


**BEFORE THE BOARD OF COUNTY COMMISSIONERS OF
TELLER COUNTY, COLORADO**

RESOLUTION NO. 06-09-16 

**A RESOLUTION TO APPROVE A REQUEST FOR TEXT AMENDMENTS TO THE
TELLER COUNTY LAND USE REGULATIONS, SPECIFICALLY SECTION 2.7.2 (C-
1), TABLE 2-1 SUMMARY OF ZONE USES, AND 8.3 AA STORAGE YARD**

File No. LUR-Z16-0004

WHEREAS, by Resolution No. 12-06-07(47) adopted December 6, 2007 (Reception No. 613556), the Board of County Commissioners of Teller County (the Board) approved the *Teller County Land Use Regulations* (the LUR) effective January 1, 2008; and

WHEREAS, pursuant to C.R.S. §30-28-116 and C.R.S. §30-28-133, as amended, the Board is authorized to amend the provisions of the LUR in accordance with the procedures set forth in those provisions; and

WHEREAS, Ginger R. Bruvold, Outpost Feed & Ranch Supply, has requested amendments to the text of the LUR, specifically section 2.7.2 (C-1), Table 2-1 Summary of Zone Uses, and 8.3 AA Storage Yard, as set forth in that Staff Report dated April 18, 2016; and

WHEREAS, on May 10, 2016, the Teller County Planning Commission held a duly-noticed public hearing, considered the application for the proposed text amendments, testimony and materials presented at that hearing, and recommended to the Board that it approve and adopt the text amendments as proposed; and

WHEREAS, after notice as provided by law, a public hearing was held by this Board on June 9, 2016, and the Board considered the application, the Planning Commission recommendation, and all testimony and materials presented at that hearing; and

WHEREAS, the Board adopts the findings of Teller County Planning staff contained in that Staff Report dated April 18, 2016 and finds that the revised LUR text as set forth in Exhibit A attached hereto and incorporated into this Resolution meets the standards and requirements for a text amendment to the LUR as set forth in *Section 2.11.E.1 and Section 2.1.C.6.a*, and is consistent with the purposes, goals, objectives and policies of the *Teller County Growth Management Plan*; and

WHEREAS, the Board hereby finds, determines and declares that adoption of this Resolution is necessary for the preservation and protection of the public health, safety and welfare of the inhabitants of Teller County, Colorado;

NOW, THEREFORE, BE IT RESOLVED by the Board that the revised text, as set forth in Exhibit A attached hereto and incorporated herein is hereby approved for incorporation into the LUR and shall be effective immediately.

THE FOREGOING RESOLUTION IS ADOPTED AT A REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS OF TELLER COUNTY, COLORADO, HELD THE 9th DAY OF JUNE, 2016 AT CRIPPLE CREEK, COLORADO.

THE BOARD OF COUNTY COMMISSIONERS
OF TELLER COUNTY, COLORADO

BY


NORM STEEN, CHAIRMAN

ATTEST:

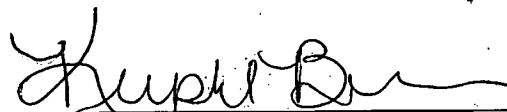

COUNTY CLERK



EXHIBIT A: NEW TEXT

Amend Section 2.7.2 by adding Storage Yard: Rental Storage Yard – moving equipment 8.3.AA so that it reads as follows:

Section 2.7.2
C-1

Storage Yard:	
Rental Storage Yard- Moving Equipment	8.3.A.4
Respite Care Provider/Services (facility)	Section 8.3.Q

4. Special Uses

SPECIAL USE	CROSS-REFERENCE
Day Treatment Center: any number	Section 8.3.Q
Elderly or Disabled Low-Income Residential Facility	Section 8.3.Q
Family Service Facility	Section 8.3.Q
Homeless Youth Shelter/Homeless Shelter	Section 8.3.Q
Kennel: 330 animals. See Use Restrictions below.	Section 8.3.S
Low-Income Household Residential Facility	Section 8.3.Q
Regional Center: Developmentally Disabled	Section 8.3.Q
Residential (Child) Care Facility: any number	Section 8.3.Q
Secure Residential Treatment Center: any number	Section 8.3.Q
Specialized Group Facility (Child): any number	Section 8.3.Q
Transitional Housing Facility	Section 8.3.Q

5. Accessory Uses

- a. Motor vehicle towing of up to eight customer vehicles to a motor vehicle body repair shop, motor vehicle operating systems maintenance and repair shop, or gasoline fueling station when solely for the purposes of repair. The location of customer vehicles retained on-site shall be no less than 200 feet from any adjoining residential zone district. No single vehicle may be retained on-site for longer than one week.

6. Use Restrictions

- a. All uses are subject to *Chapter 7 Site Plan and Site Plan Review*.
- b. Adult Uses. No sexually oriented business shall be located within 500 feet of another sexually oriented business, or any of the following legal conforming uses: residential, church, day care center, park or educational institution (whether within or without the County), or residentially zoned property. The 500-foot separation measurement shall be made in a straight line between the respective property lines, without regard to intervening structures or objects.
- c. The following are considered Permitted Uses (uses-by-right)

Amend Chapter 2, Table 2-1 Summary of Zone District Uses so that it reads as follows:

TABLE 2-1 SUMMARY OF ZONE DISTRICT USES

Key: A - Administrative Review Use C - Conditional Use S - Special Use, P - Permitted Use, T - Temporary Use, Blank - Use Prohibited											
NOTE 1: Where dual designations exist, see the text of these Regulations											
NOTE 2: The column titles to the right are the Teller County zone districts. For uses allowed in obsolete zone districts see the text of these Regulations. A property in an overlay zone is additionally subject to the requirements of that overlay zone. Teller County has the following overlay zones: Airport, C-2 Commercial, Historic Preservation (HP), National Monument Protection (NP), Environmental Health (EH). Where Table 2.1 conflicts with the text of these Regulations, the text supersedes.											
	A-1 - Agricultural	RR - Rural Residential	R-1 - Single-family Residential	R-1M - Mobile Home Lots	R-2 - Multi-Family	BC - Business Center	C-1 - Commercial	LI - Light Industrial	M-1 - Industrial	A-2 - Airport Overlay	C-2 - Commercial Overlay
Sawmill	C										
Secure Residential Treatment Center: any number	S						S				
Specialized Group Facility (Child): any number	S						S				
Stone and monument works						P		P			
Storage units - commercial											P
Storage Yard: Construction [Contractor's] or Construction Equipment Storage Yard	C					C		C	C		C
Storage Yard: Dismantling Yard									C		
Storage Yard: Rental Storage Yard	C					C		C	C		
Storage Yard: Rental -Moving Equipment							C				
Storage Yard: Vehicle Towing and Storage Yard	C							C	C		C
Tanning, curing or storing of hides									P		
Temporary Construction Office Trailer	A	A	A	A	A	A	A	A	A	A	
Temporary Housing	A	A	A	A	A						
Transitional Housing Facility	S		S				S				
Transportation terminal									P		
Underlying zone district Administrative Review Uses when water and wastewater disposal are not necessary for the use.											A
Underlying zone district Conditional Uses when water and wastewater disposal are not necessary for the use.											C
Underlying zone district Permitted Uses when water and wastewater disposal are not necessary for the use.											P
Underlying zone district Conditional Uses when water and wastewater disposal are not necessary for the use.											S
Utility transfer station (subject to Location and Extent requirements)						P		P	P		P
Vehicle storage yard for up to 8 customer vehicles. See Use Restrictions									P		
Warehouses						P		P	P		
Waste-related uses - all	S										
Waste-related uses other than Recycling Stations for public drop-off only								S	S		
Wholesale activities						P		P	P		
Wild Game Packaging	C										

Amend Section 8.3 Definitions, Additional Requirements, and Conditions for Specific Uses so that it reads as follows:

	4.	Separate Permit Not Required	30
T.		Manufacturing: Large- or Small-scale (Hazardous Materials Use).....	30
U.		Mining.....	30
	1.	Mining-Related Uses.....	30
	2.	Prospecting or Exploration	31
	3.	Concurrent Permit Application Submittal	31
	4.	Teller County Special Review Use Permit Application	31
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	b.	Concurrent Reclamation	33
	c.	Compatibility and Compliance	33
	d.	Written Consent.....	33
	e.	Written Description	33
	f.	Site Plan	34
	g.	Infrastructure Standards.....	35
	h.	Site Development	37
	5.	Requirement to Submit Annual Report and Map	40
	6.	Change in Mining Circumstances.....	40
	7.	Cripple Creek Mining Overlay District	40
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	b.	Lighting Plan	41
	c.	Site Plan Design	41
	d.	Service Building Plans	43
	e.	Supervision and Maintenance Plan	44
	f.	Owner Equally Liable.....	44
	g.	Park Documents	44
	2.	Building Permit and Code Requirements	44
	a.	Skirting.....	44
	3.	Other.....	44
	a.	Refuse Handling.....	44
	b.	Pest Control.....	45
	c.	Pet Control	45
W		Parking - Commercial.....	45
	1.	Parking and Loading Standards.....	45
X.		Recreational Facilities (Public/Private)	45
	1.	Setbacks.....	45
	2.	Landscaping	46
Y.		Resort	46
Z.		Sawmill.....	46
AA.		Storage Yard.....	46
	1.	Dismantling Yard	47
	2.	Construction [Contractors] or Construction Equipment Storage Yard	47
	3.	Rental Storage Yard	47
	4.	Rental Storage Yard- Moving Equipment	47
	5.	Vehicle Towing and Storage Yard	47
BB.		Temporary Construction Office Trailer	47
	1.	Mobile Home Permit	47

Amend Section 8.3 AA and insert new paragraph 4 so that it reads as follows:

Section 8.3.AA.4

Construction Equipment Storage Yard.

4. **Rental Storage Yard- Moving Equipment.** A premises used for the rental, storage and parking of moving equipment, limited to light trucks, heavy-duty trucks, rental trailers, (e.g., cargo trailers, utility trailers and car trailers) and associated support rental moving equipment (e.g. moving blankets, appliance dollies, utility dollies, furniture dollies) to the general public. The light truck, heavy duty trucks, trailers and associated support rental moving equipment shall not have a gross vehicle weight exceeding 15,000 pounds and/or individual linear length not to exceed 36 feet.
5. **Vehicle Towing and Storage Yard.** Any site specifically or incidentally used to store, or tow to and store, any number of operative or inoperative vehicles for more than 24 hours. Does not apply to incidental retention of a vehicle undergoing repair at a specific motor vehicle body repair shop or motor vehicle operating systems maintenance and repair shop, with or without and independent of a gasoline service station. No part of the operation, other than the access drive, shall be less than 200 feet from the lot line of any adjoining residentially zoned property.

BB. Temporary Construction Office Trailer. A Temporary Construction Office Trailer is a movable structure installed temporarily on the site of a commercial, residential, or other development project solely for the purpose of housing centralized construction management operations. It is not a dwelling unit, nor shall it be used for living purposes at any time. The following apply:

1. **Mobile Home Permit.** A Mobile Home permit, issued by the Teller County Building Department, is required prior to issuance of the Special Review Use Permit.
 - a. **Setbacks.** The Temporary Construction Office Trailer shall meet all zone district setback requirements.
2. **Sanitary Sewage Disposal.** At a minimum, on-site sanitary sewage disposal approved by the Teller County Environmental Health Department shall be in place prior to issuance of the Special Review Use Permit.
3. **Other.** A valid Teller County Building Permit, Subdivision Improvements Agreement, or other explicit pre-construction approval shall be in place prior to issuance of the Special Review Use Permit.
4. **Duration of Permit.** The Special Review Use Permit shall be initially issued for a term not to exceed six months. The Permit