

Chapter 7: Definitions

7-1 RULES OF CONSTRUCTION

- A. The particular controls the general.
- B. The word "building" shall mean the word "structure."
- C. The word "used" shall include "arranged," "designed," "constructed," "altered," "converted," "rented," "leased," or "intended to be used."

7-2 DEFINITIONS⁴³⁹

Abutting

Having a common property line or district line with an adjacent property.

Access Drive

A street or right-of-way providing ingress and egress to properties adjacent to a regional thoroughfare, arterial street, or major collector street.

Accessible

When used in connection with accommodation for disabled persons refers to a site, facility, work environment, service, or program that is easy to approach, enter, operate, participate in, and/or safely and with dignity by a person with physical disability.

Accessory Dwelling Unit (ADU)⁴⁴⁰

A secondary dwelling unit that is within, adjacent to, or detached from a primary single-family dwelling unit or principal permitted use on a lot/ parcel and includes a kitchen, bathroom and sleeping facilities and has a separate entry to the secondary dwelling unit. Colorado Statutory parcels of 35-acres are also under this definition.⁴⁴¹

Accessory Use or Structure

A use or structure (exceeding 120 square feet) subordinate to the principal structure or use which serves a purpose customarily incidental to the principal use.

Accessory Buildings

Accessory uses and structures are not permitted unless and until the principal permitted use has been established on the property.

- A. Accessory buildings greater than 120 square feet in size and/or 10 feet in height shall observe all yard and height requirements.
- B. Structures constructed for accessory uses shall not be used for dwelling purposes.

⁴³⁹ **STAFF:** All Use-related definitions are highlighted in yellow and footnotes indicate if the use is new or revised; all current regulations that are no longer used in Use-related regulations or otherwise in this LDC were deleted.

⁴⁴⁰ New definition to consolidate Mother-In-Law Apartments, Residence Required for Caretaker or Night Watchman Employed by the Premises, and Ranch Hand/Agricultural Worker Housing. Removes the "immediate family" occupancy limitation.

⁴⁴¹ **STAFF:** We understand the intent of the last sentence regarding the 35 acre rule, but recommend it be deleted. There are many other portions of the Code that regulate actions on 35 acre parcels that are not highlighted this and not others could lead someone to suggest that perhaps some of the other regulations do not apply to 35 acre exemptions.

- C. Except for agricultural usage only, accessory structures shall not exceed 10 percent of the lot area or a maximum of 1,000 square feet, and a maximum building height of 15 feet.

Accident Potential Zone (APZ) I

An area beginning at the outer edge of the Buckley Air National Guard Base Clear Zone, 3,000 feet wide by 5,000 feet long, in which the potential for aircraft accidents, while being less than the accident potential on the Base environs, is considered measurable enough for the purposes of these Regulations to warrant certain land use restrictions to be placed on lands lying within this Zone.

Accident Potential Zone (APZ) II

An area beginning at the outer edge of the Buckley Air National Guard Base Accident Potential Zone I, 3,000 feet wide by approximately 7,000 feet long together with a triangular-shaped area at the westerly edge of the 7,000 measurement which is 5,500 feet wide at the base by 7,300 feet long, all as depicted in Figure 3-1 of the June 1998 AICUZ, in which the potential for aircraft accidents, while being less than the accident potential of APZ I, is considered measurable enough for the purposes of these Regulations to warrant certain land use restrictions to be placed on lands lying within this Zone.

Acre, Gross

An area in any shape containing 43,560 square feet.

Adjacent Land

See Adjoining Lot or Land.

Adjoining Lot or Land

A lot or parcel of land that shares all or part of a common lot line with another lot or parcel of land.

Administration

Of or pertaining to the performance of executive or managerial functions of an organization complying with the definition of a public facility.

Administrative Site Plan (ASP)

A plan that meets the requirements of Sections 5-3.3, Planned Unit Development, and 5-4.1, Administrative Site Plan, as applicable. As applied to a Development Plan Approved prior to April 1, 2017 ASP also means the final step in the Master Development Plan process.

Adult Arcade⁴⁴²

An establishment where, for any form of consideration, one or more still or motion picture projectors, or similar machines, or other image producing machines, for viewing by five or fewer persons each, are used to show films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical area."

⁴⁴² **STAFF:** We need to discuss these detailed definitions related to Adult uses – there is a much simpler and more current way to define these uses.

Adult Bookstore (Also Adult Novelty Store Or Adult Video Store)

A commercial establishment which devotes a substantial portion of its stock-in-trade or interior floor space to the promotion of or the sale or rental of books, magazines, periodicals, or other printed matter, or photographs, films, motion pictures, video cassettes, CD-ROMS, slides or other visual, digital, or electronic representation, or novelty items, which are characterized by an emphasis on the depiction or description of "specified sexual activities" or "specified anatomical areas". For purposes of this definition, 20 percent or more of an establishment's stock-in-trade or 250 square feet of more of an establishment's interior floor-space are presumptively "substantial or significant."

Adult Cabaret

A nightclub, bar, restaurant, "pop shop", or similar commercial establishment which features:

- A. persons who appear nude or in a state of nudity
- B. live performances which are characterized by the exposure of "specified anatomical areas" or by "specified sexual activities"; or,
- C. films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas."

Adult Day Care Center

See Day Care Center, Adult.

Adult Day Care Home

See Day Care Home, Adult.

Adult Motel

A motel, hotel or similar commercial establishment which: a) offers public accommodations, for any form of consideration, and provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas" and which advertise the availability of this sexually oriented type of material by means of a sign visible from the public right-of way, or by means of any ~~off-premises~~⁴⁴³ advertising including but not limited to newspapers, magazines, pamphlets or leaflets, radio or television; or, b) offers a sleeping room for rent for a period of time less than 10 hours, or allows a tenant or occupant to sub-rent a sleeping room for a time period of less than 10 hours.

Adult Motion Picture Theater

A commercial establishment where films, motion pictures, video cassettes, slides or similar photographic reproductions that are distinguished or characterized by an emphasis on "specified sexual activities" or "specified anatomical areas" are regularly shown for any form of consideration.

⁴⁴³ Limitation to off-premises signs deleted in Spring 2023.

Adult Theater

A theater, concert hall, auditorium, or similar commercial establishment which, for any form of consideration, regularly features persons who appear in a state of nudity or live performances which are characterized by exposure of “specified anatomical area” or by “specified sexual activities.”

Agricultural Animal

Cattle, sheep, llamas, goats, swine, mules, poultry, horses, alternative livestock as defined by Colorado Statutes (e.g. elk) and such domesticated animals as fox, mink, chinchilla, beaver and rabbits, and large birds/poultry such as emu, rhea or ostrich, except dogs and cats that are used for working purposes on the farm or ranch, and any other animal designated by the State Agricultural Commissioner, which animal is raised for food or fiber production.

Agricultural Animal, Small, Non-Commercial

Chickens, geese, other small poultry, bees, and/or rabbits, kept only for the private use of the residents of the property where the animals are raised and not for commercial purposes.

Agricultural Building

A structure on agricultural land designed, constructed and used to house farm implements, livestock, or agricultural produce or products used by the owner, lessee, or sub-lessee or their immediate families, their employees, and persons engaged in the pick up or delivery of agricultural produce or products grown or raised on the premises. The term shall not include dwellings.

Agricultural Products⁴⁴⁴

Plant or animal products in a raw or unprocessed state that are derived from the science and art of agriculture, regardless of the use of the product after its sale and regardless of the entity that purchases the product.

Agricultural or Ranch Use⁴⁴⁵

A parcel of land used for crops, horticulture, floriculture, viticulture, forestry, dairy, raising of livestock or poultry, the display and presentation of agricultural animals, breeding of horses, and any and all forms of farm products and farm production. This use includes shelters for agricultural implements and tools used to maintain the premises, an office incidental to the operation, animal assisted therapy activities, and seasonal farming or ranching events.

⁴⁴⁴ Deleted Livestock as Livestock Products are not referenced in the LDC.

⁴⁴⁵ New consolidated use and definition. Combines Agricultural or Ranch Use, Shelter for Agricultural Implements and Tools Used to Maintain Premises, Office Incidental to the Operation of the Permitted Use, Animal Assisted Therapy Activities, Farm or Ranch Animal Center, and Seasonal Farming or Ranching Events.

Agricultural Entry Feature⁴⁴⁶

A structure made up of vertical supports located on either side of the primary vehicle entrance driveway to a property zoned A-1 or A-E and a horizontal element joining the tops of the two vertical supports, and in which the surface of the vertical supports and horizontal element has a width of at least two feet when viewed from the public or private street from which the entry driveway departs.

Agriculture

The science and art of production of plants and animals useful to man, including, to a variable extent, the preparation of these products for man's use and their disposal by marketing or otherwise, and includes horticulture, floriculture, viticulture, forestry, dairy, livestock, poultry, bee and any and all forms of farm products and farm production.

Agriculture, Non-Commercial

The production of crops and livestock for consumption entirely on the premises.

Agri-tainment⁴⁴⁷

A for profit business operation, located and operated on A-E or A-1 zoned agricultural property that is specifically approved as a use-by-special review in that zone to provide educational and/or entertainment opportunities to its patrons in an agriculturally oriented environment by way of activities, events, demonstrations, displays, interactive participation, tours, lectures, and/or the sale of agriculturally related products. Characteristic uses permitted in an agri-tainment USR include but are not limited to:

- A. Animal petting zoo and farm animal centers
- B. Bed and breakfast
- C. Camps
- D. Community Event and Conference Center
- E. Country store/craft shop
- F. Cultural, special event, and religious festivals
- G. Educational activities and programs
- H. Farm tours
- I. Farmers market (year round)
- J. Farmhouse restaurant
- K. Farm-life activities and entertainment
- L. Guest ranch/farm house lodging
- M. Thematic vacations or events⁴⁴⁸
- N. Winery operations

Accessory uses may include: parking associated with an approved use, concession stands, pick your own produce, play grounds and activity fields for guests and visitors to the farm, and signage in compliance with the Signage regulations.

⁴⁴⁶ Added Fall 2023.

⁴⁴⁷ Current definition. **STAFF:** We recommend revising the list of characteristic uses and deleting any of the uses that are listed as separate uses in the Permitted Use Table for clarification.

⁴⁴⁸ **STAFF:** This is a very unusual use, by itself or as a form of entertainment, and we suggest it be deleted.

Airport⁴⁴⁹

A landing area, runway, or other facility designed, used, or intended to be used for the landing or taking off of aircraft, including all necessary taxiways, aircraft storage and tie-down areas, hangars, and other necessary buildings and open spaces.

Airport Influence Area

An area within the unincorporated portions of Arapahoe County, proximate to an airport, which is recognized by the Board of County Commissioners as containing lands which are expected to be significantly affected by noise and/or safety hazards associated with aircraft operations associated with said airport. For purposes of these regulations, the airport influence area shall be the outside boundary of the 55 Ldn contour for that airport.

Alley

A minor right-of-way, dedicated to public uses, which gives a secondary means of vehicular access to the rear or side of properties otherwise abutting a street, and which may be used for public utility access.

Alter

To change any of the supporting members of a building such as bearing walls, columns, beams or girders.

Animal Day Care Facility⁴⁵⁰

Any facility licensed by the State of Colorado where animals may be groomed, trained, exercised, and socialized, but not kept or boarded overnight, bred, sold or let for hire.

Animal Hospital and Veterinary Clinic⁴⁵¹

Structure for the care and recuperation of ill or injured animals in which overnight boarding of animals is only permitted when incidental to medical treatment and limited to short periods of time. This use does not include a "Kennel".

Antenna

A metallic apparatus used for sending and/or receiving electromagnetic signals.

Apartment Unit

One or more rooms with private bath and kitchen facilities comprising an independent, self-contained dwelling unit in a building containing three or more dwelling units.

Approach Zone

An area beginning at the outer edge of the Clear Zone defined by FAA approved Airport Layout Plans; the main purpose being to facilitate the arrival and departure of aircraft utilizing the aviation facility.

⁴⁴⁹ New definition for existing use not currently defined.

⁴⁵⁰ Relocated limitations on outdoor areas and soundproofing requirement to the use-specific standards.

⁴⁵¹ Expanded definition and relocated limitations on location and other standards to use-specific standards.

Appurtenant Retail Uses

Retail uses located within office buildings which are intended to provide a service primarily for the occupants of said office building, and which are not allowed exterior advertising. Such uses may include a sandwich shop, barber/beauty shop, snack shop/restaurant, day care, etc.

Architectural Treatment, 360 Degree

See 360 DEGREE ARCHITECTURAL TREATMENT.

Area of State Interest

Pursuant to Article 65.1 of Title 24 C.R.S. as amended (House Bill 1041-1974), an area identified by the Board of County Commissioners as warranting State review of land use decisions.

Art Gallery, Library, or Museum⁴⁵²

A facility or area that is open to the public and is intended for the display, appraisal, purchase, sale, loan, of art books, paintings, sculpture, or other works of original art that have architectural, artistic, cultural, literary, historical, or scientific value. Accessory uses can include meeting rooms or cafes.

Assisted Living Residence

A residential facility that makes available to three or more persons, not related to the owner of such facility, either directly or indirectly through a resident agreement with the resident, room and board and at least the following services: personal services; protective oversight; social care due to impaired capacity to live independently; and regular supervision that shall be available on a 24-hour basis, but not to the extent that regular 24-hour medical or nursing care is required as defined under CCR 1011-1.

Auto Service Station or Car Wash⁴⁵³

A facility used for the sale to the general public of automotive fuel, including without limitation petroleum products, electricity, biofuels, natural gas, or hydrogen, and fuel related products or a commercial business using self-service, in-bay automatic or conveyor equipment for cleaning and washing motor vehicles. An auto service station may include accessory uses such as minor automobile repair, a convenience store, a single bay fully-automated vehicle wash, and/or fast-food restaurant subject to compliance with all applicable provisions of the County Land Development Code.

Backyard Bees and Chickens⁴⁵⁴

The non-commercial raising and caring for chickens and bees.

⁴⁵² New use and definition.

⁴⁵³ Consolidated current definitions of automobile Service Station and Car Wash.

⁴⁵⁴ New definition for existing use (no current definition).

Bar or Tavern⁴⁵⁵

An establishment primarily devoted to the serving of alcoholic beverages by the drink and in which the service of food is only incidental to the consumption of such beverages. This use also includes

“hookah” bars in which patrons consume flavored tobacco from a stemmed instrument designed for vaporizing tobacco.

Bed And Breakfast⁴⁵⁶

A single-family dwelling having a mixed use as a home for the residential owner and as an accessory use for guest lodging including meals.

Bee

Any stage of the common domestic honey bee, *Apis mellifera* species. Does not include Africanized bees and hybrids.

Berm

Mound of earth used for screening, definition of space, noise attenuation and decoration in landscaping.

Block

A parcel of land, intended to be used for urban purposes, which is entirely surrounded by public streets, highways, railroad right-of-way, public walks, parks or green strips, rural or vacant land or drainage channels or a combination thereof.

Board of County Commissioners

Board of Commissioners of Arapahoe County, Colorado.

Boarding House

A building or portion thereof which is used to accommodate, for compensation, three or more boarders, not including members of the occupant's immediate family who might be occupying such building. The word "compensation" includes money, services or other things of value.

Broadcast Tower Facility

A facility consisting of antennae, typically for AM and FM radio and/or VHF or UHF transmissions, an equipment building, manned or unmanned, and a guyed or self-support tower(s) and related field facilities. Each facility is intended to provide coverage to a geographic area subject to the limitations of the provider FCC license. This use does not include any use listed separately in the Telecommunications and Towers Section of 3-2, Permitted Use Table.

Building Code

The Uniform Building Code of Arapahoe County.

⁴⁵⁵ Revised definition to address hookah establishments.

⁴⁵⁶ Relocated requirement for home to be the primary and legal residence of the owner to the use-specific standards.

Building Envelope

An area of land within a buildable lot within which all site structures, buildings, and other hardscape elements shall be contained, except driveways. The building envelope also includes any building overhangs, eaves, protruding architectural features (e.g., bay windows, chimneys), and similar features.

Building Front

One exterior wall of the building typically facing a front line of a lot; or in the event that the primary entrance is located on an exterior wall which is not the front line of the lot, the building front shall be the exterior wall containing the primary entrance to the building.

Building Line, Rear

A line parallel to the rear property line at the first vertical wall adjacent to the minimum required rear yard setback.

Building Line, Side

A line parallel to the side property line at the first vertical wall adjacent to the minimum required side yard setback. This line can be perpendicular to the front and rear yard building lines

Buffer

A strip of land established to separate and protect one type of land use from another, to screen from objectionable noise, smoke or visual impact, or to provide for future public improvements or additional open space.

Buffer Zone

An area that experiences high volumes of aircraft overflights. Residential and other noise sensitive uses are considered incompatible here. Building height must comply with FAR 77 surface criteria, existing or future, whichever is more restrictive.

Building

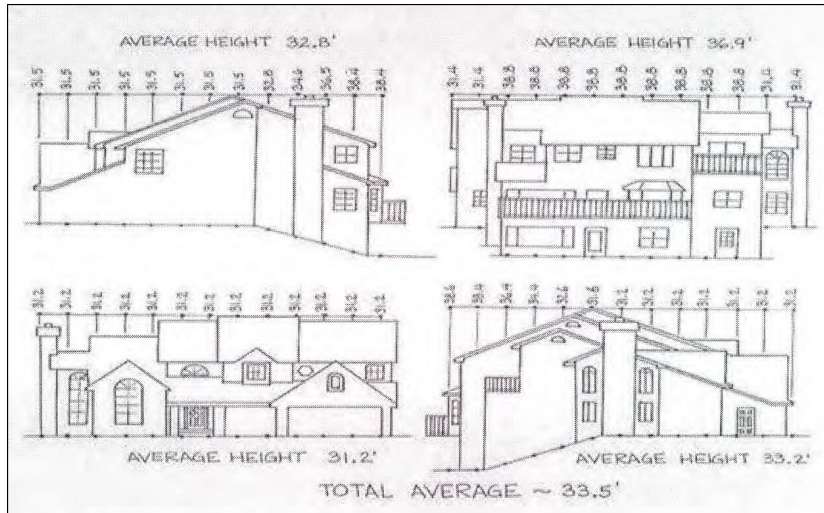
Any structure built for the shelter or enclosure of persons, animals, chattels, property or substances of any kind (not including fences), having one or more floors and a roof, and permanently affixed to the ground.

Building Envelope

The portion of a lot within applicable setback requirements where building construction will be permitted.

Building, Height of

The vertical distance from the average finished grade immediately adjacent to the structure to the highest point of the structure, including rooftop appurtenance.



Building Line, Front

A line parallel to the street (front lot line) and the required front setback that is the first vertical wall of the principal building on the property.

Building, Main

A building in which is conducted the principal permitted use of the lot on which it is situated.

Camps

Day camps and overnight camping in a supervised environment licensed by the State of Colorado.

Candela

A unit of measure defining the intensity of a ray of light at a given angle.

Canopy

An accessory roof-type structure which is permanently affixed to the ground and typically not enclosed. As accessory structures these structures would be exempt from the minimum distance requirements between structures. These structures must meet all other minimum yard requirements within the zoning district.

Catering Service

An establishment in which the principal use is the preparation of food and/or meals on the premises, and where such food and meals are delivered or taken to another location for consumption.

Cemetery

Land used or dedicated for the burial of the dead, including such accessory uses as mortuaries, sales of burial plots, mausoleums, columbarium's, crematoriums and maintenance facilities.

Central (Community) Sewer System

A system or facility for treating, neutralizing, stabilizing, or disposing of sewage, which system or facility has a designed capacity to receive more than 2,000 gallons of sewage per day, but not including an on-site wastewater system (individual sewage disposal system). The term "central sewer system" includes appurtenances such as interceptors, collection lines, outfall and the outlet sewers, pumping stations, and related equipment.

Central (Community) Water System

A system for the provision to the public of water for human consumption through pipes or other constructed conveyances, and which serves at least 15 service connections used by year-round residents of the area served by the system; or that regularly serves at least 25 year-round residents.

Channelization

The artificial creation, enlargement or realignment of a drainageway.

Check Cashing Facility

A commercial business that provides personal or business check cashing services and may include personal loans and/or payment services to individuals.

Child Care Home, Family⁴⁵⁷

A dwelling unit used for the purposes of providing less than twenty-four (24) hour care at any time for two or more children, with a maximum of six children, that are unrelated to each other or the provider, and are cared for in the provider's place of residence.

Child Care Home, Large⁴⁵⁸

A dwelling unit used for the purposes of providing care for seven to 12 children.

Church

A building, together with its accessory buildings and uses, where persons regularly assemble for religious worship, and which building, together with its accessory buildings and uses, is maintained and controlled by a religious body organized to sustain public worship.

Club or Clubhouse⁴⁵⁹

Buildings and facilities, owned or operated by a corporation, association, person or persons, for a social, educational or recreational purpose to which membership is required for participation and that is not customarily carried on as a business.

⁴⁵⁷ New use and definition from CCR 7.701.2.A.1.

⁴⁵⁸ Current standards for allowed ages of children relocated to the use-specific standards.

⁴⁵⁹ New use and broadly applied current definition of Hunting Club.

Cluster Development

A type of land use design concentrating development in one or more areas of the project and allowing for a reduction in lot size below minimum requirements when compensating amounts of open space are provided within the proposed project.

CMC

CMC shall mean the Colorado Marijuana Code, C.R.S. Section 44-10-101 *et seq.*, as amended.

Code of Federal Regulations (CFR)

The codification of the general and permanent Rules published in the Federal Register by the executive departments and agencies of the Federal Government.

Colony

A bee hive and its equipment and accessories, including bees, comb, honey, pollen, and brood.

Commercial

For the purposes of Section 3-3.4.Q, Marijuana Land Uses, commercial shall mean for purposes of obtaining a profit or remuneration.

Commercial Feed Lot

Any tract of land, structure, pen or corral where livestock are kept in close quarters for the purpose of feeding such livestock in order to fatten for sale or slaughter. This use includes commercial animal sales yards.⁴⁶⁰

Commercial Mineral Deposit

A natural mineral deposit for which extraction by an extractor is or will be commercially feasible and which it can be demonstrated by geologic, mineralogical, or other scientific data that such deposit has significant economic or strategic value to the area, state or nation.

Commercial Office

A room or group of rooms used for conducting the affairs of a business, profession, service industry or government, and some limited and accessory sales of products, but not including residential uses.

Commodity

An article of trade or commerce, especially an agricultural or mining product that can be processed and resold.

Community Event and Conference Center⁴⁶¹

A location for family, community, public, private, corporate, or ticketed events including, but not limited to, events such as weddings, company outings, picnics, church gatherings,

⁴⁶⁰ Revised definition to include commercial animal sales yard to address current Section 3-3.1.B.2.

⁴⁶¹ Carried forward current definition of Event and Conference Center.

reunions, cultural festivals, shows, company meetings, holiday celebrations, conferences, and other similar events.

Community Garden

Land managed by a group of individuals for the purpose of the cultivation of fruits, vegetables, plants, flowers or herbs.

Compatible Architectural Treatment

The use of colors, materials and general architecture in the exterior design of structures to ensure that said structures are suitable, harmonious and in keeping with the general appearance and/or style of existing adjacent development.

Comprehensive Plan

The Comprehensive Plan and amendments thereto for Arapahoe County which has been officially adopted to provide development policies for current and long range development within the County and which may include, but not be limited to, the plan for land use, land subdivision, circulation, and community facilities.

Concession Stands

Selling products at multiple sites within the venue, erected as necessary by property owner and/or by individual venders.

Condominium

A legal form of ownership whereby an owner gains title to an interior air space dwelling unit, together with interest in the common areas and facilities appurtenant to such units.

Confined Animal Feeding Operation ("CAFO")

A confined animal or poultry growing operation (facility) for meat, milk, or egg production or stabling wherein livestock are fed at the place of confinement for 45 days or longer in any 12 month period and crop or forage growth is not maintained in the area of confinement. For purposes of this LDC, "confined animal feeding operations" includes animal feeding operations consistent with this definition and all related animal waste treatment or collection facilities that are regulated by the Colorado Department of Public Health and Environment pursuant to the Confined Animal Feeding Operations Control Regulations, 5 CCR 1002-81, as amended, or any superseding regulations.

Construction, Start of

See START OF CONSTRUCTION.

Contiguous

Lots are contiguous when at least one boundary line of one lot touches a boundary line or lines of another lot.

Conservancy Lot

A large, privately owned lot constituting part of a conservation area in a rural cluster development. The purpose of the conservancy lot is to provide surrounding residents with visual access to open space land while keeping the land under private ownership and maintenance. Only a limited portion of any such lot shall be developed; the remainder shall

be protected through conservation easements or other types of deed restrictions, and may be used only in conformance with this Code's standards for conservation areas. Public access to conservancy lots is not required.

Conservation Area

The land set aside in a rural cluster subdivision and permanently preserved, through a conservation easement or other County-approved mechanism, for conservation, agricultural, or other low-impact uses as allowed by this Code. The conservation area is typically contained in delineated tracts, as shown on the approved Cluster Subdivision Plat, but may also be contained within conservancy lots, as defined herein.

Conservation Easement

A recorded deed restriction under which a property owner retains title to real property but gives up some or all of the development rights associated with it, the terms and restrictions of which are specified in a conservation easement document for the property. For a conservation easement to be recognized under federal law, the easement document must transfer the rights to enforce property restrictions to a qualified conservation organization or government agency.

Construction, New

See New Construction.

Contractor Shop or Yard⁴⁶²

A lot or portion of a lot or parcel used to store and maintain construction equipment and other materials and facilities customarily required in the building trade by a construction contractor including plumbing, heating, and electrical. This definition also includes contractor's office.

Control

A fully automatic device, which can turn on, off, or dim lights at predetermined times. A control includes, without limitation, an astronomical time clock, photocell, motion detector and dimmer.

Convenience Commercial

A retail or service commercial use which serves the area immediately surrounding the use by providing groceries, sundries and miscellaneous services which do not typically offer comparison shopping opportunities.

Country Store And Craft Shops

Facilities that provide an opportunity for visitors to purchase merchandise and agriculturally related products or items.

Crematorium

A location containing properly installed, certified apparatus intended for the act of cremation of remains.

⁴⁶² New definition for existing use not currently defined.

Damage, Substantial

See Substantial Damage.

Day Care Center, Adult

A non-residential, protective facility specializing in providing activities and socialization for the elderly and/or disabled adults. Care is generally provided during daytime hours, but less than a 24-hour consecutive period, with a variety of planned program activities.

Daycare Center, Child

A facility, by whatever name known, which is maintained for the whole or part of a day for the care of five or more children under the age of 16 years and not related to the owner, operator, or manager thereof, whether such facility is operated with or without compensation for such care and with or without stated educational purposes. The term includes facilities commonly known as day care centers, day nurseries, nursery schools, kindergartens, preschools, play groups, day camps, summer camps, and centers for mentally retarded children and those facilities which give 24-hour care for dependent and neglected children, and includes those facilities for children under the age of six years with stated educational purposes operated in conjunction with a public, private, or parochial college or a private or parochial school; except that the term shall not apply to any kindergarten maintained in connection with a public, private, or parochial elementary school system of at least six grades.

Day Care Home, Adult

A dwelling unit used for the purposes of providing care for, and specializing in the special needs of, elderly and/or disabled adults who are not related to the owner of the dwelling/resident manager of the day care home, for compensation.

De-annexed Land

A land area which had been located within a municipality pursuant to a void annexation ordinance as determined by Final Judgment pursuant to Section 31-12-117, C.R.S., as amended.

Deed Restriction

Clauses in a deed limiting the future uses or enjoyment of a property. Deed restrictions may impose a vast variety of limitations and conditions; for example, they may limit the density of buildings and dictate the types of structures that can be built.

Density

The average number of families, persons or dwelling units per unit of land. In these Regulations, density is normally expressed as the number of dwelling units per gross acre.

Development, New

See New Development And Redevelopment.

Disconnected Land

A land area which was located within the boundaries of a municipality and has been disconnected from said municipality by Final Court Decree pursuant to Section 31-12-119, or 31-12-603, or 31-12-704, C.R.S., as amended, or by any other legal theory.

Dish-Shaped Antennas

Considered accessory structures in all zoning districts, used for the reception of television, microwave and/or cable TV, shall meet accessory structure setback and maximum height requirements within each zoning district.

Display Surface

The display surface is the area made available by the sign structure for the purpose of displaying the advertising message.

Disposition

A contract of sale resulting in the transfer of equitable title to an interest in subdivided land; an option to purchase an interest in subdivided land; a lease or an assignment of an interest in subdivided land; or any other conveyance of an interest in subdivided land which is not made pursuant to one of the foregoing

District Zoning

A portion of the County within which the use of land and structure(s) and the location, height and bulk of structure(s) are governed, i.e., the A-1 classification is a district as is the R-1-A classification.

Drainageway

A natural or artificial channel, swale, arroyo, gully, gulch, ditch, trench, creek, stream, river, slough, wetland, pond, reservoir, or lake that either conveys or receives seasonal or stormwater runoff.

Drive-Through Facility⁴⁶³

An site design or site feature that, by design, physical facilities, service, or packaging procedures, encourages or permits customers to receive services or obtain goods while remaining in their motor vehicles. This use includes but is not limited to drive-by pickup facilities for parcels, goods, food, or beverages.

Drought Tolerant Landscape

A reduced water-usage landscape achieved through the use of good planning and design, limited turf area, soil improvements, efficient irrigation, mulching, low- water-use plants, and appropriate turf materials.

Dumpsters/Trash Containers

See TRASH CONTAINERS/DUMPSTERS.

Dumpster Enclosure

See TRASH ENCLOSURE.

Dwelling, Live/Work⁴⁶⁴

A dwelling unit containing an integrated living and working space in different areas of the unit.

⁴⁶³ Last sentence is new.

⁴⁶⁴ New use and definition.

Dwelling, Multifamily

A structure on an individual lot containing three or more dwelling units separated by interior walls and/or floors/ceilings with separate or joint interior or exterior access, and that does not meet the definition of a single-family attached dwelling or a townhome dwelling. Examples include triplex, four-plex, and apartment and condominium complexes.

Dwelling, Single-Family Detached

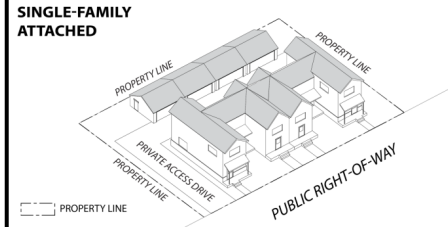
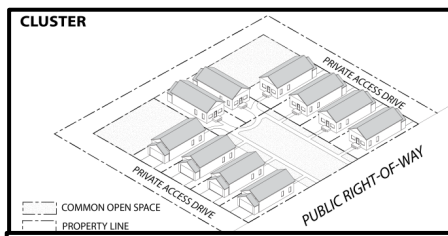
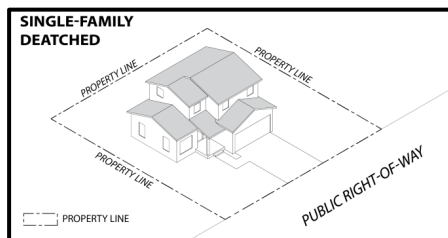
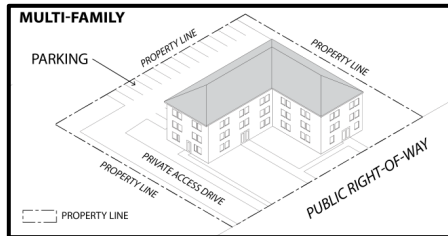
A dwelling unit located on an individual lot and not attached to any other dwelling unit (other than a mother-in-law apartment, if permitted).

Dwelling, Single-Family Detached Cluster Development

A group of single-family dwelling units organized in a specific area on a larger parcel of land to allow the remaining land to be used for recreation, common open space, or preservation of environmentally sensitive areas, and in which the minimum sizes or dimensions of individual residential lots are permitted to be smaller than otherwise allowed in the zone district where the development is located.

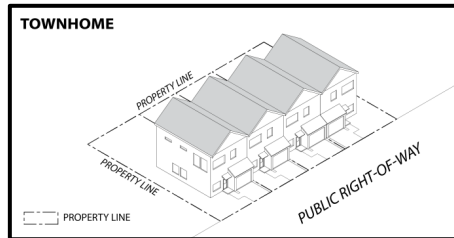
Dwelling, Single-Family Attached

Three or more dwelling units located on a single lot in a single structure designed so that (a) individual units have individual ground-floor access and (b) all floors designed for human occupancy are separated from each other by unpierced vertical common or party walls.



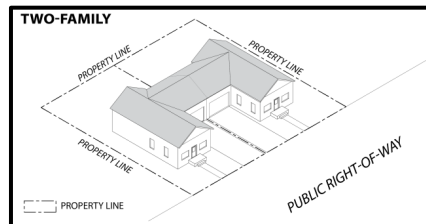
Dwelling, Townhome

An individual dwelling unit that (a) is located on an individual lot, (b) is part of a single structure containing at least three dwelling units, and (c) in which all floors designed for human occupancy are separated from each other by unpierced vertical common or party walls. The owner of a townhome unit may have an undivided interest in common areas and elements appurtenant to such units.



Dwelling, Two-Family

A structure located on a single lot, or on two lots with the lot line coinciding with the common or party wall, containing two dwelling units with separate access that share a common unpierced wall or floor/ceiling, each of which is designed for or occupied by a single family.



Dwelling Unit

Any building or portion thereof designed for human occupancy which contains kitchen, dining, living, sleeping and bath accommodations necessary for service to a single family.

For the purposes of Section 3-3.4.Q, Marijuana Land Uses, dwelling unit shall mean any house, apartment unit, condominium unit or other similar secure structure or unit thereof that is primarily used as a residence.

Dwelling Unit, Efficiency

A dwelling unit consisting of not more than one habitable room together with kitchen or kitchenette and sanitary facilities.

Easement

The right of a person, government agency, or public utility company to use public or private land owned by another for a specific purpose.

Educational Activities and Programs

Agricultural and/or culturally related topics discussed, observed, and/or experienced by way of classes, demonstrations, exhibits, lectures, and/or hands-on involvement, organized and conducted for the purposes of teaching participants about agricultural or farm related subjects such as: soil conservation and crop rotation, harvesting, crop varieties and cultivation techniques, historical landmarks, agricultural technology advancements, gardening, crafts, antique farm equipment and vehicle shows, etc.

Effected Land

The area of land from which any amount of overburden has been removed, or upon which any amount of overburden has been deposited, or both. This term also includes the disturbed surface of an area where a mining operation is being or will be conducted, including but not limited to: on-site private ways, roads and railroad lines; land excavations; development drill sites or workings; refuse banks or spoil piles; evaporation or settling ponds; leaching dumps; placer areas; tailings ponds or dumps; work, parking, storage or waste discharge areas; areas in which structures, facilities, equipment, machines, tools or other materials or property which result from or are used in such operations are situated.

Eligible Facilities Request

The definition of an Eligible Facilities Request, as that term is used in regulation of Wireless Communication Facilities (WCF) is in Section 3-3.5.G.

Evidence

Any map, table, chart, contract, or any other document or testimony prepared or certified by a qualified person to attest to a specific claim or condition, which evidence must be relevant and competent and must support the position maintained by the subdivider.

Expansive Soils (shrink/swell soils)

Soil conditions exhibiting a high potential for changes in volume due to varying amounts of moisture and clay content which could severely damage building foundations, roads and other.

Experienced Child Care Provider⁴⁶⁵

A licensed child care home where care is approved for no more than nine children of different age combinations depending upon which option the home is operating.

Explosive and Highly Flammable or Hazardous Materials

Materials or liquids which, when ignited, exhibit large scale, rapid and spectacular expansion, outbreak or other upheaval. Hazardous materials are as defined by State Statute.

Facade/Fascia

Any face of a building given special architectural treatment, i.e., a false, superficial or artificial appearance or effect.

Family

An individual or two or more persons related by blood, marriage or adoption residing under one head of household, or a group of not more than five persons, who need not be related, living as a single housekeeping unit. The definition of "Family" specifically excludes any group home licensed by the State for the use of four to eight persons, but includes the foster care of up to four children not related to the caretaker for 24-hour care

⁴⁶⁵ New definition to align with CCR 2509-8.

F.A.R. Part 77

Federal Aviation Administration regulations pertaining to height and obstruction criteria within prescribed distances from an airport as these regulations currently exist and as may be amended from time to time. Part 77 Regulations may also affect lands located outside the boundaries of a defined Airport Influence Area.

Farm

An area that is used for the production of farm crops, such as vegetables, cotton or grain and their storage, as well as raising thereon of farm animals, such as poultry or swine, on a limited basis. Farms also include dairy produce. Farming does not include the commercial raising of animals, commercial pen feeding (feed lots), or the commercial feeding of garbage or offal to swine or other animals.

Farmers' Market⁴⁶⁶

A publicly or privately operated establishment where multiple farmers and often other vendors sell primarily agricultural products such as flowers, herbs and uncut, unprocessed fruits and vegetables directly to consumers.

Farmhouse Restaurant

A family dining venue designed with a "farmhouse kitchen" style or rural-oriented character, equipped with a full kitchen and operating on scheduled hours.

Farm-Life Activities and Entertainment

Displays, contests, and constructions involving the agricultural products of a farm such as corn mazes, hay tunnels, cooking contests, pumpkin patch, organics, etc. Activities showcased by festivals, contests, events and admissions including, but not limited to, hay rides, community square dances, tractor and horse pulls, sleigh rides etc.

Farming and Gardening Classes

Instruction given by a skilled individual or staff pertaining to the act of, or a specific aspect of farming or gardening and/or a specific aspect of farming.

⁴⁶⁶ New consolidated use and definition. Combined definitions for Outdoor and Year-Round Farmer's Markets.

Fast Food Restaurant

A restaurant operation located either within a retail center or situated on its own freestanding "pad," which primarily 1) serves food that is prepared and/or packaged within five minutes and can be intended for consumption away from the premises, 2) contains a drive-in or drive-through facility, 3) is intended to primarily serve the passerby and/or motoring public. This term does not include a restaurant offering curbside delivery as a secondary and clearly subordinate use.

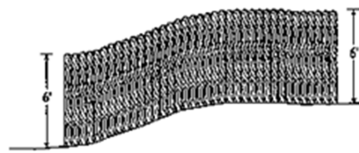
Fee Simple Ownership

The complete ownership interest in real property, free and clear of any condition, limitation, or restriction on its alienation; the ownership of the entire "bundle" of rights attached to real property.

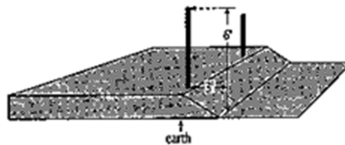
Fence Height

- A. Height means the distance of the vertical fence surface measured from finished grade to the top of the vertical surface. When measuring the height of a fence measure from the lowest point within three feet on either side of the fence.
- B. Pillars or posts between vertical fence surfaces may exceed the maximum permitted fence height by 10 percent.
- C. When a fence is erected on top of a retaining wall, the height of the fence shall be measured from the top of the retaining wall.
- D. The accompanying illustrations pertain to measurement or determination of fence height.

Fences should follow the natural contours of the ground.



Measure from the ground level at the lowest grade level within three feet of either side of the fence.



Fill

A deposit of materials of any kind placed by artificial means.

Final Acceptance

The acknowledgment by the County that the guaranty period has expired and there are no outstanding items to be corrected under the provisions of the guaranty.

Final Development Plan (FDP)

The Final Development Plan was the second step in establishing approval of land uses and siting restrictions for a Planned Unit Development before April 1, 2017, which provided specific information on the uses to be permitted and the manner in which they may be situated on the property. The comparable step in the revised Planned Unit Development regulations is called a Specific Development Plan.

Flag Lot

A polygonal-shaped lot, with the appearance of a flag and flagpole, that does not front or abut a public roadway and where the narrow "flagpole" part of the lot is used to provide access to the public roadway. Typically, the widest part of a flag lot is located at the rear of

another lot or parcel, and the flagpole part of the lot is comprised entirely of a private right-of-way or driveway.

Flex Office/Warehouse

An office and warehouse building on a parcel of land that can adjust the amount of the office and warehouse space ratio in direct proportion to the amount of available on-site parking, but at a ratio not more than 51 percent office and 49 percent warehouse, based on the parking spaces required for each allowed use.

Flood Protection-Related Definitions

Addition

As used in Section 4-3, Floodplain Management, means any activity that expands the enclosed footprint or increases the square footage of an existing structure.

Base Flood

The flood having a one percent chance of being equaled or exceeded in any given year. Also known as the “one-percent chance flood,” “100-year flood,” or “one-hundred-year flood.” These terms do not imply that the flood will necessarily happen once every 100 years.

Base Flood Elevation (BFE)

The elevation shown on a FEMA Flood Insurance Rate Map for Zones AE, AH , AR, AR/A, AR/AE, AR/AH, and AR/AO that indicates the water surface elevation resulting from a flood that has a one percent chance of equaling or exceeding that level in any given year.

Basement

As used in Section 4-3, Floodplain Management, means any area of a building having its floor subgrade (below ground level) on all sides.

Conditional Letter of Map Revision (CLOMR)

FEMA's comment on a proposed project that would, upon construction, affect the hydrologic or hydraulic characteristics of a drainageway or other flooding source and thus result in the modification of the existing FEMA regulatory floodplain, floodway, the effective Base Flood Elevations (BFEs), and/or the Special Flood Hazard Area (SFHA). The letter does not revise an effective Flood Insurance Rate Map (FIRM); it indicates whether the resulting floodplain from the project, if built as proposed would result in a FIRM change.

Critical Facility or Critical Facilities

A structure or related infrastructure, but not the land on which it is situated, as further defined and specified in Rule 6 of the Rules and Regulations for Regulatory Floodplains in Colorado effective January 14, 2011, adopted by the Department of Natural Resources, Colorado Water Conservation Board, and adopted herein by reference, that if flooded may result in significant hazards to public health and safety or interrupt essential services and operations for the County at any time before, during and after the flood. See Section 4-3, Floodplain Management.

Development

When used in Section 4-3, Floodplain Management, means any man-made change to improved or unimproved real estate including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation, drilling operations, or storage of materials located within the floodplain.

Digital Flood Insurance Rate Map (DFIRM)

A digital version of the Flood Insurance Rate Map (FIRM). The DFIRM is also the regulatory floodplain map for FEMA for insurance and floodplain management purposes, same as the FIRM.

Existing Manufactured Home Park or Subdivision

When used in Section 4-3, Floodplain Management, means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the Floodplain Management and Flood Damage Prevention Regulations.

Expansion to Existing Manufactured Home Park or Subdivision

When used in Section 4-3, Floodplain Management, means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

FEMA

The Federal Emergency Management Agency, the agency responsible for administering the National Flood Insurance Program (NFIP), or successor agency.

Five-Hundred Year (500-Year) Flood

A flood having a recurrence interval that has a 0.2- percent chance of being equaled or exceeded during any given year (0.2-percent-annual-chance flood). The term does not imply that the flood will necessarily happen once every 500 years.

Five-Hundred Year (500-Year) Floodplain

The area of land susceptible to being inundated as a result of the occurrence of a 500-year flood.

Floatable Materials

Any material that is not secured in place or completely enclosed in a structure, so that it could float off site during the occurrence of a flood and potentially cause harm to downstream property owners, or that could cause blockage of the channel or drainageway, a culvert, bridge or other drainage facility. This includes, without limitation, lumber, vehicles, boats, equipment, trash dumpsters, tires, drums or other containers, pieces of metal, plastic or any other item or material likely to float.

Flood or Flooding

A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of waters from drainageways or reservoir spillways and/or the unusual and rapid accumulation or runoff of surface waters from any source.

Flood Control Structure

A physical structure designed and built expressly or partially for the purpose of reducing, redirecting, or guiding flood flows along a particular drainageway.

Flood Fringe

That portion of the 100 year floodplain between the floodway boundary and the limits of the base floodplain. Sheet flow areas with flood depths of less than one foot are not considered part of the flood fringe. Sheet flow areas with flood depths between one and three feet, inclusive, are part of the flood fringe.

Flood Hazard Area Delineation (FHAD)

A Flood Hazard Area Delineation Study prepared by the Urban Drainage and Flood Control District (UDFCD) in cooperation with local governments and adopted by each, UDFCD and the CWCB. Once completed, these studies are incorporated into the FEMA FIRM through the LOMC or PMR process and become the effective flood hazard information for the National Flood Insurance Program.

Flood Insurance Rate Map (FIRM)

The official map on which the Federal Emergency Management Agency has delineated the special flood hazard areas.

Flood Insurance Study

The official report provided by the Federal Emergency Management Agency that includes flood profiles and water-surface-elevations of the base flood.

Flooding

See Flood or Flooding.

Floodplain

As used in Section 4-3, Floodplain Management, the land area that will be inundated or flooded based on the stormwater runoff produced by the 100-year flood as defined by FEMA, FHADs, or drainageways with tributary areas that are 130 acres or greater.

Floodplain Administrator

The County official designated by title, including his or her designee, to administer and enforce the Floodplain Management Regulations.

Floodplain Development Permit

The permit required before construction or development begins within any floodplain area as defined by the County (see Floodplain). Floodplain Development Permits are required to ensure that all proposed development projects meet the requirements of the NFIP and the County's Floodplain Management Regulations.

Floodplain Management

The operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.

Floodplain Management Regulations

Zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention.

Floodproofing

Any combination of structural and non-structural additions, changes, or adjustments to structures which reduces or eliminates flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

Floodway

The channel of a river or other drainageway and the adjacent land areas that must be reserved to discharge the base flood without cumulatively increasing the water-surface-elevation more than one-half foot.

Freeboard

The vertical distance in feet above the base flood elevation to which development must be elevated, as set forth in the applicable requirements of Section 4-3, Floodplain Management.

Functionally Dependent Use

When used in Section 4-3, Floodplain Management, means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water (e.g. docking facility).

Highest Adjacent Grade (HAG)

The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Historic Structure

When used in Section 4-3, Floodplain Management, means any structure that is:

- A. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- B. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- C. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or
- D. Individually listed on a local inventory or historic places in communities with historic preservation programs that have been certified either:

1. By an approved state program as determined by the Secretary of the Interior; or
2. Directly by the Secretary of the Interior in states without approved programs.

Letter of Map Amendment (LOMA)

A letter from FEMA officially amending the effective National Flood Insurance Rate Map, which establishes that a property is not located in a FEMA SFHA.

Letter of Map Change (LOMC)

All letters of SFHA changes from FEMA including LOMR, LOMR-F, LOMAs and Physical Map Revisions (PMR).

Letter of Map Revision (LOMR)

A letter from FEMA officially revising the effective Flood Insurance Rate Map to show changes in zones, delineation and water surface elevation of floodplains and floodways.

Letter of Map Revision Based On Fill (LOMR-F)

A letter from FEMA stating that a structure or parcel of land that has been elevated by fill outside the existing regulatory floodway would not be inundated by the base flood.

Levee

A man-made embankment, usually earthen, designed and constructed in accordance with sound engineering practices to contain, control or divert the flow of water so as to provide protection from temporary flooding. For a levee structure to be reflected on the FEMA FIRMs as providing flood protection, the levee structure must meet the requirements set forth in 44 CFR 65.10.

Lowest Floor

The lowest floor of the lowest enclosed area of a structure (including any basement or crawl space). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access, or storage in an area other than a basement area, is not considered a structure's lowest floor provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of Section 4-3, Floodplain Management. The lowest floor elevation is the determinate for the flood insurance premium for a building, home, or business.

Manufactured Home Park or Subdivision

When used in Section 4-3, Floodplain Management, means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale; or a parcel of land that is divided into two or more lots for long-term lease or sale, with infrastructure designed for the installation of manufactured homes.

National Flood Hazard Layer (NFHL)

The most updated digital version of the Flood Insurance Rate Map (FIRM). If displayed in accordance with FEMA's requirements, the NFHL is also the regulatory floodplain map for FEMA for insurance and floodplain management purposes, the same as the FIRM and DFIRM.

New Construction

Structures for which the "start of construction" commenced on or after the effective date of the Floodplain Management Regulations in Section 4-3, Floodplain Management, and includes any subsequent improvements to such structures.

New Manufactured Home Park or Subdivision

A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of Section 4-3, Floodplain Management.

No-Rise

A calculated rise in flood depth of 0.00 feet as rounded to the nearest hundredth of a foot.

No-Rise Certification

A record of the results from an engineering analysis conducted to determine whether a project will increase flood heights in a floodway. A No-Rise Certification must be supported by technical data and signed by a registered Colorado Professional Engineer. Also known as No Impact to the Floodplain Certification.

Physical Map Revision (PMR)

A FEMA action where one or more FIRM map panels are physically revised and republished. A PMR is used to change flood risk zones, floodplain and/or floodway delineations, flood elevations and/or planimetric features.

Shallow Flooding Areas (AO or AH Zones).

Areas designated Zone AO or Zone AH on the Flood Insurance Rate Map (FIRM) with a one percent chance or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Special Flood Hazard Area (SFHA)

The land in the floodplain subject to one percent or greater chance of flooding in any given year, i.e. the 100-year floodplain. It is the land area covered by the floodwaters of the base flood on the Flood Insurance Rate Maps. The SFHA is the area where the National Flood Insurance Program's floodplain management regulations must be enforced and the area where the mandatory purchase of flood insurance applies. The SFHA includes Zones A, AO, AH, AE, A99, AR, AR/AE, AR/AO, AR/AH, and AR/A.

Storage Capacity, Floodplain

The volume of space above an area of floodplain that can be occupied by floodwater of a given stage at a given time, regardless of whether the water is moving. Storage capacity tends to reduce downstream flood peaks.

Structure

When used in Section 4-3, Floodplain Management, means a walled and roofed building, including a gas or liquid storage tank that is principally above ground, as well as a manufactured home.

Violation

When used in conjunction with the Floodplain Management Regulations, the failure of a structure or other development to be fully compliant with Section 4-3, Floodplain Management.

Water Surface Elevation (WSE)

Means the height, in relation to the North American Vertical Datum (NAVD) of 1988 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of riverine areas.

Floor Area, Gross

All areas located within the outside walls of a building, exclusive of basement area, garage space and porches.

Floor Area Ratio (F.A.R.)

The ratio of building gross square footage to the gross square footage of a parcel. For example, 43,560 square feet of building on one acre of land (43,560 sq. ft.) would equal a 1:1 floor area ratio.

Flyway

A six (6) foot solid fence, wall, or thick hedge that directs the path of the bee up and out of the property.

Footcandle or F.C.

A unit of illuminance equivalent to one lumen per square foot.

Fuel Dispenser

A mechanical device used to convey or pump automotive fuel or other petroleum products from a storage tank, regardless of whether said storage tank is above or below grade, into a vehicle or other appropriate container.

Full Cutoff Luminaire

A light fixture that has a light distribution pattern that results in no light being permitted at or above a horizontal plane located at the bottom of the luminaire.

Fully Shielded Luminaire

A light fixture that provides internal or external shields and louvers that prevents light emitted by the light fixture from causing glare or light trespass.

Garage, Private

An accessory building or a part of a main building used for storage of the private vehicles or boats of the family(ies) occupying the dwelling unit(s) to which the garage is accessory.

Garage, Public

Any garage other than a private garage available to the public for the storage of vehicles and boats when such vehicles are parked or stored for remuneration, hire or sale.

Gardening

The raising of produce for personal consumption, and not for resale as a commodity.

General Development Plan (GDP)

The document required to be submitted and approved in order to complete the first step of the Three-Step Planned Unit Development process in Section 5-3.3, Planned Unit Development. This document provides general information regarding the type, scale and layout of proposed land uses, open spaces, and circulation systems.

Geologic Hazard

A geologic phenomenon which is so adverse to past, current or foreseeable construction or land use as to constitute a significant hazard to public health, safety or property. This term includes, but is not limited to, landslide, rock fall, seismic effect, mud flow, ground subsidence, shrink/swell soils and unstable or potentially unstable slopes.

Geologic Hazard Area

An area which contains or is directly affected by geologic hazard.

Glare

The sensation produced by luminance within the visual field that is sufficiently greater than the luminance to which the eyes are adapted to cause annoyance, discomfort, or loss in visual performance or visibility.

Grade

The average elevation of the area immediately adjacent to the sign, excluding berming.

Gross Land Area

The land area proposed to be subdivided, including land to be dedicated for streets and other public purposes.

Group Home, FHAA⁴⁶⁷

Subject to licensing requirements of the state if applicable, a Group Home, FHAA is a dwelling where persons are living, together with staff, as a single housekeeping unit providing care, supervision, and treatment for the exclusive use of citizens protected by the provisions of the federal Fair Housing Act Amendments of 1988, as defined in that Act and interpreted by the courts, or by any similar legislation of the State of Colorado, including but not limited to facilities providing housing for handicapped, mentally ill, or developmentally disabled persons.

- A. "A Group Home, FHAA Large" is a facility designed for and occupied by nine or more residents living together.

⁴⁶⁷ New definition to replace Type A Group Homes

- B. "A Group Home, FHAA Small" is a facility designed for and occupied by no more than eight residents living together.

Group Residential Facility⁴⁶⁸

A residence other than a group home that provides a community living environment for no more than eight persons requiring custodial care, medical treatment, or specialized social services. This definition includes addiction recovery residences and domestic violence shelters.

Guest Ranch⁴⁶⁹

Any building or buildings for dwelling purposes where the primary purpose is to rent such unit for limited periods of time in connection with recreation or vacation facilities related to agricultural uses of land conducted on the premises. Such units shall not be rented or leased for permanent occupancy.

Guest Ranch/Farm House Lodging⁴⁷⁰

Overnight accommodations, separate from the landowner's residence, provided for guests wishing to have a "life on the farm" experience. These accommodations are usually offered with one or more designated meals, similar in size and format to a bed and breakfast operation.

Handicap

Physical or mental impairment which substantially limits one or more of a person's major life activities, and as further defined by the U.S. Department of Housing and Urban Development (24 CFR Ch 1 § 100.201 (4-1-91 Edition), in response to the Fair Housing Act Amendments of 1988.

Helipad⁴⁷¹

An area of land or structural surface created for and used for the landing and takeoff of helicopters or similar vertical lift aircraft, including but not limited to facilities for medical and law-enforcement helicopters.

Home Occupation, Other⁴⁷²

A business, profession, occupation, or trade that is conducted within a residential dwelling unit for the economic gain or support of a resident of the dwelling and is incidental and secondary to the residential use of the lot and that does not adversely or perceptively affect the character of the lot or surrounding area. This use does not include Adult or Child Day Care Homes (Adult Day Care Home, Family Child Care Home, Large Child Care Home, and Experienced Child Care Provider).

⁴⁶⁸ New use and definition to replace Type B Group Homes.

⁴⁶⁹ Requirement that recreational activity be related to agricultural uses of land was added,

⁴⁷⁰ **STAFF:** Is this a different use from Guest Ranch above? Does it need to be added to the Permitted Use Table or consolidated with a different use in the Table?

⁴⁷¹ New definition for existing use not currently defined.

⁴⁷² New definition distinguishing all forms of Daycare Homes from other Home Occupation types.

Hospital

A facility which makes available one or more of the following: medical, surgical, psychiatric, chiropractic, maternity and/or nursing services.

Hotel /Motel⁴⁷³

A structure, or portion of a structure, or a group of attached or detached structures containing completely furnished individual guest rooms or suites occupied on a transient basis for compensation.

IESNA

Illuminating Engineering Society of North America.

Industry, Artisan⁴⁷⁴

An establishment or business where an artist, artisan, or craftsman teaches, makes, or fabricates crafts or products by hand or with minimal automation and may include direct sales to consumers. This definition includes but is not limited to small-scale fabrication, manufacturing, assembly, and other industrial uses and processes such as welding and sculpting.

Industry, Heavy⁴⁷⁵

A place of business for the assembly, fabrication, repair or processing of goods that ordinarily have greater than minimal impacts on the environment, or that ordinarily create smoke, fumes, noise, odor, vibration, or dust that may be detrimental to the health, safety, or general welfare of the community, or that ordinarily require rail transport or delivery or shipping of goods or materials in trucks weighing over 20,000 gross vehicle weight or operating between the hours of 12:00 midnight and 6:00 am. This use may include materials manufacturing, treatment and assembly, heavy equipment repair and fabrication, and explosion welding, cladding, or metallurgical bonding of metal or other similar uses. This use shall include no more than 25 percent administrative or non-industrial space.

Industry, Light⁴⁷⁶

A place of business for the assembly, fabrication, repair or processing of goods that only minimal impact on the environment and that does not otherwise meet the definition of Industrial, Heavy, including but not limited to high technology development, including but not limited to any of the following: laboratories (basic and applied research, manufacturing, experimental, testing) manufacturing, fabrication, processing or assembling of products, indoor storage, accessory office, bakery, dry cleaning or laundry, and minor auto repair excluding outdoor storage. This use shall include no more than 25 percent administrative or non-industrial space.

⁴⁷³ Deleted Motel as separate use and carried forward definition.

⁴⁷⁴ New use and definition.

⁴⁷⁵ New consolidated use and definition. Includes content from current Heavy Manufacturing definition. Reference to rail and heavy truck deliveries and shipping added.

⁴⁷⁶ Deleted Wholesale Greenhouses or Nursery, Quasi-Public Use and "wholesale sale or indoor storage of any commodity listed herein." Text on impacts is new.

Initial Acceptance

As used in connection with the construction of improvements to land, streets, drainage, or other forms of infrastructure, acknowledgment by the County, that to the best of the County's knowledge, all work has been completed in accordance with the construction plans and specifications.

Injection Well, Commercial

A well that injects waste fluids that are generated during the drilling of and production from oil and gas wells or during primary field operations and that are exempt from regulation as hazardous wastes under Subtitle C of the federal "Resource Conservation and Recovery Act of 1976", 42 U.S.C. sec. 6901 to 6934, as amended, such as produced water associated with oil and natural gas production into the earth. This definition is limited to Class II wells as defined by the Environmental Protection Agency.

Inoperable Vehicle

Any vehicle lacking a current valid registration that is displayed on the vehicle or trailer and/or whose operation is not currently possible due to the disassembly of vehicle parts preventing vehicle operation. Inoperable vehicles shall not be permitted on residential properties and/or on the public right-of-way immediately adjacent to said residential property.

Institutional Housing

Includes persons under formally authorized, supervised care or custody in institutions at the time of enumeration. Such persons are classified as "patients" or "inmates" of an institution regardless of the availability of nursing or medical care, the length of stay, or the number of persons in the institution. Generally, institutionalized persons are restricted to the institutional buildings and grounds (or must have passes or escorts to leave) and thus have limited interaction with the surrounding community. Also, they are under the care of trained staff having responsibility for their safety and supervision.

Junk Yard⁴⁷⁷

A building, structure or parcel of land, or portion thereof, used for the collecting, storage or sale of wastepaper, rags, scrap metal or discarded material; or, for the collecting, dismantling, storage, salvaging, shredding, crushing, or demolition of operable or inoperable vehicles, machinery or other materials is conducted.

Kennel

Any premises where any combination of dogs, cats or other household pets, totaling four or more animals, six months of age or older, are kept, boarded or bred for the intention of profit.

Laboratory

A building or a portion of a building devoted to basic applied research and the experimental study or science of the testing and analysis of chemicals, drugs, minerals, bacteriological,

⁴⁷⁷ New consolidated use and definition. Combined Junk yard and Automobile Wrecking/Salvage.

biological, medical, x-ray, pathological, and similar analytical or diagnostic services to doctors or dentists. No fabrication is conducted on the premises except the custom fabrication of dentures, dental implants, and optical lenses.

Lamp

The component of the light fixture that produces the actual light. A lamp includes, without limitation, the bulbs and tubes that produce the actual light.

Land Disturbance

The term “land disturbance”, as used in Chapter 12-200 Grading, Erosion and Sediment Control Regulations, means the permanent or temporary purposeful alteration of existing ground contour by means of excavation, grading, filling, drilling, or removal of ground cover vegetation.

Land Improvements

Physical changes made to land and/or structures placed on or under the land surface in order to change the natural or preexisting conditions of the land in preparation for the construction of improvements related to the use of land for a specific purpose. Typical land improvements would include grading, street pavement, curbs and gutters, sidewalks, drainage facilities, storm and sanitary sewers, and utility facilities.

Landing Strip for Private Aircraft⁴⁷⁸

A runway or landing area without general aviation airport functions maintained for the private use of the owner of the property on which it is located. This use may include an aircraft-related recreational facility, including structures and/or takeoff and landing areas designed and intended to provide flight training, ground school, sales, maintenance and/or repair for such uses as hot air balloons, ultralight aircraft, hang gliders, and similar uses as determined by the Zoning Administrator.

Large Wind Energy Conversion System

Any mechanism, including blades, rotors, or other moving surfaces, designed for the purpose of converting wind energy into mechanical or electrical power with a maximum capacity greater than 100 kilowatts, and including towers, tower bases, guy wires and any other structures necessary for the installation of energy conversion system equipment are also included.

Ldn

An A- weighted, day/night 24-hour average sound level, in decibels, obtained after the addition of 10 decibels to sound levels occurring during the night time period from 10 p.m. to seven a.m., which can be used to assess the amount of exposure to aircraft noise which can be expected at certain locations approximate to an airport. The Ldn rating is computed

⁴⁷⁸ Consolidated Landing Strip for Private Aircraft and Aircraft-Related Recreational Facility. **STAFF:** Should Aircraft-Related Recreational Facility be separately defined and/or listed as a use because it is a more intensive use with more structures than a landing strip?

pursuant to FAA standards and procedures and arranged in contours on maps maintained for each airport by the Arapahoe County Mapping Division.

- A. 65 Ldn NOISE ZONE. Refers to property located within the outside boundary of the 65 Ldn noise contour in effect at the time of submittal of an application for land use or subdivision approval.
- B. 60 Ldn NOISE ZONE. Refers to property located between the boundary of the 65 Ldn noise contour and the 60 Ldn noise contour.
- C. 55 Ldn NOISE ZONE. Refers to property located between the boundary of the 60 Ldn noise contour and the boundary of the 55 Ldn noise contour.

LED

Light-emitting diode. LED lamp emits an almost monochromatic light of a particular color depending on the material used.

Legal Building Site

A lot that can be developed with the provisions of these Regulations and within other rules and regulations adopted by the County.

Light Bulb Strings and Exposed Tubing

External displays, other than temporary decorative holiday lighting, which consist of light bulbs, festoons, or strings, and neon or gaseous light tubing, whether open or enclosed within transparent or translucent cabinets, are prohibited.

Light Fixture

The complete lighting unit consisting of some or all of the following: the lamp, ballast, housing, and the parts designed to distribute the light, to position and protect the lamps, and to connect the lamp to the power supply.

Light Industrial Park Development

A light industrial park is a planned-unit development consisting of non-residential, non-retail commercial uses designed to accommodate a mix of similar and compatible light industrial uses and associated services. Light industrial park development shall consist of high quality architectural and landscaping standards, be designed in a campus setting, and have minimal aesthetic or environmental impacts on surrounding adjacent properties. The development may also contain buildings that have non-light industrial uses when deemed necessary and appropriate by the Board of County Commissioners, (such as office/showroom, hotel/motel and conference facilities, health clubs, restaurants or other similar uses) when such uses satisfy the standards of these Regulations. All buildings contained within a Light Industrial Park shall be integrated into the overall development scheme through architecture, site layout, and other development standards.

Light Pollution

Any electric light that is emitted into the atmosphere, either directly or indirectly by reflection against any exterior surface, including, without limitation, the ground, buildings, cars, glass, or windshields, that alters the appearance of the night sky, interferes with astronomical observation, or interferes with the natural functioning of nocturnal native wildlife.

Light Trespass

Light falling where it is not wanted or needed and includes light projected onto a property from a light source not located on that property.

Livestock

Cattle, sheep, goats, swine, mules, poultry, horses, alternative livestock as defined by Colorado statutes (e.g., elk), and such domesticated animals as fox, mink, chinchilla, beaver, and rabbits, and all other animals raised or kept for profit.

Lot

A designated parcel of land established by a recorded subdivision plat, subdivision exemption plat, recorded deed or court order, which is recognized as a separate legal entity for purposes of transfer of title.

Lot Area

The total square footage or acreage contained within lot lines of any single lot of record.

Lot, Corner

A site bounded by two or more adjacent street lines which have an angle of intersection of not more than 135 degrees.

Lot Coverage

That portion of the lot area covered by a building(s), including all overhanging roofs and parking areas (note definition of unobstructed open space).

Lot, Double Frontage.

A lot having a frontage on two non-intersecting streets as distinguished from a corner lot.

Lot, Interior

A lot other than a corner lot.

Lot Line

A property line bounding a lot, excluding any dedicated street or alley.

Lot Line, Front

The line separating a lot from a street or road upon which the principal building faces.

Lot Line, Rear

The lot line opposite and most distant from the front line, except for corner lots. The rear lot line may be any lot line not fronting on a street. Triangular lots shall maintain a rear yard of not less than 25 feet from the point of intersection of the side lot lines.

Lot Line, Side

Any lot line which is neither front nor rear.

Lot Width

The distance between side lot lines measured along the front setback line.

Lowest Adjacent Grade (LAG)

The lowest elevation of the natural ground surface touching a structure (including attached garages or decks).

Lumens

The amount of overall light output or quantity of light.

Luminance

Relates to the quantity of light reflected or emitted toward an observer. Luminance is what an observer sees, whether it is the light reflected from a wall or the light coming directly from a luminaire.

Maintained Illuminance

The light level that occurs immediately before lamp burnout. This light level is approximately 50-60 percent of the initial illuminance.

Major Private Electrical, Natural Gas, and Petroleum-Derivative Facility⁴⁷⁹

Transmission lines, power plants, and transmission substations owned by a private company; refinery, transmission pipelines, transmission pump stations, compressor and processing stations, and storage areas of private companies providing natural gas or other petroleum derivatives; and processing of biofuels. This definition does not include any use meeting the definition of a Major Public Utility.

Major Public Utility Facility⁴⁸⁰

A facility or structure owned or operated by a public utility regulated by the Colorado Public Utility Commission for the generation, transmission, distribution, processing, and disposal of its products. This may include but is not limited to, power plants, transmission lines over 110 KV, transmission substations, natural gas transmission pipelines, natural gas transmission pump stations, and Large Wind Energy Conversion Systems.

Manufactured Home

- A. When used in Section 4-3, Floodplain Management, means a structure transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For purposes of Section 4-3, Floodplain Management, the term "manufactured home" includes "recreational vehicles", such as park trailers, travel trailers, and other similar vehicles, placed on a site for greater than 180 consecutive days.
- B. For all other purposes, a single-family dwelling which is partially or entirely manufactured in a factory; is not less 24 feet in width and 36 feet in length, is installed on an engineered foundation, has brick, wood or cosmetically equivalent exterior siding and a pitched roof, and is certified pursuant to the "National Manufactured Housing Construction and Safety Standards Act of 1974," 42 U.S.C. 5401 et seq., as amended. The term "manufactured home" does not include a "recreational vehicle."

⁴⁷⁹ Definition revised to clarify distinction from Major Public Utility Facility.

⁴⁸⁰ Revised to include Large Wind Energy Conversion systems, which are currently listed in Agriculture. **STAFF:** Please confirm this change. Facilities of this size are generally operated by public utilities, and energy generation is almost never considered agriculture.

Marijuana⁴⁸¹

All parts of the plant of the genus cannabis whether growing or not, the seeds thereof, the resin extracted from any part of the plant, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or its resin, including marijuana concentrate. Marijuana shall not mean industrial hemp. Marijuana includes marijuana as defined in Article XVIII, Section 16 of the Colorado Constitution, Article XVIII, Section 14 of the Colorado Constitution, and the CMC.

Marijuana Club

The use of any building, structure or other premises, whether such use is the primary use or an ancillary use, for purposes of allowing persons to consume marijuana or marijuana products, wherein such use is open to the public, or wherein the persons consuming marijuana or marijuana products directly or indirectly pay a fee or charge to compensate in any way for the ability to consume or use marijuana or marijuana products on the premises, including, but not limited to, paying a fee or charge to belong to a club or organization that has or provides access to the premises (examples of a “fee or charge” include, but are not limited to: a membership fee, an entrance fee, a cover charge, a rental fee, a food or beverage charge, etc.), and shall include, but not be limited to, a “marijuana hospitality business” and a “retail marijuana hospitality and sales business” as defined in the CMC; except that the definition of a marijuana club shall not include the rental of a dwelling unit wherein marijuana or marijuana products are being used by the legal occupants of such premises, or their invitees where such invitees are not paying a fee, or other charge or remuneration.

Marijuana, Commercial Use⁴⁸²

All parts of the plant of the genus Cannabis whether growing or not, the seeds thereof, the resin extracted from any part of the plant, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or its resin, including marijuana concentrate, that is cultivated, manufactured, distributed, or sold by a licensed retail marijuana establishment.

Marijuana, Non-Commercial Use⁴⁸³

The non-commercial growing, cultivation, storage or production of marijuana or marijuana products, by a person, patient or his or her primary caregiver, to the extent that such activity is specifically authorized as a lawful personal use pursuant to Article XVIII, Section 16 of the Colorado Constitution, or is specifically exempt from criminal prosecution under Article XVIII, Section 14 of the Colorado Constitution, is in compliance with all applicable state and local statutes, rules and regulations and with all applicable building and fire codes.

⁴⁸¹ **STAFF:** Would you like to address industrial hemp as a separately defined land use? The City of Aurora’s recently adopted Code includes limited allowances for industrial hemp processing, manufacturing, and storage.

⁴⁸² New definition for a use not currently defined.

⁴⁸³ New definition for existing use (taken from current Section 3-3.5.C.2.).

Marijuana Products

Concentrated marijuana products and marijuana products that are comprised of marijuana and other ingredients and are intended for use or consumption other than by smoking, such as, but not limited to, edible products, ointments, and tinctures.

Marquee

A permanent roof structure attached to and entirely supported by a wall of a building, having no connection or relationship with the roof of the building to which it is attached.

Master Development Plan (MDP)

The Master Development Plan ("MDP") is an alternative Planned Unit Development process available for all or any part of an office park development and other eligible developments that was available before April 1, 2017. The process was intended for developments that are able to contain within the development the impacts of final site design and architecture, due to the size of the development, perimeter screening and landscaping features, topography, or well-defined architectural and site design standards. The MDP set forth one or more proposed development scenarios for the project. It established development parameters that were more refined and more precise than those set forth in Preliminary Development Plans, thereby enabling an expedited staff-level review of final site plans as established in the MDP.

Mausoleum

A building or structure that is part of a cemetery and contains above-ground tombs.

Maximum Initial Horizontal Illuminance

The maximum initial lighting levels in foot-candles as measured for exterior areas at grade level anywhere within the property including areas under canopies, balconies or other non-enclosed or partially enclosed areas.

Maximum Initial Illumination Level

The maximum lighting level on a property that is produced by a lamp at 100 hours of operation.

Maximum Initial Lamp Lumen Rating

The maximum rated light output per lamp. If a light fixture has multiple lamps, this rating refers to the combined total lumens of all lamps within the light fixture.

Maximum Initial Line-Of-Sight Illuminance.

The maximum initial lighting levels at eye level, on the property line, and looking towards the brightest and closest light fixture.

Median

An area in the appropriate center of a County street or state highway which is used to separate the directional flow of traffic, may contain left-turn lanes, and is demarcated by curb and gutter, having painted or thermally applied stripes or other means of distinguishing it from the portion of the roadway utilized for through traffic.

Medical Marijuana

Marijuana that is grown, sold or otherwise used for a purpose authorized by Article XVIII, Section 14 of the Colorado Constitution as defined in the CMC.

Medical Marijuana Store

A person or entity licensed by a state agency to sell medical marijuana and medical marijuana products to patients or primary caregivers, but is not a primary caregiver as defined by Article XVIII, Section 14 of the Colorado Constitution or the CMC, and includes, but is not limited to, a “medical marijuana store” as defined.

Microbrewery, Distillery, or Winery⁴⁸⁴

A facility for the production and packaging of beer, liquor, or wine for distribution, retail or wholesale, on or off premises. The development may include other such uses such as a standard restaurant, bar or live entertainment as otherwise permitted in the zone district.

Microwave Dish

A receiver for ultrahigh frequency electromagnetic waves.

Mineral

An inanimate constituent of the earth including, but not limited to, coal, oil and natural gas, oil shale, sand, gravel, quarry, aggregate, limestone, in either solid, liquid or gaseous state, which when extracted from the earth is usable in its natural form or is capable of conversion into usable form as a metal, a metallic compound, a chemical, an energy source, a raw material for manufacturing, or construction material. This definition does not include surface or ground water subject to appropriation for domestic, agricultural or industrial purposes.

Mineral Resource Area

An area in which minerals are located in sufficient concentration in veins, deposits, bodies, beds, seams, fields, pools or otherwise, as to be capable of economic recovery. The term includes but is not limited to any area in which there has been significant mining activity in the past, there is significant mining activity in the present, mining development is planned or in progress, or mineral rights are held by mineral patent or valid mining claim with the intention of mining. The term also includes an area of oil, gas or geothermal resource development if such area has been identified by the State Oil and Gas Conservation Commission or the Colorado Geological Survey for designation.

Mineral Resources and Geologic Hazard Areas

Any area or activity which has been identified in the County Comprehensive Plan as being of special interest because it involves development activities or development areas, or both, which might create a condition incongruent with the planned and orderly use of land and/or the protection of the environment and natural resources in a manner consistent with the constitutional rights or protection of the public health, safety and well-being.

⁴⁸⁴ New.

Mini-Warehouse/Self Storage

A structure or group of structures containing separate, individual, and private storage spaces of varying sizes leased or rented on individual leases for varying periods of time.

Mining and Extraction⁴⁸⁵

The process of removing or extracting minerals and building stone from naturally occurring veins, deposits, bodies, beds, seams, fields, pools or other concentrations in the earth's crust. This term also includes open cut mining, open pit mining, strip mining, quarrying, dredging, and the preliminary treatment of such ore or building stone.

Minor Development

A subdivision of land that does not involve any of the following:

- C. The creating of more than four lots;
- D. The extension of municipal facilities; and
- E. The creation of any new streets.

Minor Modification to an Approved Location and Extent Plan

For the purposes of Section 5-7.3, Location and Extent, a modification to an approved Location and Extent Plan shall be considered minor if there are no land use changes proposed and if the changes to approved development standards comply with the limitations and specifications of the Administrative Amendment Regulations found in these Regulations.

Minor Public Utility Facility⁴⁸⁶

Equipment necessary to support utility services to development within the immediate vicinity and that involves only minor accessory structures, including but not limited to above- and below-ground electrical transmission lines, except for overhead electrical transmission lines and distribution feeder lines that collect and transmit over 110 KV of power; poles; cables; switch boxes; transformer boxes; below-ground natural gas lines; below-ground water and sewer lines, and similar facilities of public public utilities regulated by the Colorado Public Utility Commission.

Mobile Home

Any structure transportable on its own wheels, on flatbed or other trailers, or on detachable wheels, (excluding recreational vehicles, camping trailers, pickup bed campers, motorhomes, and vehicles licensed for on road use) which is designed and generally and commonly used for occupancy by persons for residential purposes in either temporary or permanent locations.

Mobile Home Park or Subdivision⁴⁸⁷

Any lot or part thereof, or any parcel of land which is used or offered as a location for one or more mobile homes used for any purpose.

⁴⁸⁵ Wording revised to include open cut, open pit, and strip variations of this use, as well as quarrying and dredging.

⁴⁸⁶ New definition for existing use not currently defined.

⁴⁸⁷ **STAFF:** If we decide not to include this use in the Use Table, we will delete this definition.

Motorsports Facility⁴⁸⁸

A facility with supporting and accessory structures designed and operated primarily for amateur motorsports uses. Motorsports uses include but are not limited to driving motor vehicles, motorcycles or bicycles on defined tracks for practice, education, recreation or amateur competition; storage, maintenance, adjustment or repair of vehicles to be used on racetracks; and similar uses as determined by the Zoning Administrator. Competition is considered amateur if drivers are not remunerated based on performance, but this shall not preclude the occasional offering of reimbursement money which does not exceed total competitor entry fees for events.

National Cooperative Soil Survey

The soil survey conducted by the U.S. Department of Agriculture in cooperation with the State Agricultural Experiment Stations and other federal and state agencies.

New Development and Redevelopment

When used in Section 5-4.2, Grading, Erosion and Sediment Control Permit, new development and redevelopment shall refer to all projects which are required to submit site construction plans to the County, for review and approval excluding building permit plans, in accordance with the County's Land Development Code requirements.

Nightclub

A commercial establishment dispensing alcoholic beverages for consumption on the premises and in which the service of food is only incidental to the consumption of such beverages. Dancing and entertainment, including but not limited to musicians and comedians, are permitted. This definition does not include Sexually-Oriented Businesses.

Noise Contour

The line linking together a series of points of equal cumulative noise exposure. Noise contours are developed based upon actual and projected data, including aircraft flight patterns, the number of daily aircraft operations by type of aircraft, noise characteristics of each aircraft, and typical runway usage patterns.

Noise Sensitive Uses

The following uses are considered by the County to be noise sensitive uses:

- A. Residential uses intended for permanent occupancy by owners or renters, but not including transient lodging or institutional uses such as hospitals and detention facilities.
- B. Type B Group homes. Educational uses, including schools, public and private, and non-aviation related training centers, churches, auditoriums, concert halls, day care uses.

Non-commercial

For the purposes of Section 3-3.4.Q, Marijuana Land Uses, non-commercial shall mean not for the purpose of obtaining a profit or remuneration.

⁴⁸⁸ Deleted Amateur from title.

Nonconforming Structure

A structure legally existing and/or used at the time of adoption of these Regulations, or any amendment thereto, which does not conform to the regulations of the zoning district in which it is located.

Nonconforming Use

A use legally existing and/or used at the time of adoption of these Regulations, or any amendment thereto, which does not conform to the use regulations of the zoning district in which it is located.

Nonstructural Development

Any use of property that does not involve a structure. Nonstructural development may include, but is not limited to, the construction or installation of or use of a property for parking lots, utilities, detention ponds, fences, trails, pathways, outdoor storage, cultivation of vegetation, or placement of fill.

Nursery or Greenhouse⁴⁸⁹

An establishment for the growth, display, and/or wholesale of plants, shrubs, trees, and materials used in indoor or outdoor planting, conducted within or without an enclosed building.

Nursery School

An establishment providing specialized curriculum and group care on a planned, regular basis for more than four children, unrelated by blood or adoption, for less than 24-hours. A nursery school shall maintain a minimum six foot high solid fence, wall, or chain link fence which encloses outdoor play areas.

Nudity or State of Nudity

a) The appearance of human bare buttock, anus, pubic region, male or female genitals, or the areola or nipple of the female breast: or b) a state of dress which fails to opaquely and fully cover a human buttock, anus, male or female genitals, pubic region or areola or nipple of the female breast.

Nude Model Studio

Any place where a person, who appears in a state of nudity or displays "specified anatomical areas" is provided for money or any form of consideration to be sketched, drawn, painted, sculpted, photographed, or similarly depicted by other persons. The term "Nude Model Studio" does not apply to:

- A. A college, junior college, or university supported entirely or partly by taxation; a private college or university which maintains and operates educational programs in which credits are transferable to a college, junior college, or university that are supported entirely or partly by taxation; or
- B. A business located in a structure which has no sign visible from the exterior of the structure and no other advertising that indicates a nude person is available for viewing, and where, in order to

⁴⁸⁹ New consolidated use and definition. Consolidated Flower Farms, Greenhouses, Wholesale or Retail, and Greenhouses, Non-Commercial, Exceeding Accessory Structure Limits.

participate in a class, a student must enroll at least three days in advance of the class, and where no more than one nude model is on the premises at any one time.

Nursing Home⁴⁹⁰

An establishment, other than a hospital, licensed by the State, which operates and maintains continuous day and night facilities providing room and board, personal service and skilled nursing care to three or more persons not related to the operator.

Office Park Development

An office park development is a zone category consisting of an integrated commercial development existing or planned for Professional Office uses and uses that are accessory or appurtenant to Professional Office uses, in a campus setting with mostly internal access points and high-quality architectural and landscaping standards. All buildings shall be integrated into the overall development scheme through architecture, site layout and other development standards.

Office⁴⁹¹

A facility in which business, professional, administrative and/or clerical activities are conducted, including but not limited to medical or dental clinics, insurance agencies, banks, financial institutions, architects, lawyers, engineers, real estate offices, government offices, motor vehicle licensing branches, post offices, radio/TV stations, research centers, social services, testing laboratories, and research and development facilities. Accessory uses may include cafeterias, health facilities, game or activity areas, parking, or other amenities primarily for the use of employees in the firm or building.

Off-Street Parking

A site or portion of a site devoted to the off-street parking of motor vehicles including parking spaces, aisles, access drives and landscaped areas.

Oil and Gas Facility or Facilities

Includes Oil And Gas wellsites, flowlines, tank batteries, compressor stations, pits/ponds, below-grade tanks, dehydration units, vapor recovery units (VRUs), and associated roads. Pipelines and gathering systems, other than flowlines, as well as salt water disposal wells and injection wells are excluded. Locations with more than one of the above mentioned types of equipment will be considered to be one facility.

Onsite Wastewater System ("OWS")

An absorption system of any size or flow or a system or facility for treating, neutralizing, stabilizing, or disposing of sewage that is not part of or connected to a central (community) sewer system. Includes, by way of example only, septic tanks and absorption areas.

⁴⁹⁰ Consolidated current definitions of Health Establishment and Nursing Home.

⁴⁹¹ New consolidated use and definition. Consolidates Office – General, Executive, Professional, and Business Offices, Medical and Dental Clinics, Laboratories, and Research and Development W/ Indoor and Outdoor Use.

Open Space/Unobstructed

An area intended to provide light and air and is any parcel of land or water essentially unimproved and set aside, dedicated, designated or reserved for public or private use. Open space may include active recreation with limited pervious surfaces, such as swimming pools, play equipment for youngsters, ball fields, court games and picnic tables. Passive open space may include areas not occupied by any structures and limited pervious surfaces such as parks, and landscape tracts (except parking lot islands). Credit will be considered for courtyards and plazas based upon the Planning Division Manager's review. Open space shall not include driveways, parking lots, parking islands, drive aisles or other surfaces designed or intended for vehicular travel.

Operator

Any person, firm or corporation engaged in or controlling a mining operation.

Other Outdoor Entertainment and Assembly Event⁴⁹²

A temporary use on public or private property that is not excluded from regulation by this LDC and is not listed as a separate use by this LDC. This use includes but is not limited to sporting and athletic events, fundraising activities, educational, historic, religious, and patriotic displays or exhibits, outdoor concerts, revivals, street fairs, outdoor arts and crafts fairs, and other organized community events.

Outdoor Stadium or Assembly Venue⁴⁹³

A permanent facility for the staging of amateur and/or professional sporting events, consisting of an open-air or arena or performance space, tiered seating for spectators, and associated support facilities.

Outdoor Circus, Fair or Carnival⁴⁹⁴

A traveling or transportable group or aggregation of rides, shows, games and/or concessions.

Outdoor Storage

A principal or accessory use of land for the storage of any material outside of the principal permitted structure on any parcel, where the stored material is either wholly or partially visible from public rights of way or adjacent properties.

Outdoor Sales⁴⁹⁵

The display and sale of products and services primarily outside of a building or structure, including firewood, garden supplies, gas, tires and motor oil, food and beverages, building and landscaping materials, and lumber yards. This use does not include "Vehicle Sales or Rental, Light" or "Vehicle Sales or Rental, Heavy."

⁴⁹² New consolidated use and definition. Combined Art, Cultural, Educational, or Other Similar Exhibits and Displays, Outdoor Entertainment and Outdoor Assembly Events, and Outdoor Sporting or Athletic Events.

⁴⁹³ New.

⁴⁹⁴ New definition for existing use not currently defined.

⁴⁹⁵ New consolidated use and definition. consolidates and expands the definition of Building/Landscape Material Sales Yard and Firewood, Storage and Sales.

Overburden

All of the earth and other materials which lie above natural mineral deposits and which are disturbed from their natural state in the process of mining.

Overnight Campground

An area specifically designed to accommodate the parking or placement of truck campers, camping trailers and tents used for human occupancy on a transient basis. No truck camper, camping trailer or tent shall be maintained continuously on an overnight campground for more than 30 days during a calendar year.

Parcel

An area of land which is not uniquely defined on a subdivision plat, but which is described by any of the following methods:

- A. An aliquot part of a section;
- B. A metes-and-bounds description;
- C. A book and page or reception number reference;
- D. Any so-called "assessor's tract;" or
- E. Defined by means other than a plat.

Parapet Wall

A low wall or protective railing along the edge of a roof, balcony or terrace.

Parks and Open Space⁴⁹⁶

Any public or private land available for active or passive recreational, educational, cultural or scenic purposes of a size, location and configuration useable as a park and approved by the PWD Department. This use includes designed play areas and/or fields to be used for active and passive recreation for all ages including amenities such as swings, slides, sand boxes, water "spray grounds", volleyball sand courts, hard court play surfaces for toy tractors and basketball, open fields appropriate for model airplane or kite flying, nature areas, picnic areas, and trails and paths open to the general public.

Parking Lot⁴⁹⁷

A parking lot for public parking for a fee, not including accessory parking provided or required to be provided for an allowed primary or accessory use under this Code.

Parking Structure⁴⁹⁸

A structure designed to accommodate vehicular parking spaces that are fully or partially enclosed or located on the deck surface of a building, including parking garages and deck parking, but not including parking spaces located underground or within the outer walls of a primary structure containing an allowed non-parking primary use.

⁴⁹⁶ New consolidated use and definition. Combined Public Park, Nature Areas, Picnic Areas and Trails, Play Courts/Playground Equipment and Trails and Paths Open to the General Public.

⁴⁹⁷ Deleted references to parking garages, see Parking Structure, below.

⁴⁹⁸ New separate use and definition.

Patient

For the purposes of Section 3-3.4.Q, Marijuana Land Uses, patient has the meaning set forth in Colorado Constitution Article XVIII, Section 14(1)(d).

Person

An individual, proprietorship, partnership, corporation, limited liability company, association, or other legal entity. For the purposes of Section 3-3.4.Q, Marijuana Land Uses, person shall mean a natural person 21 years or age or older.

Personal and Business Services⁴⁹⁹

An establishment primarily engaged in providing services involving the care of a person or of the care or repair of personal goods or apparel. Personal services includes but is not limited to laundry, including cleaning and pressing service, beauty shops, barbershops, shoe repair, personal copying/shipping services, health spas, photographic studios, tailor/seamstress shop, indoor equipment/party/event rental, tanning salon, bicycle and sports equipment repair, small appliance repair, and similar uses.

Pets

Dogs and cats over the age of six months, pot bellied pigs, and reptiles or other small animals of a type typically purchased at local pet stores, which are customarily kept in the home or on the premises for the sole pleasure and enjoyment of the occupants and not raised for commercial purposes. The definition of pets does not include chickens, geese, ducks, turkeys or other poultry or domesticated fowl. Pets that are caged indoors or kept in a terrarium or aquarium or confined in a pond will not be counted in the allowed quantity of pets within a zone district. Keeping of wild or exotic animals as defined by the State of Colorado Division of Wildlife is PROHIBITED. Keeping of any poisonous animal is PROHIBITED. Keeping of any constrictor snake or any reptile with a length greater than three feet, measured from the tip of the nose to the tip of the tail, is PROHIBITED.

Pharmacy

A place where medicines are compounded or dispensed and other medical accessory merchandise is displayed or sold.

Pick Your Own Produce

A commercial activity wherein the general public is invited onto an agricultural property such as a farm to pick produce grown on the farm, such as apples, strawberries, pumpkins, flowers, etc. The activity may vary with the season and public interest.

Planned Unit Development (PUD)

An area of land, controlled by one or more landowners, to be developed under unified control or unified plan of development for a number of dwelling units, commercial, education, recreational, or industrial uses, or any combination of the foregoing, the plan for

⁴⁹⁹ Expands current definition For Service Retail.

which does not correspond in lot size, bulk, or type of use, density, lot coverage, open space, or other restriction to the existing land use regulations.

Planning Commission

The Arapahoe County Planning Commission, Arapahoe County, Colorado.

Plants

For the purposes of Section 3-3.4.Q, Marijuana Land Uses, plants shall mean marijuana plants, seedlings or any part thereof in a living condition that are lawfully grown or otherwise used for a purpose authorized by Article XVIII, Section 16 of the Colorado Constitution, Article XVIII, Section 14 of the Colorado Constitution, or the CMC.

Plat

A map or plan of property, recorded with the Arapahoe County Clerk and Recorder.

Plat Application

The application form and all accompanying documents required by these Regulations for review of a subdivision plat.

Plat, Final

A map and supporting materials of certain described land prepared in accordance with the county's requirements as an instrument for recording of real estate interests with the County Clerk and Recorder.

Plat, Preliminary

The map or maps of a proposed subdivision and specified supporting materials, drawn and submitted in accordance with the County's requirements to permit the evaluation of the proposal prior to detailed engineering and design.

Post-Curfew Light Levels

Lighting that is operated after 10:00 p.m. or within one hour after the close of business, whichever is later, until one hour prior to the commencement of business.

Post-Curfew Maximum Initial Horizontal Illuminance Level

The lighting levels after 10:00 p.m. or one hour after the close of business, whichever is later.

Pre-Curfew Light Levels

Lighting that is operated from one hour prior to commencement of business to 10:00 p.m. or within one hour after the close of the facility, whichever is later.

Preliminary Development Plan (PDP)

The Preliminary Development Plan ("PDP") was the first step in establishing land uses and siting restrictions for a parcel of land in a Planned Unit Development approved before April 1, 2017. The uses and siting restrictions permitted by the PDP established the general requirements with which the development had to comply. The uses, minimums and maximums established in the PDP were reviewed at the Final Development Plan stage to further determine appropriateness for the particular site and neighborhood. The

comparable step in the revised Planned Unit Development regulations is called a General Development Plan.

Primary Caregiver

Primary caregiver has the meaning set forth in Article XVIII, Section 14(1)(f) of the Colorado Constitution.

Principal Permitted Use

The primary use to be established on a parcel of land provided said use conforms to the provisions of the governing zone district, is architecturally consistent and compatible with surrounding development and complies with any and all applicable County, state or federal rules, regulations and requirements pertaining to the specific use.

Private Improvement

Any improvement required by these Regulations or as a part of the conditional approval of a subdivision which is provided by the developer and not maintained by the County or a quasi-public entity.

Private Room

A room in a motel, hotel or other similar establishment that has a bed and a bath in the room or an adjacent room, and is used primarily for lodging.

Property Line Adjustment

The relocation of a property line which does not create additional lots, nonconforming lots or structures, changes of use, effects an easement and does not result in any non-buildable lots.

Public Facility

Any activity that is primarily funded by, and/or has the capability to levy taxes, and is of significant benefit to the public and the surrounding area, not conducted for profit, and provides a commodity or service that could not be provided within a reasonable distance of the surrounding area. Examples include public airports and related facilities, public hospitals and other emergency medical facilities, public meeting halls, public recreation facilities, schools and major facilities of a public utility.

Public Improvement

Any improvement required by these Regulations for which the County or a quasi-public agency, conditionally agrees to assume responsibility for maintenance and operation, or which may affect an improvement for which the County, or a quasi-public agency, is already responsible. Such facilities include but are not limited to streets, parks, trails, drainage facilities, water and sewer facilities, gas, electricity, telephone, cable television, and other utility facilities.

Public Utility

Every firm, partnership, association, cooperative, company, corporation and governmental agency, and the directors, trustees or receivers thereof, whether elected or appointed, which is engaged in providing railroad, airline, bus, electric, rural electric, telephone,

telegraph, communications, gas, gas pipeline carrier, water, sewerage, pipeline, street transportation, sleeping car, express, or private car line facilities and services.

Public Works and Development Department

Herein referred to as PWD.

Qualified Conservation Organization

A non-profit organization, as defined under Section 501.C-3 of the Internal Revenue Code, and usually a conservation organization or land trust, designated to enforce the recorded deed restrictions on the use of property, as typically defined through a conservation easement.

Qualified Professional

A professional acceptable to the County, and who is either licensed by the State of Colorado to perform the type of work involved, or who is accredited by or registered with a professional group and who is operating within the scope of his/her accreditation or registration.

Quasi-Public Agency

An institution constituted with a governing board and obtaining more than 51 percent of its funds from tax revenue.

Quasi-Public Use

Charitable, educational, cultural and/or religious organizations or use which, as a primary function of their operation, provide significant benefits to the health, safety and welfare of the citizens of Arapahoe County, as may be determined by the Board of County Commissioners. Examples of such uses are religious organizations, private meeting halls and private schools.

Reclamation

The rehabilitation of affected land by means of replanting, soil stabilization, water resource restoration and other measures appropriate to the subsequent beneficial use of such mined and reclaimed lands.

Reconstruction

To rebuild a structure without increasing its footprint, when the structure has been:

- A. Partially or completely destroyed by any cause (i.e., fire, wind, flood), or
- B. Partially or completely torn down.

Reconstruction that also meets the definition of redevelopment shall be regulated as redevelopment.

Recorded Mineral Rights

Those mineral rights which have been officially recorded or registered with the Colorado Secretary of State or the Clerk and Recorder of Arapahoe County.

Recreation, Indoor⁵⁰⁰

An establishment providing recreational activities, completely enclosed by a structure, such as exercise facilities, bowling alley, gymnasium, roller skating, ice skating, billiards, pool, theatre, swimming pool or related amusement. This does not include Sexually Oriented Businesses.

Recreation, Outdoor⁵⁰¹

Commercial entertainment or recreation facilities such as golf courses, amusement parks, athletic fields, miniature golf, go-cart and skateboard park, swimming pool, tennis, handball, basketball courts, batting cages, drive-in theaters, and other similar uses. This use does not include Outdoor Shooting Ranges.

Recreation, Private/Commercial

Uses, structures and/or land utilized for the provision of recreational activities and/or open space which may be developed, operated and/or maintained for profit by an entity other than a public entity, such as a swimming pool, tennis court/club, recreation center, etc.

Recreation, Public

Uses, structures and/or land utilized for the provision of recreational activities and/or open space which may be developed, operated and/or maintained by a public entity.

Recreational Vehicle

A vehicle which is:

- A. Built on a single chassis;
- B. 400 square feet or less when measured at the largest horizontal projections;
- C. Designed to be self-propelled or permanently towable by a light duty truck; and
- D. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Recycling Collection Facility⁵⁰²

A facility used for the collection and temporary storage of empty beverage containers, aluminum, glass, paper or clothing for recycling purposes conducted totally within an enclosed structure or container.

Redevelopment

Comprises any of the following:

- A. The complete demolition of a principal building, followed by the construction of a new building which occupies a different footprint than the original principal building; or
- B. The destruction of a principal building to an extent that is equal to or greater than 50 percent of its assessed value, followed by reconstruction and repurposing of the building for a type of use for which the original building was not designed; or

⁵⁰⁰ New consolidated use and definition. Consolidated Health Club and Recreation – Indoor.

⁵⁰¹ New consolidated use and definition. Consolidated Amusement Park, Ballfields, Drive-In Theater, Go-Cart and Skateboard Tracks,” and Driving Range, Miniature Golf and Par 3 Course, Golf Course and Country Club, and Recreation – Outdoor Including Recreational Clubs and Camps.

⁵⁰² New use and definition.

- C. Expansion of a principal building by more than 50 percent of its floor area.

Redevelopment, New

See New Development and Redevelopment.

Refuse

All waste material directly connected with the cleaning, classification, milling, smelting, refining, preparation and otherwise of substances mined.

Regional Facility

An improvement or a part of a network or system of improvements that serve a larger area than a single subdivision and have value to a subdivision based on the nature and use of the improvement for roads, drainage, utilities, bridges, trails and open space, or floodplain requirements that insure the fullest use and development of an individual subdivision.

Residence-Free Zone

All lands within one mile of the Adams County Front Range Airport and in that airport's final approach area where residential construction will not be permitted.

Resource Recovery Operation

The industrial process of obtaining materials or energy from solid waste for recycling or reuse.

Resource Recovery Operation

An industrial processing operation which primarily is conducted for the purpose of recycling and/or reuse of a product or products.

Restaurant⁵⁰³

An establishment where food and drink are prepared, served and consumed primarily within the principal building. This use includes "Fast Food Restaurants."

Restricted Development Area

A racetrack or rectangular-shaped pattern beginning at the departure end of a Centennial Airport runway and terminating at the arrival end of the same runway, which provides an average flight path for arriving and departing aircraft.

Resubdivision/Replat

The changing of any existing lot or lots of any subdivision plat previously recorded with the County Clerk and Recorder.

Retail Sales⁵⁰⁴

Establishments engaged in selling goods or merchandise to the general public for personal or household

⁵⁰³ Deleted separate term and definition for Restaurant, Drive-In or Takeout because it is not referenced in the Code and now addressed in the more general definition of Drive-Through Facility.

⁵⁰⁴ New consolidate use and definition – includes three levels of retail sales (small, medium, large). Consolidates Retail, Retail - Department, Hardware, Dry Good, Ranching and Farm Supply Stores, Retail - Appliance, Furniture, and Carpet Stores, Retail - Specialty Retail Sales, Antique Stores and Gift Shops, Retail Sale of Any Commodity Manufactured, Processed, Fabricated and/or

consumption and rendering services incidental to the sale of such goods. This use does not include any form of retail sales or other use listed separately in Table 3-2.1.

Retail Sales, Small

A facility or establishment with up to 5,000 square feet of gross floor area.

Retail Sales, Medium

A facility or establishment with between 5,001 and 10,000 square feet of gross floor area.

Retail Sales, Large

A facility or establishment with between 10,001 and 60,000 square feet of gross floor area.

Retail Marijuana Store

Retail marijuana store shall mean an entity licensed to purchase marijuana from marijuana cultivation facilities and marijuana products from marijuana product manufacturing facilities and to sell marijuana and marijuana products to consumers, as defined by Article XVIII, Section 16 of the Colorado Constitution and the CMC.

Retaining Wall

A wall designed to resist the lateral displacement of soil or other materials.

Rezoning

For the purpose of these Regulations, a revision to the County Zoning Map.

Right-of-Way

A land area, either public or private, on which an irrevocable right-of-passage has been recorded for the use of pedestrian, equestrian or vehicular movement; railroads; public utilities; and water and sewer facilities.

Roadside Sales Stands⁵⁰⁵

A temporary or permanent structure used for the sale and display of agricultural or horticultural products such as vegetables, fruits, dairy products, eggs, grains, meat poultry, fish, honey, hay, bedding plants, herbs, and wool.

Rodeo⁵⁰⁶

An event comprising of activities for competition, entertainment or display of skills including, but not limited to, horseback riding, bronco riding, steer wrestling, calf roping and/or riding, bulldogging, steer tailing, horse tripping, and barrel racing. Horse racing is not considered a rodeo activity. User fees, dues, admission fees, or other compensation may be paid, but compensation is not a required element to define an event as a rodeo. Food

Warehoused Only on the Premises, and Retail Sale of Any Commodity Designed Especially for Use in Agriculture, Mining, Industry, Business, Transportation, or Construction.

⁵⁰⁵ New consolidated use and definition. Combined with Produce Stand.

⁵⁰⁶ **STAFF:** Rodeo is currently an example of a Seasonal Farming or Ranching Event that is proposed to be integrated as an accessory use to Agriculture and Ranch Use. Since it could likely be more impactful than a standard accessory agricultural use – should Rodeo be consolidated into the Outdoor Recreation use or maintained as a stand-alone use instead?

and/or alcohol may be bought or sold on the premises, subject to meeting any State or local health and safety regulations and/or licensing requirements. Steer tailing and/or horse tripping are prohibited within unincorporated Arapahoe County.

Roof Line

The highest point on any building where an exterior wall encloses usable floor area, excluding roof area provided for housing or screening of mechanical equipment.

Runway Protection Zone

An area immediately adjacent to all runway thresholds in which no non-aeronautical structures are normally permitted due to the obstacle clearance requirements of immediately arriving and departing aircraft.

Rural Area

Lands within unincorporated Arapahoe County, which are located outside the boundaries of both "Urban Services area" (as depicted in the Comprehensive Plan) and any "Urban Growth Boundary" for Bennett, Byers, Strasburg, or Watkins (As depicted in an approved sub-area plan).

Rural Engineering Standards

Engineering standards applicable to the rural portion of unincorporated Arapahoe County, specifically A-1 and A-E zoning districts, to address the unique character of rural residential development.

Seasonal Farming or Ranching Events

Events related to or occurring in the course of farming and ranching, taking place during, or dependent upon a particular season. Uses may include but not be limited to: rodeos, equestrian events, ancillary sales and previewing of livestock and training of small groups.

Seasonal Sales⁵⁰⁷

A primary or accessory business or use that may include but not be limited to the temporary retail sales of Christmas trees, pumpkins, fireworks, clothing and accessories, or other personal goods and other similar businesses or uses. This definition does not include a Roadside Sales Stand or any other Temporary Use listed separately in Section 3-2, Permitted Use Table.

Sensitive Development Area

Those land areas shown as having significant resource value on the Arapahoe County Resource Composite Map, or any of the following features identified by the county and riparian areas, agricultural land use, NREC-designated "prime farm land", steep slopes, water buffers, ecological resources, historic and archeological sites, viewsheds, ridgelines, and important visual resources.

⁵⁰⁷ New consolidated use and definition. Consolidates Seasonal Sales or Events, Swap Meets/Flea Markets, Christmas Tree Lots, Fireworks stands and Tent/Sidewalk Sales.

Service Parking Lot

An all-weather surfaced parking area designated for the short or long-term parking of vehicles and equipment used by the principal or accessory use of the property.

Setback

The required minimum horizontal distance between the location of structures or uses and the related front, side, or rear lot line measured perpendicular to such lot line:

Front Setback

A setback extending across the full width of the lot measured perpendicular to the front lot line;

Rear Setback

A setback extending across the full width of the lot measured perpendicular to the rear lot line;

Side Setback

A setback extending the full length of the side lot line measured perpendicular to the side lot line. The side setback typically overlaps with the front or rear setback.

Sewage Disposal Treatment Plant⁵⁰⁸

A plant for the primary, secondary, tertiary treatment of sewage.

Sexual Encounter Establishment

A business or commercial establishment, that as one of its primary business purposes, offers, for any form of consideration, a place where two or more persons may congregate, associate, or consort for the purpose of “specified sexual activities” or the exposure of “specified anatomical areas” or activities when one or more of the persons in a state of nudity. A motel, hotel or other similar establishment will not be classified as a sexual encounter establishment merely by virtue of the fact that it offers private rooms for rent.

Sexually-Oriented Business⁵⁰⁹

A business or commercial establishment that is in all or in part an adult arcade, adult cabaret, adult motel, adult motion picture theater, adult theater, sexual encounter establishment, or nude model studio, and does not include a business that is an adult bookstore, adult novelty store or adult video store that is not also at least partially an adult arcade, adult cabaret, adult motel, adult motion picture theater, adult theater, sexual encounter establishment, or nude model studio. The definition of sexually oriented business shall not include an establishment where a medical practitioner, psychologist, psychiatrist, or similar professional person licensed by the State engages in medically approved and recognized sexual therapy.

⁵⁰⁸ New definition for existing use not currently defined.

⁵⁰⁹ **STAFF:** Additional discussion of Sexually Oriented Businesses and all associated uses is necessary. This definition excludes adult bookstores, adult novelty stores, and adult video stores from the definition of Sexually Oriented Business so it seems there is already a distinction between how entertainment and retail operations are regulated. Please confirm.

Shielded

The light emitted from the lighting fixture is projected below a horizontal plain running through the lowest point of the fixture where light is emitted. The lamp is not visible with a shielded light fixture, and no light is emitted from the sides of such a fixture.

Shooting Range, Outdoor

The commercial use of land for archery and/or the discharging of firearms for the purposes of target practice, skeet and trap shooting, advanced firearms training, or temporary competitions, such as turkey shoots. This use does not include general hunting and unstructured discharging of firearms on private property with the property owner's permission.

Sight Triangle

An area of land located at intersections of streets, drives, and other public and/or private ways situated to protect lines of sight for motorists, within which, the height of materials and/or structures is limited. With any parcel containing a sight distance triangle, no obstruction shall be permitted to be erected or grown above three feet in height within such sight triangle area.

Significant Impact

Any material effect on the surrounding area that potentially endangers health, safety, economy or resources. It includes, but is not limited to, the imposition of any obstacle to the extraction of a strategic, commercial mineral deposit, a significant increase in the cost of providing any governmental services, an increase in air and water pollution in excess of federal or state standards, a measurable increase in noise or obnoxious odor around residential or potential residential areas and contribution to or initiation of hazardous traffic patterns.

Sign-Related Definitions⁵¹⁰

Flag Banners/Feather Flags

Any sign, banner, valance or advertising display constructed of cloth, canvas, fabric, or other light material, with or without frames.



⁵¹⁰ Definitions for political signs, directional signs, directory sign, identification sign, project identification sign, and special area/theme sign deleted in Spring 2023 for internal consistency. Definition of off-premise sign deleted Fall 2023 for internal consistency.

Mural⁵¹¹

A painting on the side of a building, wall, or structure, that does not meet the definition of a sign.

Commented [DE1]: Revise

Sign

Any object or device containing letters, figures and/or other means of communication or part thereof, situated outdoors or indoors, of which the effect produced is to advertise, announce, communicate, identify, declare, demonstrate, direct, display, and/or instruct potential users of a use, product and/or service.

Sign, Animated

Any sign, or any part thereof which changes physical position by means of movement or rotation.

Sign, Banner

A temporary advertising sign which is not attached to a permanently mounted backing and/or which is allowed to wave, flap or rotate with the wind.

Sign, Billboard

Any permanent freestanding sign that is of a dimension exceeding forty-eight (48) square feet per sign face or exceeding six (6) feet in height above ground level and that is not otherwise specifically authorized by Section 4-1.5.F.2 (Freestanding Signs).⁵¹² Billboard signs ~~will often, but are not required to, be~~ often oriented towards a public street or highway.

Sign, Projecting⁵¹³

A sign affixed to a building wall that projects from the building face, generally at right angles to the building. Projecting signs are: primarily oriented toward vehicular traffic; typically taller than they are wide; and located in higher traffic volume areas.

Sign, Directional

~~Any sign on a lot that directs the movement or placement of pedestrian or vehicular traffic with or without reference to, or inclusion of, the name of a product sold or service performed on the lot or in a building, structure or business enterprise occupying the same.~~

Sign, Directory

~~A sign utilized on a parcel containing more than one legal use which lists the names and/or other information of the individual businesses located on the parcel.~~

Sign, Display Surface

The display surface is the area made available by the sign structure for the purpose of displaying the advertising message and graphics.

⁵¹¹ New in Spring 2023.

⁵¹² Revised for consistency with new Freestanding Sign standards in Fall 2023.

⁵¹³ New in Spring 2023. Revised from Blade Sign Fall 2023 for internal consistency.

Sign, Electronic Message Board

An Electronic Message Board (EMB), when allowed, is a component or feature of an otherwise permitted sign that is capable of displaying words, symbols, figures or images that can be electronically changed by remote or automatic means.

Sign, Flashing

Any directly or indirectly illuminated sign, either stationary or animated, which exhibits changing natural or artificial light or color effects by any means whatsoever.

Sign, Ground

A sign structure supported by poles, uprights, or braces extending from or anchored into the ground but not attached to any part of the building.

Sign Height

The vertical distance from the average finished grade below the sign (excluding any berming beneath the sign that is not required by this Code) to the highest point on the sign structure. Average finished grade is measured at the midpoint of a line extending between two points directly below the lowest point on each side of the sign face.

Sign, Identification

~~A sign on any lot containing more than one legal use which may be either ground sign or wall mounted, the contents of which is limited to the name, telephone number, location of the use upon the lot, hours of operation, service and/or products offered.~~

Sign, Illuminated

A sign lighted by or exposed to artificial lighting either by lights on or within the sign or directed towards the sign.

Sign, Logo⁵¹⁴

A sign exhibiting a distinctive symbol ~~which identifies a business.~~

Sign, Menu Board

A sign placed adjacent to a "drive-through" lane which advertises products and prices of products intended to be purchased and/or picked up by purchasers while remaining in their vehicle, and which is located adjacent to the use or business selling said products.

Sign Message

The thought or idea conveyed or expressed by the words, letters, insignia, figures, designs, fixtures, colors, motion, illumination, sound or projecting images or any combination thereof.

Sign, Off-Premises

~~A sign advertising a land use, business, product or service not located or available upon the premises whereon the sign is located.~~

⁵¹⁴ Modified to remove content-based regulation in Spring 2023.

Sign, Permanent

A sign constructed of durable material and affixed, lettered, attached to or placed upon a fixed, nonmovable, nonportable supporting structure.

Sign, Permanent Freestanding Sign

Any permanent sign that is erected as an individual or stand-alone structure, not attached to a building, wall, or fence.

Sign Permit

A permit issued for the erection, construction, enlargement, alteration, moving, improvement, removal, conversion, or demolition of any sign, issued pursuant to ~~these Regulations~~ this Code.

Sign, Pole⁵¹⁵

A free-standing sign with an elevated surface supported by one or more vertical poles or columns placed in the ground.

Sign, Political

~~A sign advertising or promoting a candidate, political party, ballot issue or political issue to be voted upon at any public election.~~

Sign, Project Identification

~~A sign whose only message consists of the name and/or address of the development which is located on the parcel of land containing the project (i.e. Smith's Shopping Center, Smith's Office Park, The Smith Hotel, etc.).~~

Sign, Projecting

A sign which projects from a wall or roof and is supported by a wall or roof of a building.

Sign, Roof

A sign upon or above the roofline or parapet of the building or structure.

Sign, Special Area/Theme

~~A sign which identifies a unique, planned area of the County such as a Metro District, residential community, conglomeration of office parks, etc.~~

Sign Structure

A sign structure shall include, but not be limited to, the supports, uprights, braces, backing, sign board, and framework designed to contain a sign message. Sign structure ~~is~~ does not ~~meant to~~ include the message conveyed by the sign.

Sign, Temporary

Temporary signs shall include, but not be limited to, any exterior sign, banner, pennant, valance or advertising display:

- A. Which is constructed of cardboard, paper, cloth, canvas, fabric, plywood, light weight plastic or other light weight material, with or without frame; or

⁵¹⁵ New in Spring 2023.

- B. Which is designed for short-term use, or to be moved about from place to place, or not permanently affixed to a nonmovable, non-portable supporting structure.
- C. "Temporary signs" shall not include signs placed in the open bed of a vehicle or printed, affixed, lettered, placed upon or attached to a vehicle.

Sign, Three-Dimensional⁵¹⁶

Sign, Top of Building Wall Facade

A sign located above the top row of windows and below the parapet edge or leading edge of the building roofline on a building three or more stories in height.

Sign, Vehicle⁵¹⁷

A sign or other advertising device painted on or otherwise affixed to a car, truck, trailer, or other similar motorized or non-motorized vehicle.

Sign, Wall

A sign attached to, painted on, or erected against a wall or parapet wall of a building, structure or fence whose display surface is parallel to the face of the building, structure or fence and whose height does not exceed the height of the wall, structure or fence to which said sign is attached, painted upon, or against which said sign is erected.

Sign, Window

A sign which is applied or attached to, or located within one foot of the interior of a window, which sign can be seen through the window from the exterior of the structure.

Sign Without Backing

Any word, letter, emblem, insignia, figure, or similar character or group thereof that is neither backed by, incorporated in, or otherwise made a part of any larger display area.

Site-Specific Development Plan

Pursuant to the Colorado Revised Statutes, as may be amended, a Plan approved by the Board of County Commissioners which grants a vested property right.

Slaughter House

An industrial facility where animals are processed for consumption as food products, and the facility meets all of the air and water quality requirements of the public health agencies.

Slope

The vertical elevation of a land area divided by the horizontal distance, expressed as a percentage. For purposes of this Land Development Code, slopes must cover a total land area of at least 5,000 square feet.

Small Wind Energy Conversion System (SWECS)

Any mechanism, including blades, rotors, or other moving surfaces, designed for the purpose of converting wind energy into mechanical or electrical power with a maximum

⁵¹⁶ New in Spring 2023. Revised Fall 2023 to add three story minimum building height for this type of sign.

⁵¹⁷ New in Spring 2023.

capacity of 100 kilowatts. For the purpose of these Regulations, towers, tower bases, guy wires and any other structures necessary for the installation of a small wind energy conversion system are also included.

Snow Shadowing

The effect of shadows from buildings, structures and coniferous landscaping located on the south sides of public rights-of-way, reducing the ability of solar radiation to melt ice and snow.

Solid Waste Disposal Site and Facility⁵¹⁸

The location and facility at which the deposit and final treatment of solid, liquid or hazardous wastes occurs or a discrete area of land or an excavation where solid wastes are placed for final disposal, which is not a land application unit, waste impoundment, or waste pile. Landfills include, but are not limited to: ash monofills, construction and demolition landfills, industrial landfills, sanitary landfills, tire monofills and similar facilities where final disposal occurs. This definition does not include Injection Wells.

Solid Waste Transfer Facility⁵¹⁹

A fixed facility where non-hazardous solid waste and rubbish from collection vehicles is consolidated for subsequent transfer to disposal sites.

Specific Development Plan (SDP)

The document required to be submitted and approved in order to complete the first step of the Two-Step Planned Unit Development process, or the second step of the Three-Step Planned Unit Development process, in Section 5-3.3 , Planned Unit Development. This document provides specific information regarding the type, scale, layout, design, and quality of proposed land uses, open spaces, and circulation systems, as well as information required to allow later site design approvals to occur through the Administrative Site Plan process.

Specified Anatomical Areas

As used herein means and includes any of the following: less than completely and opaquely covered human genitals, pubic region, buttock, anus, or female breast below a point immediately above the top of the areola: or human male genitals in a discernible turgid state, even if completely and opaquely covered.

Specified Sexual Activities

Means and includes any of the following:

- A. the fondling or other intentional touching of human genitals, pubic region, buttock, anus or female breast;
- B. Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, or sodomy;
- C. Masturbation, actual or simulated;
- D. Human genitals in a state of sexual stimulation, arousal or tumescence; or,

⁵¹⁸ New consolidated use and definition.

⁵¹⁹ New use in use table, but Carried forward existing definition for Waste Transfer Station.

- E. Excretory functions as part of or in connection with any of the activities set forth in subparts (A) through (D) of this definition.

Stable or Riding Academy⁵²⁰

An establishment where riding animals are sheltered on a rent, lease or fee basis, fed, and/or kept for personal use. Lessons to develop horsemanship may be conducted.

Start of Construction

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

Steep Slope

Slopes that are 15 percent or greater.

Storage Container/Pods

A prefabricated structure, commonly comprised of lightweight metal, which is intended for temporary storage of personal items.

Street

A public or private thoroughfare used, or intended to be used, for passage or travel by motor vehicles. Streets are further classified by the functions they perform.

Street, Arterial

A street designed to carry high volumes of traffic across and through the County and which interconnects with and augments the regional thoroughfare systems to provide service for trips of moderate length and to distribute travel areas smaller than those of regional thoroughfares.

Street, Collector

A street connecting a series of local streets to each other in such a manner that local traffic is collected and distributed to other collector or to arterial streets. Collector streets provide both land access services and local traffic movement within and between residential neighborhoods, commercial areas and industrial areas.

⁵²⁰ New consolidated use and definition.

Street Cul-De-Sac

A local street of relatively short length with one open end and the other end terminating in a vehicular turnaround.

Street, Dead-End

A street that is connected to another street at one end, but which is intended to ultimately connect with another street at the closed end.

Street Frontage

The distance along any boundary line of a lot which is also the boundary line of a public street, road or highway right-of-way. A local or collector street parallel and adjacent to a regional thoroughfare or arterial street providing access to adjacent properties at specified points.

Street, Local

A street primarily intended to serve and provide access to properties abutting the street and not connecting with other streets in such a way as to encourage through traffic.

Street, Private

The pavement design and construction of private streets shall be in accordance with criteria contained in the Arapahoe County Roadway Design and Construction Standards. A note so indicating shall be placed on the Final Plat, Replat, Final Development Plan, Subdivision Development Plan, or other official document prior to execution by the Board of County Commissioners.

Street, Regional Thoroughfares

Streets and highways primarily designed to serve major centers of activity within a metropolitan area, having high existing or projected traffic volumes and carrying a high proportion of the total urban travel within a minimum of mileage.

String of Lights

A series of lights attached to a wire, race, or inserted in transparent tubing in such a way that it can be moved about or hung in various ways, and whose bulbs are not luminaires permanently attached to a building or other structure.

Structure (Non-Floodplain)

Anything constructed or erected that requires location on the ground or attached to something having location on the ground but excluding in-ground swimming pools. Signs, fences, or walls used as fences, as otherwise regulated in this Code and requiring a building permit.

Structure, Temporary

A structure which is not a permanent structure, or one which is constructed for a special purpose in contemplation of eventual removal. For the purpose of these Regulations, the term "temporary" shall mean a period up to six months.

Subdivider or Developer

Any person, firm, partnership, joint venture, association, or corporation who shall participate as owner, promoter, developer, or sales agent in the planning, platting, development, promotion, sales, or lease of a subdivision.

Subdivision Improvements Agreement

One or more security arrangements which the County shall accept to secure the actual cost of construction of such public improvements as may be required by the Board of County Commissioners.

Subdivision and Subdivided Land

Any parcel of land in the State which is divided into two or more parcels, separate interests, or interests in common, unless exempted under subsections (A), (B) or (C).

- A. The terms "subdivision" and "subdivided land" as defined above shall not apply to any division of land which creates parcels of land each of which comprise 35 or more acres of land, none of which is intended for use by multiple owners.
- B. Unless the method of disposition is adopted for the purpose of evading this article, the terms "subdivision" and "subdivided land" as defined above, shall not apply to any division of land:
 - 1. Which creates parcels of land, such that the land area of each of the parcels, when divided by the number of interests in any such parcel, results in 35 or more acres per interests;
 - 2. Which is created by a lien, mortgage, deed of trust or any other security instrument;
 - 3. Which could be created by any court in this state pursuant to the law of eminent domain, or by operation of law, or by order of any court in this state if the Board of County Commissioners of Arapahoe County, in which the property is situated, is given timely notice of any such pending action by the court and given opportunity to join as a party in interest in such proceeding for the purpose of raising the issue of evasion of provisions of these Regulations prior to entry of the court order; and, if the Board does not file an appropriate pleading within 20 days after receipt of such notice by the court, then such action may proceed before the court;
 - 4. Which is created by a security or unit of interest in any investment trust regulated under the laws of this state or any other interest in any investment entity;
 - 5. Which creates cemetery lots;
 - 6. Which creates an interest or interests in oil, gas, minerals, or water which are now or hereafter severed from the surface ownership of real property; or
 - 7. Which is created by the acquisition of an interest in land in the name of a husband and wife or other persons in joint tenancy, or as tenants in common and any such interest shall be deemed for the purposes of this section as only one interest;
 - 8. Which is created by a contract concerning the sale of land which is contingent upon the purchaser's obtaining approval to subdivide, pursuant to this article and any applicable County regulations, the land which he is to acquire pursuant to the contract;
 - 9. Which is created by the combination of contiguous parcels of land into one larger parcel. If the resulting parcel is less than 35 acres in land area, only one interest in said land shall be allowed. If the resulting parcel is greater than 35 acres in land area, such land area, divided

by the number of interests in the resulting parcel, must result in 35 or more acres per interest. Easements and rights-of-way shall not be considered interests for purposes of this subparagraph.

- C. The Board may exempt from this definition of the terms "subdivision" and "subdivided land," any division of land if the Board determines that such division is not within the purposes of this article.

Subdivision Regulations

The Subdivision Regulations duly adopted by the Board of County Commissioners of Arapahoe County and contained in this Land Development Code in Chapters 4 and 5.

Substantial Change

The definition of an Substantial Change, as that terms is used in regulation of Wireless Communication Facilities (WCF) is in Section 3-3.5.G.

Substantial Damage

Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure just prior to when the damage occurred.

Substantial Improvement

Any repair, reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include either:

- A. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or
- B. Any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure."

360 Degree Architectural Treatment

Building materials, color schemes and rooftop screening which is identical on all sides of a structure, and which encloses loading docks and other service areas.

Technical Review Committee

The committee established to review and evaluate design and engineering issues, and minimum requirements related to subdivision and development. The committee also considers variance and waiver requests of County criteria, regulations, and standards. The committee is comprised of representatives of the Engineering Services Division, Transportation Division, and Road and Bridge Division that have review responsibilities established by County rules and regulations.

Temporary Concrete and/or Batch Plant⁵²¹

A plant for the manufacture or mixing of concrete, cement, and concrete and cement products, including any apparatus and uses incident to such manufacturing and mixing.

Temporary Construction Yard or Office⁵²²

A parcel used for the storage of construction materials and/or a temporary structure for a construction office to be used for managing a construction job.

Temporary Residential Sales Office (Model Homes)⁵²³

A residential structure used by a licensed homebuilder/ developer, real estate worker or realtor to demonstrate construction, display built-in amenities and color selection charts to prospective home buyers and promote the sale or lease of housing units. The model home may be staffed and furnished.

Temporary Structure

See Structure, Temporary.

Time and/or Temperature Devices

Signs consisting of devices which provide time and/or temperature information.

Tires, Batteries and Accessories

Retail establishments which perform minor auto repair, as defined in this section.

Thematic Vacations or Events⁵²⁴

Social, educational or cultural gatherings, for one or more days, conducted in a farm-like atmosphere including such activities as “visiting farmer” vacations.

Topsoil

The layer at the surface of the earth which has been so modified and acted upon by physical, chemical and biological agents that it will support rooted plants necessary to achieve reclamation goals.

Tract

A parcel platted in a subdivision which is set aside as a restricted tract unsuitable for development, or for a public or community-wide purpose which shall be shown on the face of the plat. A public or community-wide purpose may include a drainage area, stormwater detention or retention areas, areas for signs, parks, open space, utilities, or land areas reserved for other public facilities. Except for restricted tracts, a tract is further defined as having been dedicated to the County or a quasi-public agency, or as being owned by a homeowners association for the subdivision in which the tract is located.

Traffic Pattern Area

A racetrack or rectangular-shaped pattern beginning at the departure end of a runway and terminating of the arrival end of the same runway, which provides an average flight path for

⁵²¹ Deleted separate definition for Temporary Concrete Batch Plant.

⁵²² Definition from current use-specific standards for temporary construction yard or office.

⁵²³ New definition for existing use.

⁵²⁴ **STAFF:** This is a very unusual use, by itself or as a form of entertainment, and we suggest it be deleted.

arriving and departing aircraft. For Centennial Airport, the Traffic Pattern Area is designated as the "Restricted Development Area.

Trail

A public pathway for the use of pedestrian, non-motorized bicycle, or equestrian uses officially designated on a subdivision plat of record, or the County's Comprehensive Plan.

Transmission Lines

Any electric transmission line and appurtenant facilities which emanate from a power plant or a substation and terminate at a substation, which are designed for or capable of, the transmission of electricity at 115 kilovolts or greater.

Trash Container/Dumpster

A waste receptacle designed to be emptied into garbage trucks.

Trash Enclosure

An enclosure constructed to secure, contain, or visually screen dumpsters/trash containers.

Turnaround

The circular or T-shaped terminating end of a cul-de-sac which provides sufficient area for the turning of emergency vehicles, sanitation trucks, or other service vehicles and automobiles.

Twenty-Four (24) Hour Use

A land use whose hours of operation exceed 18 consecutive hours in any 24-hour day. A land use seeking hours of operation in excess of 18 hours in any 24 hour period.

Underground Mining

Mining activity which occurs primarily beneath the surface of the ground.

Uniformity Ratio

The ratio between the maximum initial horizontal illuminance level and the minimum initial horizontal illuminance level on the site and within a specific use area such as a parking lot

Unincorporated

Situated outside of cities and towns, so that, when used in connection with "territory", "areas", or the like, it covers, includes, and relates to territory or areas which are not within the boundaries of any city or town.

Urban Agriculture⁵²⁵

The use of a parcel of land three acres or smaller in size for the cultivation of food and/or horticultural crops, composting, aquaponics, aquaculture and/or hydroponics. This use may include the production and/or sale of food products from food grown on the premises, and may include accessory keeping of animals or bees subject to County regulations.

⁵²⁵ New use and definition.

Urban Growth Boundary

An urban growth boundary (UGB) is a planning strategy used by Denver Regional Council of Governments (DRCOG) and accepted by Arapahoe County by the intergovernmental agreement known as the Mile High Compact. The Urban Growth Boundary/Area defines where future development is intended to occur so infrastructure can be planned and constructed more cost-effectively. An urban growth boundary also encourages a more compact development pattern by directing growth inward, stimulating infill and redevelopment activity, and capitalizing on the use of existing infrastructure.

Urban Drainage And Flood Control District (UDFCD)

A multi-jurisdictional independent service district tasked with assisting local governments with drainage and flood control problems and providing oversight and management of drainage facilities within the boundaries of the district. Within the County, the eastern limit of the UDFCD boundary coincides with County Road 121, Schumaker Road.

Use

The purpose for which land or premises or a building thereon is designed, arranged or intended, or for which it is or may be occupied.

Use By Special Review

Use which must have approval of the Board of County Commissioners before being allowed in a specific District.

Use, Principal

The primary use located on a parcel.

Use, Special Exception

Use which must have approval of the Arapahoe County Board of Adjustment before being allowed in a specific District.

Utility Lines

All utility lines, except major transmission lines, shall be placed underground in all zoning districts, unless the Board of County Commissioners grants an exception.

Variance

A grant of relief to a person from the requirements of this LDC when specific enforcement would result in unnecessary hardship. A variance, therefore, permits construction or development in a manner otherwise prohibited by this Land Development Code.

Vehicle Fleet Operations Center⁵²⁶

A central facility for the dispatch, distribution, storage, staging, and loading of vehicles that are owned, leased, or operated for a common purpose, with or without associated offices. Typical uses include, but are not limited to, ambulance service, taxi dispatch, meals-on-wheels dispatch, staging areas for shared vehicle services, and other operations that require

⁵²⁶ New use and definition.

frequent arrival and departure of cars or vans such as courier, delivery, and express services, cleaning services, key and lock services, security services, and taxi services.

Vehicle Repair, Major

A commercial business for the general repair, rebuilding, or reconditioning of engines and drive trains, framework, body work, welding and painting performed on motor vehicles and trailers.

Vehicle Repair, Minor

A commercial business for the servicing of passenger and light-truck motor vehicles including the replacement and/or repair of parts, but not requiring the removal of the engine or drive train or pieces of body work larger than minor trim, and including the replacement of tires, batteries, vehicle fluids, exhaust systems and brakes.

Vehicle Sales or Rental, Heavy⁵²⁷

An establishment that specializes in the sale, display, lease, rental, or storage of heavy equipment including, but not limited to, tractors, trucks with a gross vehicle weight of over 10,000 pounds, semi-trucks and/or trailers, boats, recreational vehicles, and other large equipment.

Vehicle Sales or Rental, Light⁵²⁸

An establishment that specializes in the sale, display, lease, rental, of light motor vehicles, including automobiles, vans, light trucks, and light trailers. Accessory uses may include sales of parts for, washing, and servicing of light vehicles.

Vested Property Right

Pursuant to the Colorado Revised Statutes, as may be amended, a property right granted for three years after approval of a "site specific development plan," as approved by the Board of County Commissioners.

Voided Annexation

The result of a court action which has the effect of making the land use regulations created upon an annexing parcel of land voidable. A parcel of land which has had its annexation voided and is required to rezone under these Regulations prior to development of the parcel.

Watercourse

See Drainageway.

Water Treatment Plant⁵²⁹

A facility to treat water or wastewater for or from a defined service area, and that typically has employees at the site, including but not limited to water treatment plants, water pumping plants, and underground water storage facilities.

⁵²⁷ New definition for existing use not currently defined.

⁵²⁸ New use and definition.

⁵²⁹ New definition for existing use not currently defined.

White Light Source

A light source that falls within the 460 and 580 nanometer wavelength of light.

Wholesale or Warehouse⁵³⁰

A facility that is used for storage, wholesaling, and/or distribution of manufactured products, supplies, and equipment, but not involved in manufacturing or production and not primarily engaged in the retail sale of goods to the public.

Wildlife Sanctuary⁵³¹

A facility where rescued animals, their habitats and their surroundings are protected from any sort of disturbance.

Winery Operations

The cultivation of plants intended for the production of wine, research of agricultural crop potential, importation of grapes and related products from vineyards, production of wine and/or the sale of related products.

Wireless Communication Facilities (WCF)-Related Definitions

Words and phrases related to the regulation of WCFs are in Section 3-3.5.G.

WSE

See Water Surface Elevation (WSE).

Yard, Front

Required unobstructed open space extending from the front lot line into a lot over the full lot width, excepting driveways and walks.

Yard, Rear

Required unobstructed open space extending from the rear lot line into a lot over the full lot width; provided, however, that exterior chimneys, soffits and bay windows may extend into the rear yard a distance of up to 24 inches. Said rear yard shall be measured from the property line to the foundation or the nearest point of projection of the structure.

Yard, Separation

Minimum distance between structures measured from the foundation of one structure to the foundation of an adjoining structure; provided, however, that exterior chimneys, soffits and bay windows may extend into this open area a distance of up to 24 inches for each of the structures.

Yard, Side

Required unobstructed open space extending from the side lot line into a lot over the full lot depth; provided, however, that exterior chimneys, soffits and bay windows may extend into the side yard a distance of up to 24 inches. Said side yard shall be measured from the property line to the foundation or to the nearest point of projection of the structure.

⁵³⁰ New consolidated use and definition. Consolidates Wholesale Business, Storage, Or Warehousing and Showroom/Warehouse.

⁵³¹ New definition for existing use not currently defined.

Zero Lot Line

A situation in which either two adjoining structures on adjacent but separate properties share a common wall or a structure is built up to its property line with no easement or setback requirement.