in accordance with the requirements and procedures set forth in Article II, Division 4 of this Chapter, or Article II, Division 5, in the case of MAJOR FACILITIES OF PUBLIC UTILITIES OR PUBLIC AGENCIES.

- A. ANIMAL BOARDING and animal TRAINING FACILITIES where the maximum number of ANIMAL UNITS permitted in Section 23-3-70.D below is exceeded or traffic to and from the facility exceeds sixty (60) average daily trips.
- B. CAMPGROUNDS.
- C. More than the number of CARGO CONTAINERS allowed by Section 23-3-30.
- D. CHILD CARE CENTERS.
- E. COMMERCIAL rodeos and COMMERCIAL roping arenas.
- F. CEMETERIES.
- G. CHURCHES.
- H. COMMERCIAL RECREATIONAL FACILITIES.
- I. CORRECTIONAL FACILITIES, subject to Article XV, Section 15-5, of the Weld County Charter.
- J. EVENT FACILITIES not agriculture-related.
- K. Keeping, raising or boarding of EXOTIC ANIMALS.
- L. HOME BUSINESSES.
- M. HELIPORTS.
- N. KENNELS, subject to the additional requirements of Section 23-4-400.
- O. LIVESTOCK CONFINEMENT OPERATIONS, subject to the additional requirements of Section 23-4-350.
- P. LUMBERYARDS/WOODWORKING.
- Q. MAJOR FACILITIES OF PUBLIC UTILITIES OR PUBLIC AGENCIES in accordance with Division 5 of Article II of this Chapter.
- R. MEDIUM SCALE SOLAR FACILITY, subject to the additional requirements of Section 23-4-1030.
- S. Open MINING and processing of minerals, subject to the additional requirements of Article IV, Division 4, of this Chapter.
- T. MULTI-FAMILY DWELLINGS for persons PRINCIPALLY employed at or engaged in FARMING.

- U. NONCOMMERCIAL TOWERS requiring approval of a Use by Special Review.
- V. OIL AND GAS STORAGE FACILITIES.
- W. OIL AND GAS SUPPORT AND SERVICE.
- X. ORGANIC FERTILIZER PRODUCTION/COMPOSTING FACILITIES.
- Y. OUTDOOR STORAGE of PUBLIC utility-related equipment.
- Z. PIPELINES - DOMESTIC WATER in accordance with Division 6 of Article II of this Chapter.
- AA. Private SCHOOLS.
- BB. RACING FACILITIES.
- CC. REPAIR SERVICE ESTABLISHMENT.
- DD. RESEARCH LABORATORIES.
- EE. RESIDENTIAL THERAPEUTIC CENTERS.
- FF. More than the number of SEMI-TRAILERS as ACCESSORY storage allowed by right or by permit.
- GG. SMALL SCALE SOLAR FACILITIES, subject to the additional requirements of Section 23-4-1030.
- HH. Solid and hazardous waste disposal sites and facilities requiring Certificate of Designation in accordance with Sections 12-8-10 and 23-4-380 of this Code.
- II. TELECOMMUNICATION ANTENNA TOWERS requiring approval of a Use by Special Review.
- JJ. TRANSLOADING.
- KK. USES similar to the USES listed as permitted as long as the USE complies with the general intent of the Zone District.
- LL. WIND GENERATORS requiring the issuance of Special Review Permit under Division 6 of Article IV of this Chapter.

(Weld County Codification Ordinance 2000-1; Weld County Code Ordinance 2001-1; Weld County Code Ordinance 2002-9; Weld County Code Ordinance 2003-10; Weld County Code Ordinance 2005-01; Weld County Code Ordinance 2006-2; Weld County Code Ordinance 2007-1; Weld County Code Ordinance 2007-14; Weld County Code Ordinance 2008-16; Weld County Code Ordinance 2009-8; Weld County Code Ordinance 2010-6; Weld County Code Ordinance 2011-9; Weld County Code Ordinance 2012-3; Weld County Code Ordinance 2012-4; Weld County Code Ordinance 2013-15; ~~Weld County Code Ordinance 2015-1~~; Weld County Code Ordinance 2015-25; Weld County Code Ordinance 2015-27; Weld County Code Ordinance 2016-07; Weld County Code Ordinance 2017-08; Weld County Code Ordinance 2018-05; Weld County Code Ordinance 2019-02)

Sec. 23-3-45. - Uses allowed by right in subdivisions and historic townsites.

No BUILDING, STRUCTURE or land shall be used, and no BUILDING or STRUCTURE shall hereafter be erected, structurally altered, enlarged or maintained in the A (Agricultural) Zone District in SUBDIVISIONS or HISTORIC TOWNSITES except for one (1) or more of the following USES.

- A. ANIMAL BOARDING and animal TRAINING FACILITIES where the maximum number of ANIMAL UNITS permitted in Section 23-3-70.D below is not exceeded and traffic to and from the facility does not exceed sixty (60) daily trips.
- B. CAMPING, FISHING, HUNTING, and noncommercial WATER SKIING.
- C. COUNTY grader sheds.
- D. FARMING and GARDENING including STRUCTURES for storage of agricultural equipment and agricultural products and confinement or protection of LIVESTOCK. Converted, partially dismantled, modified, altered or refurbished MANUFACTURED HOMES shall not be utilized as agriculturally exempt BUILDINGS or for the storage of agricultural equipment or agricultural products or confinement or protection of LIVESTOCK.
- E. NONCOMMERCIAL TOWERS no taller than seventy (70) feet. (See Section 23-4-895.)
- F. Police, ambulance, and fire stations or facilities.
- G. PUBLIC parks.
- H. PUBLIC SCHOOLS.
- I. One (1) SINGLE-FAMILY DWELLING, FOSTER CARE HOME, or GROUP HOME per LEGAL LOT.
- J. TELECOMMUNICATIONS ANTENNA TOWERS no taller than thirty-five (35) feet. (See Article IV, Division 10, of this Chapter.)
- K. UTILITY SERVICE FACILITIES.
- L. Water tanks, agriculture-related.

(Weld County Code Ordinance 2019-02)

Sec. 23-3-50. - Accessory uses in subdivisions and townsites.

The following BUILDINGS, STRUCTURES and USES shall be allowed in the A (Agricultural) Zone District on LOTS in SUBDIVISIONS and HISTORIC TOWNSITES so long as they are clearly incidental and ACCESSORY to an allowed USE. Note: The combined GROSS FLOOR AREA of all ACCESSORY BUILDINGS constructed after August 25, 1981 on LOTS of less than ten (10) acres in SUBDIVISIONS and HISTORIC TOWNSITES shall not exceed four (4) percent of the total LOT area, except in Regional Urbanization Areas, which shall adhere to RUA development standards. However, in no case shall such an ACCESSORY BUILDING exceed twice the GROSS FLOOR AREA of the principal DWELLING UNIT on the LOT except by VARIANCE. Any ACCESSORY STRUCTURE made nonconforming by application of this Section may be repaired, replaced or restored in total.

- A. One (1) caregiver of medical marijuana that is grown and sold pursuant to the provision of 43.3, Title 12, C.R.S., and for a purpose authorized by Section 14 of Article XVIII of the Color Constitution per LEGAL LOT as per Article VII, ~~Chapter 12~~, of this Code.
- B. One (1) CARGO CONTAINER per LEGAL LOT.
- C. NONCOMMERCIAL JUNKYARD, as long as it is ENCLOSED within a BUILDING or STRUCTURE or SCREENED from all ADJACENT properties and PUBLIC RIGHTS-OF-WAY in conformance with a SCREENING plan approved by the Department of Planning Services.
- D. OFFICES.
- E. OUTDOOR STORAGE of materials accessory to an allowed USE, as long as the materials are SCREENED from ADJACENT LOTS and RIGHTS-OF-WAY.
- F. Parking areas and parking STRUCTURES, not including parking of COMMERCIAL VEHICLES.
- G. STRUCTURES and BUILDINGS ACCESSORY to USES permitted under Section 23-3-45.
- H. WIND GENERATORS allowed as ACCESSORY USES in Section 23-4-450 of this Chapter.

(Weld County Code Ordinance 2019-02.)

Editor's note— Weld County Code Ordinance 2019-02, adopted July 10, 2019, amended § 23-3-50 in its entirety to read as herein set out. Former § 23-3-50, pertained to bulk requirements, and derived from Weld County Codification Ordinance 2000-1; Weld County Code Ordinance 2003-10; Weld County Code Ordinance 2005-01; Weld County Code Ordinance 2007-1; Weld County Code Ordinance 2011-9; Weld County Code Ordinance 2013-15.

Sec. 23-3-55. - Uses allowed by permit in subdivisions and historic townsites.

No USE listed in this Section shall commence construction or operation in the A (Agricultural) Zone District on LOTS in SUBDIVISIONS and HISTORIC TOWNSITES without prior approval of a land use permit from the Department of Planning Services or Department of Public Health and Environment, as applicable.

- A. AGRITAINMENT, agriculture-related EVENT FACILITIES, AGRITOURISM, and HUNTING LODGES permitted under Division 17 of Article IV of this Chapter.
- B. AUXILIARY QUARTERS, which shall require approval of a certificate of compliance by the Department of Planning Services to ensure the USE complies with the definition in Section 23-1-90 of this Code.
- C. BED AND BREAKFAST FACILITIES permitted under Division 17 of Article IV of this Chapter.
- D. BREW PUBS, BREWERIES, DISTILLERIES, and WINERIES permitted under Division 17 of Article IV of this Chapter.

- E. Parking of one (1) COMMERCIAL VEHICLE per LEGAL LOT permitted under Division 12 of Article IV of this Chapter.
- F. COMMUNITY BUILDINGS permitted under Division 17 of Article IV of this Chapter.
- G. CONTRACTOR'S SHOPS permitted under Division 17 of Article IV of this Chapter.
- H. Golf courses permitted under Division 17 of Article IV of this Chapter.
- I. HOME OCCUPATIONS permitted under Division 13 of Article IV of this Chapter.
- J. Keeping between five (5) and eight (8) HOUSEHOLD PETS of one (1) species, or between eight (8) and sixteen (16) HOUSEHOLD PETS of two (2) or more species and, in addition, up to thirty (30) birds, permitted under Division 17 of Article IV of this Chapter.
- K. MANUFACTURED HOMES and STRUCTURES permitted under Division 3 of Article IV of this Chapter.
- L. NONCOMMERCIAL TOWERS between seventy (70) and one hundred thirty (130) feet in height permitted under Section 23-4-895.
- M. OIL AND GAS FACILITIES permitted under Division 10 of Article II of this Chapter.
- N. PIPELINES - NATURAL GAS or PIPELINES - PETROLEUM PRODUCTS OTHER THAN NATURAL GAS permitted under Division 11 of Article II of this Chapter.
- O. RECREATIONAL FACILITIES, PUBLIC and PRIVATE, permitted under Division 17 of Article IV of this Chapter.
- P. One (1) SEMI-TRAILER used as ACCESSORY storage per LEGAL LOT permitted under Division 11 of Article IV of this Chapter.
- Q. SHOOTING RANGES permitted under Division 17 of Article IV of this Chapter.
- R. TELECOMMUNICATIONS ANTENNA TOWERS between thirty-five (35) and seventy (70) feet in height permitted under Division 10 of Article IV of this Chapter.
- S. TEMPORARY seasonal USES permitted under Division 7 of Article IV of this Chapter.
- T. Veterinary clinics or animal hospitals permitted under Division 17 of Article IV of this Chapter.
- U. WIND GENERATORS requiring a zoning permit under Division 6 of Article IV of this Chapter.

(Weld County Code Ordinance 2019-02; Weld County Code Ordinance 2020-11)

Sec. 23-3-60. - Uses by special review in subdivisions.

The following BUILDINGS, STRUCTURES and USES may be constructed, occupied, operated and maintained on LOTS in SUBDIVISIONS in the A (Agricultural) Zone District upon approval of a Special Review Permit in accordance with the requirements and procedures set forth in Article II, Division 4 of this Chapter.

- A. ACCESSORY BUILDINGS with GROSS FLOOR AREA larger than four (4) percent of the total L detailed in Section 23-3-50 above.
- B. AGRICULTURAL PRODUCTION.
- C. ANIMAL BOARDING and animal TRAINING FACILITIES where the maximum number of ANIMAL UNITS permitted in Section 23-3-70.D below is exceeded or traffic to and from the facility exceeds sixty (60) daily trips.
- D. CAMPGROUNDS.
- E. More than one (1) CARGO CONTAINER.
- F. CEMETERIES.
- G. CHILD CARE CENTERS.
- H. CHURCHES.
- I. COMMERCIAL RECREATIONAL FACILITIES
- J. COMMERCIAL rodeos and COMMERCIAL roping arenas.
- K. Disposal of DOMESTIC SEPTAGE permitted under ~~Chapter 14~~ of this Code.
- L. EVENT FACILITIES not agriculture-related.
- M. Keeping, raising or boarding of EXOTIC ANIMALS.
- N. HOME BUSINESSES.
- O. KENNELS.
- P. MEDIUM SCALE SOLAR FACILITIES, subject to the additional requirements of Section 23-4-1030.
- Q. ORGANIC FERTILIZER PRODUCTION/COMPOSTING FACILITIES.
- R. OUTDOOR STORAGE of PUBLIC utility-related equipment.
- S. Private SCHOOLS.
- T. REPAIR SERVICE ESTABLISHMENT.
- U. RESIDENTIAL THERAPEUTIC CENTERS.
- V. RESTAURANTS.
- W. One (1) second SINGLE-FAMILY DWELLING per LEGAL LOT, subject to the provisions of Division 8 of Article IV of this Chapter.
- X. More than the number of SEMI-TRAILERS as ACCESSORY storage allowed by right or by permit.
- Y. SMALL SCALE SOLAR FACILITIES, subject to the additional requirements of Section 23-4-1030.
- Z. USES similar to the USES listed as permitted as long as the USE complies with the general intent of the Zone District.

AA. WIND GENERATORS requiring the issuance of Special Review Permit under Division 6 of Ar this Chapter.

(Weld County Code Ordinance 2019-02; Weld County Code Ordinance 2020-11)

Editor's note— Ord. No. 2019-02, adopted July 10, 2019, amended § 23-3-60 in its entirety to read as herein set out. Former § 23-3-60, pertained to A-1 (Concentrated Animal) Zone District, and derived from Weld County Code Ordinance 2011-9.

Sec. 23-3-65. - Uses by special review in historic townsites.

The following BUILDINGS, STRUCTURES and USES may be constructed, occupied, operated and maintained on LOTS in HISTORIC TOWNSITES in the A (Agricultural) Zone District upon approval of a Special Review Permit in accordance with the requirements and procedures set forth in Article II, Division 4 of this Chapter.

- A. ACCESSORY BUILDINGS with GROSS FLOOR AREA larger than four (4) percent of the total LOT area, as detailed in Section 23-3-32 above.
- B. AGRICULTURAL PRODUCTION.
- C. AIRPORTS and AIRSTRIPS, including crop-dusting operations.
- D. ANIMAL BOARDING and animal TRAINING FACILITIES where the maximum number of ANIMAL UNITS permitted in Section 23-3-70.D below is exceeded or traffic to and from the facility exceeds sixty (60) daily trips.
- E. CAMPGROUNDS.
- F. CAR WASHES and gas stations.
- G. More than one (1) CARGO CONTAINER.
- H. CEMETERIES.
- I. CHILD CARE CENTERS.
- J. CHURCHES.
- K. COMMERCIAL RECREATIONAL FACILITIES
- L. COMMERCIAL rodeos and COMMERCIAL roping arenas.
- M. COMMERCIAL SCHOOLS.
- N. CUSTOM MEAT PROCESSING.
- O. Disposal of DOMESTIC SEPTAGE permitted under ~~Chapter 14~~ of this Code.
- P. EVENT FACILITIES not agriculture-related.
- Q. Keeping, raising or boarding of EXOTIC ANIMALS.
- R. FUNERAL HOMES or mortuaries.
- S. HELIPORTS.

- T. HOME BUSINESSES.
- U. HOTELS/MOTELS.
- V. KENNELS.
- W. LANDSCAPING COMPANIES.
- X. LUMBERYARDS/WOODWORKING.
- Y. MEDIUM SCALE SOLAR FACILITIES, subject to the additional requirements of Section 23-4-1030.
- Z. NIGHTCLUBS, BARS, LOUNGES OR TAVERNS.
- AA. ORGANIC FERTILIZER PRODUCTION/COMPOSTING FACILITIES.
- BB. OUTDOOR STORAGE of PUBLIC utility-related equipment.
- CC. Private SCHOOLS.
- DD. REPAIR SERVICE ESTABLISHMENT.
- EE. RESIDENTIAL THERAPEUTIC CENTERS.
- FF. RESTAURANTS.
- GG. RETAIL/SERVICE ESTABLISHMENT.
- HH. One (1) second SINGLE-FAMILY DWELLING per LEGAL LOT, subject to the provisions of Division 8 of Article IV of this Chapter.
 - II. More than the number of SEMI-TRAILERS as ACCESSORY storage allowed by right or by permit.
 - JJ. SMALL SCALE SOLAR FACILITIES, subject to the additional requirements of Section 23-4-1030.
- KK. TRANSLOADING.
- LL. USES similar to the USES listed as permitted as long as the USE complies with the general intent of the Zone District.
- MM. WIND GENERATORS requiring the issuance of Special Review Permit under Division 6 of Article IV of this Chapter.

(Weld County Code Ordinance 2019-02; Weld County Code Ordinance 2020-11)

Sec. 23-3-70. - Bulk requirements.

The following lists the bulk requirements for the A (Agricultural) Zone District. Land in the A (Agricultural) Zone District is subject to the requirements contained in this Section.

- A. Minimum LOT size:
 - 1. Irrigated: eighty (80) acres (or is a parcel otherwise recognized as half of a quarter section).

2. Dry: eighty (80) acres (or is a parcel otherwise recognized as half of a quarter section).
3. LOTS less than eighty (80) acres in size:
 - a. Within an HISTORIC TOWNSITE, as defined in Sec. 23-1-90 of this Code;
 - b. Created prior to September 20, 1961;
 - c. Created in compliance with the Weld County Subdivision Regulations;
 - d. Created in compliance with the Weld County Subdivision Ordinance, Weld County Ordinance 173; or
 - e. Created in compliance with ~~Chapter 24~~ of the Weld County Code.
- B. Minimum SETBACK: twenty (20) feet. Roadside stands shall be located not less than fifty (50) feet from any PUBLIC RIGHT-OF-WAY.
- C. Minimum OFFSET: three (3) feet, or one (1) foot for each three (3) feet of BUILDING HEIGHT, whichever is greater.
- D. Maximum number of ANIMAL UNITS permitted per acre: in accordance with the number shown in the table associated with the definition of ANIMAL UNITS set forth in Section 23-1-90 of this Code. The maximum number of HOUSEHOLD PETS per LOT shall be four (4) HOUSEHOLD PETS of one (1) species or a total of seven (7) HOUSEHOLD PETS of two (2) or more species, except that on a LOT of at least ten (10) acres and not in a SUBDIVISION or HISTORIC TOWNSITE the owner or occupant shall be permitted to keep or maintain up to eight (8) HOUSEHOLD PETS of one (1) species or sixteen (16) HOUSEHOLD PETS of two (2) or more species, and up to thirty (30) birds.
- E. No occupied BUILDING or STRUCTURE shall be constructed within two-hundred (200) feet of any TANK BATTERY, within one hundred-fifty (150) feet of any oil and gas wellhead or within twenty-five (25) feet of any plugged or abandoned oil and gas well.
- F. Sources of light shall be shielded so that beams or rays of light will not shine directly onto ADJACENT properties. Neither the direct nor reflected light from any light source may create a traffic hazard to operators of motor vehicles on PUBLIC or private STREETS/ROADS. No colored lights may be used which may be confused with or construed as traffic control devices.

(Weld County Code Ordinance 2019-02)

Sec. 23-3-300. - Intent.

The purpose of the Industrial Zone Districts is to implement the goals and policies of the COMPREHENSIVE PLAN and provide areas for operation of land USES associated with distribution and warehousing of commodities as well as production, fabrication, manufacturing, assembling, and processing of materials. The Industrial Zone Districts have been established to promote economic development and job creation; to protect industry from the encroachment of residential and less intense COMMERCIAL USES; to reduce the adverse impacts of industries on surrounding, nonindustrial properties; and to encourage industrial development in areas that are compatible with heavy infrastructure and where necessary utilities are in place or reasonably attainable.

(Weld County Codification Ordinance 2000-1; Weld County Code Ordinance 2019-02)

Sec. 23-3-310. - I-1 (Light Industrial) Zone District.

- A. Intent. The purpose of the I-1 Zone District is to provide a zone to accommodate light industrial and compatible COMMERCIAL USES that create minimal negative impacts and are conducted primarily in ENCLOSED BUILDINGS. I-1 District properties are accessible to the public, consumer-oriented, less resource-intensive than heavy industry, have minimal environmental impacts, and may be located near residential areas if designed properly. Properties zoned I-1 should provide economic development and employment, encourage a balanced, diversified economy, and may serve as a transition between nonindustrial USES and the more intense Industrial Zone Districts.
- B. Uses Allowed by Right. No BUILDING, STRUCTURE or land shall be used and no BUILDING or STRUCTURE shall hereafter be erected, structurally altered, enlarged or maintained in the I-1 Zone District except for one (1) or more of the USES listed in this section.
1. Asphalt or concrete batch plants used TEMPORARILY and exclusively for an on-site construction project or the completion of a PUBLIC STREET/ROAD improvements project. The six-month limitation for this TEMPORARY USE may be extended in six-month increments at the discretion of the Director of Planning Services up to two (2) times, and thereafter by the Board of County Commissioners.
 2. COUNTY grader sheds.
 3. One (1) NONCOMMERCIAL TOWER up to forty (40) feet in height per LEGAL LOT. (See Section 23-4-895.)
 4. PUBLIC PARKS.
 5. PUBLIC SCHOOLS.
 6. TELECOMMUNICATION ANTENNA TOWERS up to thirty-five (35) feet in height.
 7. TEMPORARY borrow pits used exclusively for the completion of a PUBLIC STREET/ROAD improvement project.
 8. UTILITY SERVICE FACILITIES.
- C. Uses allowed subject to Site Plan Review. The following USES shall be allowed in the I-1 Zone District following approval and recording of a Site Plan in accordance with Article II, Division 3, of this Chapter. Any USE conducted outside of an ENCLOSED BUILDING shall be SCREENED from adjacent PUBLIC RIGHTS-OF-WAY and ADJACENT LOTS in any Zone District other I-3.
1. AGRICULTURAL PRODUCTION.
 2. An indoor USE of a manufacturing, fabricating, assembling or warehouse nature.
 3. BREW PUBS, BREWERIES, DISTILLERIES, and WINERIES.
 4. CAR WASHES and gas stations.
 5. COMMERCIAL SCHOOLS.

6. COMMERCIAL STORAGE BUILDINGS.
 7. CUSTOM MEAT PROCESSING.
 8. DISTRIBUTION CENTERS.
 9. FUNERAL HOMES and mortuaries.
 10. Golf courses.
 11. Headquarters or service facilities for taxi services, bus services and other services involving the transportation of people.
 12. HELIPORTS.
 13. HOTELS/MOTELS.
 14. INDOOR SHOOTING RANGES.
 15. LANDSCAPING COMPANIES.
 16. LUMBERYARDS/WOODWORKING.
 17. OFFICES.
 18. OUTDOOR STORAGE of PUBLIC utility-related equipment.
 19. PET CREMATORIES.
 20. Police, ambulance, and fire stations or facilities.
 21. RECREATIONAL FACILITIES, COMMERCIAL, PUBLIC and PRIVATE.
 22. REPAIR SERVICE ESTABLISHMENT.
 23. RESTAURANTS.
 24. RETAIL/SERVICE ESTABLISHMENTS with a total GROSS FLOOR AREA of up to three thousand (3,000) square feet per LEGAL LOT.
 25. SCHOOLS, private.
 26. SMALL SCALE SOLAR FACILITY, subject to the additional requirements of Section 23-4-1030.
 27. THEATERS and convention halls.
 28. VEHICLE RENTAL, SALES, SERVICE and/or REPAIR ESTABLISHMENTS.
 29. Veterinarian clinics and animal hospitals.
 30. WHOLESale TRADE ESTABLISHMENTS.
- D. Accessory Uses. The following BUILDINGS, STRUCTURES and USES shall be allowed in the I-1 Zone District so long as they are clearly incidental and ACCESSORY to an allowed USE and included on an approved and recorded Site Plan. Any USE conducted outside of an ENCLOSED BUILDING shall be SCREENED from adjacent PUBLIC RIGHTS-OF-WAY and ADJACENT LOTS in any Zone District other I-3.
1. CARGO CONTAINERS.

2. Loading areas.
 3. Parking areas and parking STRUCTURES for USE by employees, customers and company vehicles.
 4. SEMI-TRAILERS as accessory storage.
 5. STRUCTURES and BUILDINGS ACCESSORY to USES permitted under Section 23-3-310.B.
 6. WIND GENERATORS allowed as ACCESSORY USES in Section 23-4-450 of this Chapter.
- E. Uses Allowed by Permit. No USE listed in this Subsection shall commence construction or operation in the I-1 Zone District without prior approval of a land use permit from the Department of Planning Services.
1. One (1) MANUFACTURED HOME per LEGAL LOT, when used as living quarters for caretaker or security personnel responsible for maintaining or guarding the property, permitted under Division 3 of Article IV of this Chapter.
 2. One (1) NONCOMMERCIAL TOWER between forty (40) and seventy (70) feet in height per LEGAL LOT permitted under Section 23-4-895.
 3. OIL AND GAS FACILITIES.
 - a. 1041 WOGLA Permit Required. No OIL AND GAS FACILITY shall be developed in the I-1 (Industrial) Zone District until a 1041 WOGLA Permit has been issued in accordance with the application and hearing procedures set forth in Article V, Chapter 21 of this Code.
 4. PIPELINES - NATURAL GAS or PIPELINES - PETROLEUM PRODUCTS OTHER THAN NATURAL GAS permitted under Division 11 of Article II of this Chapter.
 5. TELECOMMUNICATIONS ANTENNA TOWERS between thirty-five (35) and seventy (70) feet in height permitted under Division 10 of Article IV of this Chapter.
 6. TEMPORARY seasonal uses permitted under Division 7 of Article IV of this Chapter.
 7. WIND GENERATORS requiring a zoning permit under Division 6 of Article IV of this Chapter.
- F. Uses by Special Review. The following BUILDINGS, STRUCTURES and USES may be constructed, occupied, operated and maintained in the I-1 Zone District upon approval of a permit in accordance with the requirements of Article II, Division 4 of this Chapter.
1. AIRSTRIPS when they are ACCESSORY to the Use Allowed by Right.
 2. Asphalt or concrete batch plants.
 3. CHURCHES.
 4. CORRECTIONAL FACILITIES, subject to Article XV, Section 15-5, of the Weld County Charter.
 5. DOMESTIC SEPTAGE disposal subject to Chapter 14 of this Code.

6. MEAT PROCESSING.
7. MEDIUM SCALE SOLAR FACILITIES, subject to the additional requirements of Section 23-4-1030.
8. Open MINING and processing of minerals.
9. PIPELINE - DOMESTIC WATER in accordance with Division 6 of Article II of this Chapter.
10. RESEARCH LABORATORIES.
11. TELECOMMUNICATIONS ANTENNA TOWERS over seventy (70) feet in height.
12. USES similar to the USES listed as permitted as long as the USE complies with the general intent of the Zone District.
13. WIND GENERATORS requiring the issuance of Special Review Permit under Division 6 of Article IV of this Chapter.

(Weld County Code Ordinance 2019-02; Weld County Code Ordinance 2019-11; Weld County Code Ordinance 2020-11)

Sec. 23-3-320. - I-2 (Medium Industrial) Zone District.

- A. Intent. The purpose of the I-2 Zone District is to designate areas for industrial USES with more intense, higher traffic, or larger scale USES than the I-1 Zone District.
- B. Uses Allowed by Right. No BUILDING, STRUCTURE or land shall be used and no BUILDING or STRUCTURE shall hereafter be erected, structurally altered, enlarged or maintained in the I-2 Zone District except for one (1) or more of the USES in this section.
 - 1. Asphalt or concrete batch plant used TEMPORARILY and exclusively for an on-site construction project or the completion of a PUBLIC STREET/ROAD improvements project. The six-month limitation for this TEMPORARY USE may be extended in six-month increments at the discretion of the Director of Planning Services up to two (2) times, and thereafter by the Board of County Commissioners.
 - 2. COUNTY grader sheds.
 - 3. One (1) NONCOMMERCIAL TOWER up to forty (40) feet in height per LEGAL LOT. (See Section 23-4-895.)
 - 4. PUBLIC PARKS.
 - 5. PUBLIC SCHOOLS.
 - 6. TELECOMMUNICATION ANTENNA TOWERS up to thirty-five (35) feet in height.
 - 7. TEMPORARY borrow pits used exclusively for the completion of a PUBLIC STREET/ROAD improvement project.
 - 8. UTILITY SERVICE FACILITIES.
- C. Uses allowed subject to Site Plan Review. The following USES shall be allowed in the I-2 Zone District following approval and recording of a Site Plan in accordance with Article II, Division 3, of this Chapter. Any USE conducted outside of an ENCLOSED BUILDING shall be SCREENED from adjacent PUBLIC RIGHTS-OF-WAY and ADJACENT LOTS in any Zone District other I-3.
 - 1. AGRICULTURAL PRODUCTION.
 - 2. A USE of a research, repairing, manufacturing, fabricating, assembling, PROCESSING, or storage nature.

3. Asphalt or concrete batch plants.
4. BIOSOLID and DOMESTIC SEPTAGE disposal subject to Chapter 14 of this Code.
5. BREWERIES, DISTILLERIES, and WINERIES.
6. CAR WASHES and gas stations.
7. COMMERCIAL STORAGE BUILDINGS.
8. CUSTOM MEAT PROCESSING.
9. DISTRIBUTION CENTERS.
10. Golf courses.
11. Headquarters or service facilities for taxi services, bus services and other services involving the transportation of people.
12. HELIPORTS.
13. INDOOR SHOOTING RANGES.
14. LANDSCAPING COMPANIES.
15. LUMBERYARDS/WOODWORKING.
16. OFFICES.
17. OIL AND GAS STORAGE FACILITIES.
18. OIL AND GAS SUPPORT AND SERVICE.
19. OUTDOOR STORAGE.
20. OUTDOOR STORAGE of PUBLIC utility-related equipment.
21. ORGANIC FERTILIZER PRODUCTION/COMPOSTING FACILITIES.
22. Parking areas and parking STRUCTURES.
23. PET CREMATORIES.
24. Police, ambulance, and fire stations or facilities.
25. RACING FACILITIES.
26. REPAIR SERVICE ESTABLISHMENT.
27. RETAIL/SERVICE ESTABLISHMENTS with a total GROSS FLOOR AREA of up to three thousand (3,000) square feet per LEGAL LOT.
28. SMALL SCALE SOLAR FACILITY.
29. TRANSLOADING.

- 30. THEATERS and convention halls.
 - 31. VEHICLE SERVICE/REPAIR ESTABLISHMENTS.
- D. Accessory Uses. The following BUILDINGS, STRUCTURES and USES shall be allowed in the I-2 Zone District so long as they are clearly incidental and ACCESSORY to an allowed USE and included on an approved and recorded Site Plan. Any USE conducted outside of an ENCLOSED BUILDING shall be SCREENED from adjacent PUBLIC RIGHTS-OF-WAY and ADJACENT LOTS in any Zone District other I-3.
- 1. AIRSTRIPS.
 - 2. CARGO CONTAINERS.
 - 3. Loading areas.
 - 4. RECREATIONAL FACILITIES, COMMERCIAL, PUBLIC and PRIVATE.
 - 5. SEMI-TRAILERS as accessory storage.
 - 6. STRUCTURES and BUILDINGS ACCESSORY to USES permitted under Section 23-3-320.B.
 - 7. WIND GENERATORS allowed as ACCESSORY USES in Section 23-4-450 of this Chapter.
- E. Uses Allowed by Permit. No USE listed in this Subsection shall commence construction or operation in the I-2 Zone District without prior approval of a land use permit from the Department of Planning Services.
- 1. One (1) MANUFACTURED HOME per LEGAL LOT, when used as living quarters for caretaker or security personnel responsible for maintaining or guarding the property, permitted under Division 3 of Article IV of this Chapter.
 - 2. One (1) NONCOMMERCIAL TOWER between forty (40) and seventy (70) feet in height per LEGAL LOT permitted under Section 23-4-895.
 - 3. OIL AND GAS FACILITIES permitted under Division 10 of Article II of this Chapter.
 - 4. PIPELINES - NATURAL GAS or PIPELINES - PETROLEUM PRODUCTS OTHER THAN NATURAL GAS permitted under Division 11 of Article II of this Chapter.
 - 5. TELECOMMUNICATIONS ANTENNA TOWERS between thirty-five (35) and seventy (70) feet in height permitted under Division 10 of Article IV of this

Chapter.

6. TEMPORARY seasonal USES permitted under Division 7 of Article IV of this Chapter.
 7. WIND GENERATORS requiring a zoning permit under Division 6 of Article IV of this Chapter.
- F. Uses by Special Review. The following BUILDINGS, STRUCTURES and USES may be constructed, occupied, operated and maintained in the I-2 Zone District upon approval of a permit in accordance with the requirements of Article II, Division 4 of this Chapter.
1. Coal gasification facility.
 2. COMMERCIAL JUNKYARDS.
 3. COMMERCIAL SCHOOLS.
 4. COMMERCIAL TRUCK WASHOUT FACILITIES.
 5. CORRECTIONAL FACILITIES, subject to Article XV, Section 15-5, of the Weld County Charter.
 6. MAJOR FACILITIES OF PUBLIC UTILITIES OR PUBLIC AGENCIES in accordance with Division 5 of Article II of this Chapter.
 7. MEAT PROCESSING.
 8. MEDIUM SCALE SOLAR FACILITIES, subject to the additional requirements of Section 23-4-1030.
 9. Open MINING and processing of minerals.
 10. PIPELINE - DOMESTIC WATER in accordance with Division 6 of Article II of this Chapter.
 11. RESEARCH LABORATORIES.
 12. Solid and hazardous waste disposal sites and facilities requiring Certificate of Designation in accordance with Sections 12-8-10 and 23-4-380 of this Code.
 13. TELECOMMUNICATIONS ANTENNA TOWERS over seventy (70) feet in height.
 14. USES similar to the USES listed as permitted as long as the USE complies with the general intent of the Zone District.
 15. WIND GENERATORS requiring the issuance of Special Review Permit under

Division 6 of Article IV of this Chapter.

(Weld County Code Ordinance 2019-02; Weld County Code Ordinance 2020-11)

Editor's note— Weld County Code Ordinance 2019-02, adopted July 10, 2019, amended § 23-3-320 in its entirety to read as herein set out. Former § 23-3-320, pertained to I-2 (Industrial) Zone District. See Code Comparative Table for complete derivation.

Sec. 23-3-330. - I-3 (Heavy Industrial) Zone District.

- A. Intent. The purpose of the I-3 Zone District is to provide a zone to accommodate industrial USES that require larger amounts of space, are more resource-intensive than light industrial, and have limited public access. Properties zoned I-3 should be located near transportation infrastructure such as highways, railroads, or AIRPORTS.
- B. Uses Allowed by Right. No BUILDING, STRUCTURE or land shall be used and no BUILDING or STRUCTURE shall hereafter be erected, structurally altered, enlarged or maintained in the I-3 Zone District, except for one (1) or more of the USES listed in this section.
1. Asphalt or concrete batch plant used TEMPORARILY and exclusively for an on-site construction project or the completion of a PUBLIC STREET/ROAD improvements project. The six-month limitation for this TEMPORARY USE may be extended in six-month increments at the discretion of the Director of Planning Services up to two (2) times, and thereafter by the Board of County Commissioners.
 2. COUNTY grader sheds.
 3. One (1) NONCOMMERCIAL TOWER up to forty (40) feet in height per LEGAL LOT. (See Section 23-4-895.)
 4. PUBLIC PARKS.
 5. PUBLIC SCHOOLS.
 6. TEMPORARY borrow pits used exclusively for the completion of a PUBLIC STREET/ROAD improvement project.
 7. TELECOMMUNICATION ANTENNA TOWERS up to thirty-five (35) feet in height.
 8. UTILITY SERVICE FACILITIES.
- C. Uses allowed subject to Site Plan Review. The following USES shall be allowed in the I-3 Zone District following approval and recording of a Site Plan in accordance with Article II, Division 3, of this Chapter.
1. ADULT BUSINESS, SERVICE or ENTERTAINMENT ESTABLISHMENT subject to the provisions of Article IX of this Chapter.
 2. AGRICULTURAL PRODUCTION.

3. AIRSTRIPS and AIRPORTS, including crop-dusting operations.
4. A USE of a research, repairing, manufacturing, fabricating, assembling, PROCESSING, or storage nature.
5. Asphalt or concrete batch plants.
6. BIOSOLID and DOMESTIC SEPTAGE disposal subject to Chapter 14 of this Code.
7. BREWERIES, DISTILLERIES, and WINERIES.
8. CAR WASHES and gas stations.
9. COMMERCIAL STORAGE BUILDINGS.
10. COMMERCIAL TRUCK WASHOUT FACILITIES.
11. CUSTOM MEAT PROCESSING.
12. DISTRIBUTION CENTERS.
13. Golf courses.
14. Headquarters or service facilities for taxi services, bus services and other services involving the transportation of people.
15. HELIPORTS.
16. INDOOR SHOOTING RANGES.
17. LANDSCAPING COMPANIES.
18. LUMBERYARDS/WOODWORKING.
19. MEAT PROCESSING.
20. OFFICES.
21. OIL AND GAS STORAGE FACILITIES.
22. OIL AND GAS SUPPORT AND SERVICE.
23. ORGANIC FERTILIZER PRODUCTION/COMPOSTING FACILITIES.
24. OUTDOOR STORAGE.
25. OUTDOOR STORAGE of PUBLIC utility-related equipment.
26. Parking areas and parking STRUCTURES.
27. PET CREMATORIES.
28. Police, ambulance, and fire stations or facilities.
29. RACING FACILITIES.

30. REPAIR SERVICE ESTABLISHMENT.
 31. RESEARCH LABORATORIES.
 32. RETAIL/SERVICE ESTABLISHMENTS with a total GROSS FLOOR AREA of up to three thousand (3,000) square feet per LEGAL LOT.
 33. SMALL SCALE SOLAR FACILITY, subject to the additional requirements of Section 23-4-1030.
 34. THEATERS and convention halls.
 35. TRANSLOADING.
 36. VEHICLE SERVICE/REPAIR ESTABLISHMENTS.
- D. Accessory Uses. The following BUILDINGS, STRUCTURES and USES shall be allowed in the I-3 Zone District so long as they are clearly incidental and ACCESSORY to an allowed USE and included on an approved and recorded Site Plan.
1. CARGO CONTAINERS.
 2. Loading areas.
 3. RECREATIONAL FACILITIES, COMMERCIAL, PUBLIC and PRIVATE.
 4. SEMI-TRAILERS as accessory storage.
 5. STRUCTURES and BUILDINGS ACCESSORY to USES permitted under Section 23-3-330.B.
 6. WIND GENERATORS allowed as ACCESSORY USES in Section 23-4-450 of this Chapter.
- E. Uses Allowed by Permit. No USE listed in this Subsection shall commence construction or operation in the I-3 Zone District without prior approval of a land use permit from the Department of Planning Services.
1. One (1) MANUFACTURED HOME per LEGAL LOT, when used as living quarters for caretaker or security personnel responsible for maintaining or guarding the property, permitted under Division 3 of Article IV of this Chapter.
 2. One (1) NONCOMMERCIAL TOWER between forty (40) and seventy (70) feet in height per LEGAL LOT permitted under Section 23-4-895.
 3. OIL AND GAS FACILITIES permitted under Division 10 of Article II of this

Chapter.

4. PIPELINES - NATURAL GAS or PIPELINES - PETROLEUM PRODUCTS OTHER THAN NATURAL GAS permitted under Division 11 of Article II of this Chapter.
 5. TELECOMMUNICATIONS ANTENNA TOWERS between thirty-five (35) and seventy (70) feet in height permitted under Division 10 of Article IV of this Chapter.
 6. TEMPORARY seasonal USES permitted under Division 7 of Article IV of this Chapter.
 7. WIND GENERATORS requiring a Zoning Permit under Division 6 of Article IV of this Chapter.
- F. Uses by Special Review. The following BUILDINGS, STRUCTURES and USES may be constructed, occupied, operated and maintained in the I-3 Zone District upon approval of a permit in accordance with the requirements of Article II, Division 4 of this Chapter.
1. Coal gasification facility.
 2. COMMERCIAL JUNKYARDS.
 3. COMMERCIAL SCHOOLS.
 4. CORRECTIONAL FACILITIES, subject to Article XV, Section 15-5, of the Weld County Charter.
 5. HEAVY MANUFACTURING - PROCESSING.
 6. MAJOR FACILITIES OF PUBLIC UTILITIES OR PUBLIC AGENCIES in accordance with Division 5 of Article II of this Chapter.
 7. MEDIUM SCALE SOLAR FACILITIES, subject to the additional requirements of Section 23-4-1030.
 8. Open MINING and processing of minerals.
 9. PETROLEUM REFINERIES.
 10. PIPELINE - DOMESTIC WATER in accordance with Division 6 of Article II of this Chapter.
 11. Solid and hazardous waste disposal sites and facilities requiring Certificate of Designation in accordance with Sections 12-8-10 and 23-4-380 of this Code.

12. TELECOMMUNICATIONS ANTENNA TOWERS over seventy (70) feet in height.
13. USES similar to the USES listed as permitted as long as the USE complies with the general intent of the Zone District.
14. WIND GENERATORS requiring the issuance of Special Review Permit under Division 6 of Article IV of this Chapter.

(Weld County Code Ordinance 2019-02; Weld County Code Ordinance 2020-11)

Editor's note— Weld County Code Ordinance 2019-02, adopted July 10, 2019, amended § 23-3-330 in its entirety to read as herein set out. Former § 23-30-330, pertained to I-3 (Industrial) Zone District. See Code Comparative Table for complete derivation.