

Zoning Resolution
County of Jefferson
State of Colorado
April 30, 1969

INTRODUCTION TO THE ZONING RESOLUTION

OF

JEFFERSON COUNTY, COLORADO

Zoning provides for the orderly growth of communities through the designation of areas for each type of development such as residential, agricultural, commercial and industrial. All four types of activity are essential to the economy of an area, and yet it is not desirable for the enterprises which produce odors, noise, dust or smoke to be located in the midst of a heavily populated residential district. Zoning allows ample area for all activities while maintaining property values through the designation of specific areas for each.

The Jefferson County Planning Commission recognizes that community development is not a static matter. Therefore, in 1945, they undertook a complete revision of the zoning resolution and map which was adopted in 1941. In cooperation with the Tri-County Planning Commission, the Jefferson County Planning Commission worked for eighteen months to rezone the County in a manner which recognized the changes which are occurring and to protect the owners of property in the County. The work was completed in the Spring of 1946, and on May 6, 1946, the Board of County Commissioners adopted the revised zoning resolution and maps. To meet changing conditions, the Zoning Resolution of May 6, 1946 was amended on such numerous occasions as to require the adoption of a revised Zoning Resolution on June 2, 1958. The Zoning Resolution of June 2, 1958 has since been amended on the following dates:

July 7, 1958	October 6, 1958	May 11, 1959
July 28, 1958	December 29, 1958	May 18, 1959
August 25, 1958	March 9, 1959	March 17, 1960

July 18, 1960	February 18, 1963	January 4, 1965
August 2, 1960	April 8, 1963	May 3, 1965
January 23, 1961	May 20, 1963	May 24, 1965
May 1, 1961	November 12, 1963	November 15, 1965
May 23, 1961	December 2, 1963	June 20, 1966
January 29, 1962	February 3, 1964	July 11, 1966
February 27, 1962	February 24, 1964	September 5, 1967
May 21, 1962	March 2, 1964	August 26, 1968
June 25, 1962	March 9, 1964	October 7, 1968
December 6, 1962	March 23, 1964	April 7, 1969

All revisions up to and including April 7, 1969 are included in this edition.

In order to meet the convenience of the property owners, realtors, and other interested citizens of Jefferson County, the County Planning Commission and the Board of County Commissioners have printed this Resolution for public distribution at a fee of \$2.00 to cover reproduction costs. In order to find the zoning in effect at the present time, in a specific location, contact the Jefferson County Zoning Administrator.

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April 30, 1969

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ZONING RESOLUTION

Jefferson County, Colorado

A resolution to repeal the zoning resolution adopted February 3, 1941, and to zone certain unincorporated areas of Jefferson County, regulating in such areas, the use of land, the location, size, bulk and height of buildings; the size of lots and open spaces about buildings; and the distribution of population; providing for changes in the regulations and boundaries of such districts; providing for enforcement; and continuing the Board of Adjustment.

BE IT RESOLVED by the Board of County Commissioners of Jefferson County, Colorado. (Original 5-6-46)

SECTION 1: PURPOSE

In pursuance of the authority conferred by Chapter 92, Session Laws of Colorado, 1939, this resolution is enacted for the purpose of promoting the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Jefferson County, by lessening of congestion in the streets or roads, securing safety from fire and other dangers, providing light and air; avoiding undue congestion of population, facilitating the adequate provision of transportation, water, sewage, schools and other public requirements; securing protection of the tax base; and by other means in accordance with a comprehensive plan. (Original 5-6-46)

effective April
April 30, 1969

JEFFERSON
COUNTY
ZONING
RESOLUTION

Jefferson County, Colorado

SECTION 2: ZONING MAPS

The Zoning Maps which are a part of this resolution, numbered 1 to 109, are designated as the Jefferson County Zoning Maps and are hereby declared to be a part thereof, and the districts set forth are approved and adopted. Official maps shall be filed in the office of the County Clerk and Recorder and the County Planning Commission. (Orig. 5-6-46; Am.11-14-55; Am.10-2-60.)

SECTION 3: ZONING DISTRICTS

In order to regulate the location, height, bulk and size of buildings and other structures, the percentage of lot which may be occupied, the size of lots, courts and other open spaces, the density and distribution of population, the location and uses of land, buildings and structures for trade, industry, residence, recreation, public activities or other purposes, part of the unincorporated area of Jefferson County is hereby divided into the following classes or districts: (Orig.5-6-46.)

R-1	Residential One District
R-1A	Residential One A District
R-1B	Residential One B District
R-2	Residential Two District
R-3	Residential Three District
R-3A	Residential Three A District
R-T	Residential Trailer District
A-1	Agricultural One District
A-2	Agricultural Two District
R-C1	Restricted Commercial One District
R-C	Restricted Commercial District
C-1	Commercial One District
C-2	Commercial Two District
I-1	Industrial One District
I-2	Industrial Two District
I-3	Industrial Three District
I-4	Industrial Four District
MR-1	Mountain Residential One District
MR-2	Mountain Residential Two District
MR-3	Mountain Residential Three District
MSR-1	Mountain Suburban Residential One District
MSR-2	Mountain Suburban Residential Two District
C-0	Conservation District
P-D	Planned-Development District

(Orig.5-6-46; Am.6-6-50; Am.12-26-62; Am.3-23-64;
Am.5-24-65; Am.11-15-65.)

SECTION 4: R-1 RESIDENTIAL ONE DISTRICT

A. USE REGULATION

No building or land shall be used and no building shall be hereafter erected, converted or structurally altered unless otherwise provided herein except for one or more of the following uses: (Orig. 5-6-46.)

1. One-family dwelling. (Orig.2-3-41.)
2. Private garage. (Orig.2-3-41.)
3. Truck gardening, nursery, non-commercial conservatory for plants and flowers, farming (but not including fur farming and not including stockraising or dairying except as provided in paragraph 6 below.) (Orig.2-3-41; Am.5-6-46.)
4. Private poultry houses containing not more than four hundred (400) square feet of ground floor area; private rabbit and chinchilla hutches containing not more than one hundred (100) square feet of ground floor area. (Orig.2-3-41; Am.5-6-46.)
5. Private stables for not more than four (4) horses; private barn for not more than two (2) animals such as cows, sheep or milking goats. However, the total number of animals as listed above that may be kept is limited to one such animal for each six thousand (6,000) square feet of lot area. Private dog kennels for not more than three (3) dogs. (Orig.2-3-41; Am.5-6-46.)
6. Church or parish house. (Orig.2-3-41; Am.5-6-46.)
7. Public, parochial and private schools (but not including private vocational, trade or professional schools, or schools for sub-normal or mentally disturbed adults or children) preschool and day nurseries for infants and children. (Orig.2-3-41; Am.5-6-46; Am.7-11-66)
8. Public library, public and private nonprofit museum. (Orig.2-3-41; Am.5-6-46)
9. Public park, noncommercial playground, or other public recreational use. Private golf course, country club or other private club operated for benefit of members only and not for gain (but not including a private club which provides a service customarily carried on as a business.) (Orig.2-3-41; Am.5-6-46.)
10. Deposit and/or excavation of sand, gravel, rock earth, minerals and other similar materials in the manner prescribed in Section 25 of this Resolution. (Orig.7-11-66.)
11. If approved by the Board of Adjustment as hereinafter provided in Section 25: Home Occupations. (Orig.5-6-46; Am.11-15-65.)

12. SPECIAL USES: The following uses shall be permitted only upon approval of the Planning Commission: (Orig.11-15-65.)

- a. Governmental buildings, fire stations, but not including warehouses, storage or repair. (Orig.5-6-46; Am.11-15-65.)
- b. Telephone exchange, electric substations including electric transmission and distribution lines or gas regulator station where no repair or storage facilities are maintained. (Orig.2-3-41; Am.5-6-46; Am.11-15-65.)
- c. Water supply reservoir, wells, water tower or filter beds, irrigation canal. (Orig.5-6-46; Am.11-15-65.)
- d. Railroad right-of-way, but not including freight yards, passenger station, switching or storage. (Orig.5-6-46; Am.11-15-65.)

B. HEIGHT REGULATION

- 1. No building shall exceed thirty-five (35) feet in height. (Orig.6-2-58.)

C. AREA REGULATION

- 1. AREA AND MINIMUM WIDTH OF LOT: For every dwelling or other main building, erected or structurally altered, there shall be provided a minimum lot area of not less than twelve thousand five hundred (12,500) square feet. The minimum width of such lot area shall be one hundred (100) feet for each dwelling or other main building where width of lot in all cases is measured along a public street or at setback line from such public street. (Orig.2-3-41; Am.5-6-46; Am.12-26-62.)
- 2. FRONT YARD: The minimum depth of front yard for dwellings and other main buildings shall be twenty (20) feet when the front yard is adjacent to local or collector streets. The minimum depth front yard for dwellings and other main buildings shall be thirty (30) feet adjacent to a major arterial street (Major Road) as designated on the "Jefferson County Major Thoroughfare Plan." The minimum depth of front yard for lots that front exclusively on the bulb of a cul-de-sac shall be ten (10) feet. See explanatory Diagram in Section 29, Figure 1. (Orig.2-3-41; Am.5-6-46; Am.4-7-69.)

Private garages shall have the same front yard as the dwelling or other main building to which they are accessory. Accessory buildings housing livestock (including poultry and rabbits) shall be set back at least one hundred (100) feet from the front lot line. All other accessory buildings not otherwise listed herein shall be set back at least seventy-five (75) feet from the front lot line. (Orig.2-3-41; Am.5-6-46; Am.4-7-69.)

3. SIDE YARDS: The minimum width of side yards for any building shall be fifteen (15) feet on each side. The minimum width of side yard adjacent to a local or collector street shall be twenty (20) feet. The minimum width of side yard adjacent to a major arterial street (major road) as designated on the "Jefferson County Major Thoroughfare Plan" shall be thirty (30) feet. (Orig. 2-3-41; Am. 5-6-46; Am. 4-7-69.)
4. REAR YARD: The minimum depth of rear yard shall be five (5) feet. (Orig. 2-3-41; Am. 5-6-46.)

SECTION 5: R-1A RESIDENTIAL ONE A DISTRICT

A. USE REGULATIONS

No building or land shall be used and no building shall be hereafter erected, converted or structurally altered, unless otherwise provided herein, except for one or more of the following uses: (Orig.6-2-58.)

1. One-family dwelling.(Orig.6-2-58.)
2. Private garage. (Orig.6-2-58.)
3. Private kennels for not more than three (3) dogs, cats or other such pets, but not including horses, cows, sheep, goats or other such animals, and not including chickens, ducks, geese or other fowl.(Orig.6-2-58.)
4. Church or parish house. (Orig.6-2-58.)
5. Public and parochial school (but not including vocational trade or professional schools or schools for subnormal or mentally disturbed adults or children), preschool and day nurseries for infants and preschool children. (Orig.6-2-58.)
6. Public library, public and private nonprofit museum.(Orig.6-2-58.)
7. Public park, noncommercial playgrounds or other public recreational use. Private golf course, country clubs or other private club operated for the benefit of members only and not for gain.(Orig.6-2-58.)
8. Deposit and/or excavation of sand, gravel, rock, earth, minerals and other similar materials in the manner prescribed in Section 25 of this Resolution. (Orig.7-11-66)
9. If approved by the Board of Adjustment as hereinafter provided in Section 25: Home Occupations. (Orig.6-2-58; Am.11-15-65.)
10. SPECIAL USES: The following uses shall be permitted only upon approval of the Planning Commission: (Orig.11-15-65.)
 - a. Governmental buildings, fire stations, but not including warehouses, storage or repair. (Orig.6-2-58; Am.11-15-65.)
 - b. Telephone exchange, electric substation including electric transmission and distribution lines or gas regulator station where no public business office and no repair or storage facilities are maintained. (Orig.6-2-58; Am.11-15-65.)
 - c. Water supply reservoir, wells, water tower or filter beds, irrigation canal. (Orig.6-2-58,Am.11-15-65.)

- d. Railroad right-of-way, but not including freight yards, team tracks, stations, switching or storage. (Orig.6-2-58; Am.11-15-65.)

HEIGHT REGULATIONS

1. No building shall exceed thirty five (35) feet in height.(Orig.6-2-58.)

AREA REGULATIONS

1. AREA AND MINIMUM WIDTH OF LOT: For every dwelling or other main building erected or structurally altered, there shall be provided a minimum lot area of not less than nine thousand (9,000) square feet. The minimum width for such lot shall be seventy-five (75) feet for each dwelling or other main building; except that corner lots shall not be less than eighty (80) feet minimum width with a total minimum lot area of not less than nine thousand six hundred (9,600) square feet; except this does not apply to plats recorded prior to May 5, 1958. (Orig.6-2-58; Am.1-6-58.)
2. FRONT YARD: The minimum depth of front yard for dwellings and other main buildings shall be twenty (20) feet when the front yard is adjacent to local or collector streets. The minimum depth front yard for dwellings and other main buildings shall be thirty (30) feet adjacent to a major arterial street (major road) as designated on the "Jefferson County Major Thoroughfare Plan." The minimum depth of front yard for lots that front exclusively on the bulb of a cul-de-sac shall be ten (10) feet. See explanatory diagram in Section 29, Figure 1. (Orig.6-2-58; Am.4-7-69.)

Private garages shall have the same front yard as the dwelling or other main building to which they are accessory. All other accessory buildings not otherwise listed herein shall be set back at least seventy-five (75) feet from the front lot line. (Orig.6-2-58; Am.4-7-69.)

3. SIDE YARD: There shall be provided a minimum total of fifteen (15) feet of side yard, which at least five (5) feet shall be provided on the narrow side. (Orig.6-2-58; Am.4-7-69.)

The minimum width of side yard adjacent to a local or collector street shall be twenty (20) feet. This minimum width of side yard adjacent to a major arterial street (major road) as designated on the "Jefferson County Major Thoroughfare Plan" shall be thirty (30) feet. (Orig.6-2-58; Am.7-18-60; Am.4-7-69.)

4. REAR YARD: The minimum depth of rear yard shall be twenty (20) feet from the rear of main building and no secondary structure shall be built closer than five (5) feet from rear lot line. (Orig.6-2-58.)
5. LOT COVERAGE OF BUILDINGS: Not more than twenty-five (25) percent of the area of a lot shall be covered by the main building and all accessory buildings. (Orig.6-2-58.)

SECTION 5A: R-1B RESIDENTIAL ONE B DISTRICT

A. USE REGULATION

No building or land shall be used and no building shall be hereafter erected, converted or structurally altered unless otherwise provided herein, except for one or more of the following uses: (Orig.5-1-61.)

1. Any use permitted in the R-1A (Residential One-A) District.(Orig.11-15-65)

B. HEIGHT REGULATION

1. No building shall exceed thirty-five (35) feet in height.(Orig.5-1-61.)

C. AREA REGULATIONS

1. AREA AND MINIMUM WIDTH OF LOT. For every dwelling or other main building erected or structurally altered, there shall be provided a minimum lot area of not less than seven thousand five hundred (7,500) square feet. The minimum width for such lot shall be sixty (60) feet for each dwelling or other main building; except that corner lots shall not be less than eighty (80) feet minimum width. (Orig.5-1-61.)

2. FRONT YARD: The minimum depth of front yard for dwellings and other main buildings shall be twenty (20) feet when the front yard is adjacent to local or collector streets. The minimum depth front yard for dwellings and other main buildings shall be thirty (30) feet adjacent to a major arterial street (major road) as designated on the "Jefferson County Major Thoroughfare Plan." The minimum depth of front yard for lots that front exclusively on the bulb of a cul-de-sac shall be ten (10) feet. See explanatory diagram in Section 29, Figure 1. (Orig.5-1-61, Am.4-7-69.)

Private garages shall have the same front yard as the dwelling or other main building to which they are accessory. All other accessory buildings not otherwise listed herein shall be set back at least seventy-five (75) feet from the front lot line. (Orig.5-1-61; Am.4-7-69.)

3. SIDE YARD: The minimum width of a side yard for any building shall be five (5) feet on each side. The minimum width of side yard adjacent to a local or collector street shall be twenty (20) feet. The minimum width of side yard adjacent to a major arterial street (major road) as designated on the "Jefferson County Major Thoroughfare Plan" shall be thirty (30) feet. (Orig.5-1-61; Am.4-7-69.)
4. REAR YARD. The minimum depth of rear yard shall be twenty (20) feet from rear of main building and no secondary structure shall be built closer than five (5) feet from rear lot line.(Orig.5-1-61.)
5. LOT COVERAGE OF BUILDINGS. Not more than twenty-five (25) percent of the area of a lot shall be covered by the main building and all accessory buildings. (Orig.5-1-61.)

SECTION 6: R-2 RESIDENTIAL-TWO DISTRICT

A. USE REGULATION

No building or land shall be used and no building shall be hereafter erected, converted or structurally altered unless otherwise provided herein except for one or more of the following uses, restricted, however, to those areas served by public water and sewer facilities. (Orig.5-6-46; Am.7-7-58; (Am.12-26-62.)

1. Any use permitted in the R-1 (Residential-One) District. (Orig.2-3-41; Am.5-6-46.)
2. Two-family dwelling. (Orig.5-6-46.)

B. HEIGHT REGULATION

1. No building shall exceed thirty-five (35) feet in height. (Orig.5-6-46.)

C. AREA REGULATIONS

1. AREA AND MINIMUM WIDTH OF LOT: For every one-family dwelling there shall be provided a minimum lot area of not less than nine thousand (9,000) square feet; for two-family dwellings and main buildings other than dwellings, there shall be provided a minimum lot area of not less than twelve thousand five hundred (12,500) square feet. The minimum width for such lot area shall be seventy-five (75) feet for each one-family dwelling and not less than one hundred (100) feet for each two-family dwelling or main building other than a dwelling, where width of lot in all cases is measured along a public street or at setback line from such public street. Minimum width of lot for one-family dwelling on corner lots shall be eighty (80) feet; except this does not apply to plats recorded prior to May 6, 1958. (Orig.2-3-41; Am.5-6-46; Am.6-2-58, Am. 1-6-58.)
2. FRONT YARD: The minimum depth of front yard for dwellings and other main buildings shall be twenty (20) feet when the front yard is adjacent to local or collector streets. The minimum depth front yard for dwellings and other main buildings shall be thirty (30) feet adjacent to a major arterial street (major road) as designated on the "Jefferson County Major Thoroughfare Plan". The minimum depth of front yard for lots that front exclusively on the bulb of a cul-de-sac shall be ten (10) feet. See explanatory diagram in Section 29, Figure 1. (Orig.2-3-41; Am.5-6-46; Am.4-7-69.)

Private garages shall have the same front yard as the dwelling or other main building to which they are accessory. Accessory buildings housing livestock (including poultry and rabbits) shall be set back at least one hundred (100) feet from the front lot line. All other accessory buildings not otherwise listed herein shall be set back at least seventy-five (75) feet from the front lot line. (Orig.2-3-41; Am.5-6-46; Am.4-7-69.)

3. SIDE YARD: For one-family and two-family dwellings and accessory buildings, there shall be provided a minimum total of fifteen (15) feet of side yard, of which at least five (5) feet shall be provided on the narrowest side. Other main buildings shall be provided with a minimum side yard of ten (10) feet on each side. The minimum width of side yard adjacent to a local or collector street shall be twenty (20) feet. The minimum width of side yard adjacent to a major arterial street (major road) as designated on the "Jefferson County Major Thoroughfare Plan" shall be thirty (30) feet. (Orig. 2-3-41; Am. 5-6-46; Am. 4-7-69.)
4. REAR YARD: The minimum depth of rear yard shall be five (5) feet. (Orig. 2-3-41; Am. 5-6-46.)

SECTION 7: R-3 RESIDENTIAL THREE DISTRICT

A. USE REGULATION

No building or land shall be used and no building shall be hereafter erected, converted or structurally altered unless otherwise provided herein except for one or more of the following uses, restricted, however, to those areas served by public water and sewer facilities. (Orig.5-6-46; Am.7-7-58;Am.12-26-62.)

1. Any use permitted in the R-2 (Residential-Two) District (Orig.5-6-46.)
2. Multiple-family dwelling. (Orig.5-6-46.)

B. HEIGHT REGULATION

1. None (Orig.5-6-46.)

C. AREA REGULATION

1. AREA AND MINIMUM WIDTH OF LOT. The minimum lot area for a one-family dwelling shall be seven thousand five hundred (7,500) square feet, and the minimum lot area for a two-family house shall be nine thousand (9,000) square feet. The minimum lot area for any other building shall be twelve thousand five hundred (12,500) square feet; provided, however, that the minimum lot area for a multiple dwelling shall be not less than two thousand (2,000) square feet for each unit. The minimum width of lot for a one-family dwelling shall be sixty (60) feet; the minimum width of lot for a two-family dwelling shall be seventy-five (75) feet; the minimum width of lot for any other main building shall be one hundred (100) feet. The minimum width of corner lots shall be eighty (80) feet on all plats recorded subsequent to this date. (Orig.5-6-46; Am.2-14-56; Am.7-18-60.)

2. FRONT YARD: The minimum depth of front yard for dwellings and other main buildings shall be twenty (20) feet when the front yard is adjacent to local or collector streets. The minimum depth front yard for dwellings and other main buildings shall be thirty (30) feet adjacent to a major arterial street (major road) as designated on the "Jefferson County Major Thoroughfare Plan". The minimum depth of front yard for lots that front exclusively on the bulb of a cul-de-sac shall be ten (10) feet. See Explanatory Diagram in Section 29, Figure 1. (Orig.5-6-46; Am.7-18-60; Am.4-7-69)

No part of the front yard established by the required set back, may be used for off-street parking. Accessory buildings shall have the same front yard as the dwelling or other main building to which they are accessory. (Orig.5-6-46; Am.7-18-60; Am.4-7-69)

3. SIDE YARD: The minimum width of side yards not adjacent to a street for a one-family dwelling or two-family dwelling or multi-dwelling with not more than one story, shall be five (5) feet on each side. The minimum width of side yards not adjacent to a street for any other main building, shall be (10) feet on each side. (Orig.5-6-46; Am.2-14-56; Am.4-7-69.)

The minimum width of side yard adjacent to a local or collector street shall be twenty (20) feet. The minimum width of side yard adjacent to a major arterial street (major road) as designated on the "Jefferson County Major Thoroughfare Plan" shall be thirty (30) feet. (Orig.5-6-46;Am.2-14-56;Am.4-7-69.)

4. REAR YARD. The minimum depth of rear yard shall be five (5) feet; except that the minimum depth of rear yard for multiple dwellings or main building other than a dwelling shall be ten (10) feet. (Orig.5-6-46.)
5. DISTANCE FROM DEEDED PUBLIC WAY. No building designated for occupancy by three (3) or more families shall be erected, converted or structurally altered if such building or any part thereof is located more than two hundred (200) feet from a deeded public way upon which the property has frontage. (Orig.12-26-62.)

SECTION 7A: R-3A RESIDENTIAL THREE A DISTRICT

A. USE REGULATION

No building or land shall be used and no building shall be hereafter erected, converted or structurally altered unless otherwise provided herein, except for one or more of the following uses, restricted, however, to those areas served by public water and sewer facilities. (Orig.5-20-63.)

1. Any use permitted in the R-1B (Residential One B) District. (Orig.5-20-63)
2. Multiple-family dwellings, including duplexes. (Orig.5-20-63.)
3. Homes for the aged, nursing homes, (but not including facilities for mentally disturbed or defectives, or for care and treatment of animals.) (Orig.7-11-66.)

B. HEIGHT REGULATION

1. Thirty-five (35) feet. (Orig.5-20-63.)

C. AREA REGULATION

1. AREA AND MINIMUM WIDTH OF LOT. The minimum lot area for a one-family dwelling shall be seven thousand five hundred (7,500) square feet, and the minimum lot area for a two-family house shall be nine thousand (9,000) square feet. The minimum lot area for any other building shall be twelve thousand five hundred (12,500) square feet; provided, however, that the minimum lot area for a multiple dwelling shall be not less than three thousand (3,000) square feet for each dwelling unit. The minimum width of lot for a one-family dwelling shall be sixty (60) feet; the minimum width of lot for a two family dwelling shall be seventy-five (75) feet; the minimum width of lot for any other main building shall be one hundred (100) feet. The minimum width of corner lots shall be eighty (80) feet. (Orig.5-20-63.)
2. FRONT YARD: The minimum depth of front yard for dwellings and other main buildings shall be twenty (20) feet when the front yard is adjacent to local or collector streets. The minimum depth front yard for dwellings and other main buildings shall be thirty (30) feet adjacent to a major arterial street (major road) as designated on the "Jefferson County Major Thoroughfare Plan". The minimum depth of front yard for lots that front exclusively on the bulb of a cul-de-sac shall be ten (10) feet. See explanatory diagram in Section 29, Figure 1. (Orig.5-20-63; Am.4-7-69)

No part of the front yard established by the required setback, may be used for off-street parking. Accessory buildings shall have the same front yard as the dwelling or other main building to which they are accessory. (Orig.5-20-63; Am.4-7-69)

3. SIDE YARD: The minimum width of side yards not adjacent to a street for a one-family dwelling or two-family dwelling with not more than one story, shall be five (5) feet on each side. The minimum width of side yards not adjacent to a street for any other main building, shall be fifteen (15) feet on each side. The minimum width of side yard adjacent to a local or collector street shall be twenty (20) feet. The minimum width of side yard adjacent to a major arterial street (major road) as designated on the "Jefferson County Major Thoroughfare Plan" shall be thirty (30) feet. (Orig.5-20-63; Am.4-7-69.)
4. REAR YARD. The minimum depth of rear yard shall be five (5) feet, except that the minimum depth of rear yard for multiple dwellings or main building other than a one-family dwelling shall be twenty (20) feet. (Orig.5-20-63.)
5. DISTANCE FROM DEEDED PUBLIC WAY. No building designed for occupancy by three (3) or more families shall be erected, converted or structurally altered if such building or any part thereof is located more than two hundred (200) feet from a deeded public way upon which the property has frontage. (Orig.5-20-63.)

SECTION 7B: R-4 RESIDENTIAL FOUR DISTRICT

A. INTENT OF RESOLUTION:

The purpose of this zone district is to provide very high density residential development capabilities. (Orig. 9-8-69)

The large lot area requirements, the large setback requirements, and the screening requirements are all designed for the purpose of abating traffic noise and making arterial streets and high density residential land uses compatible activities. (Orig. 9-8-69)

B. USE REGULATIONS:

No building or land shall be used and no buildings shall be hereafter erected, converted or structurally altered unless otherwise provided herein, except for one or more of the following uses: (Orig. 9-8-69)

1. Multiple family dwelling (20 dwelling units to 50 dwelling units per acre); (Orig. 9-8-69)
2. Private garage or parking facilities; (Orig. 9-8-69)
3. Church or parish house; (Orig. 9-8-69)
4. Colleges, schools, pre-schools and day nurseries; (Orig. 9-8-69)
5. Public and private non-profit libraries and museums; (Orig. 9-8-69)
6. Parks, playgrounds and golf courses, private clubs operated for the benefit of members only and not for economic gain; (Orig. 9-8-69)
7. Hospitals, nursing homes and clinics, but not including institutions exclusively for the mentally disturbed, mental defectives or for contagious or infectious diseases. (Orig. 9-8-69)
8. Commercial service activities, which are accessory to the main use of the building, may be conducted - provided said use is contained within the main building. Cafeterias, offices, studios and personal services such as beauty parlors, barber shops, laundry pick-up stations and pharmacies may be conducted. However, the sum total of commercial uses may not exceed more than 10% of the floor area of any single building or structure. The entrance to any such accessory business will be from inside the building and no sign advertising said business activity shall be visible from outside the building. (Orig. 9-8-69)

Such accessory use is one which:

- (a) is subordinate to and serves the principal building or principal use,
- (b) is subordinate in area, extent, or purpose to the principal building or principal use served,

- (c) contributes to the comfort, convenience, or necessity of occupants of the principal building or principal use served, and (Orig. 9-8-69)
- (d) is located on the same lot as the principal building or principal use served. (Orig. 9-8-69)

9. SPECIAL USES: The following uses shall be permitted only in accordance with Colorado Revised Statutes: (Orig. 9-8-69)

- (a) Governmental buildings, fire stations, but not including warehouses, storage or repair. (Orig. 9-8-69)
- (b) Telephone exchange, electric substation including electric transmission and distribution lines or gas regulator station where no public business office and no repair or storage facilities are maintained, providing such facility is screened from public view to a height of six (6) feet. (Orig. 9-8-69)

C. HEIGHT REGULATION:

None. (Orig. 9-8-69)

D. AREA REGULATION:

1. AREA AND MINIMUM WIDTH OF LOT: For every main building hereafter erected or structurally altered, there shall be provided a minimum lot area of one (1) acre. The minimum width of lot shall be two hundred (200) feet. (Orig. 9-8-69)
2. FRONT YARD: The minimum depth of front yard for buildings shall be forty (40) feet. If parking space is to be provided in the front yard setback, it shall be screened from the street by fence, wall or planting. Said fence, wall or planting will conform to the provisions of Section 24 of the Jefferson County Zoning Resolution. Parking lot areas, including aisles, must be set back five (5) feet from the "front lot line", and five (5) feet from the "front setback line". (Orig. 9-8-69)
3. SIDE YARD: The minimum depth of all sideyards for buildings shall be thirty (30) feet. If parking space is to be provided, adjacent to an existing street, it shall be screened from the street by fence, wall or planting. Said fence, wall or planting will conform to the provisions of Section 24 of the Jefferson County Zoning Resolution. Parking lot areas including aisles must be set back five (5) feet from the "side lot line", and five (5) feet from the "side setback line". (Orig. 9-8-69)
4. REAR YARD: The minimum depth of all rear yards for buildings shall be thirty (30) feet. If parking space is to be provided adjacent to an existing street, it shall be screened from the street by fence, wall or planting. Said fence, wall or planting will conform to the provisions of Section 24 of the Jefferson County Zoning Resolution. Parking lot areas including aisles must be setback five (5) feet from the "rear lot line", and five (5) feet from the "rear setback line". (Orig. 9-8-69)

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and all of the "zone lots". The line segments so described will be inscribed on the map. (Orig. 9-8-69)

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5. ZONE LOT: The minimum building setback from any zone lot line (as established in Subsection I) which does not also constitute either a front, side or rear lot line of the lot, from which the zone lot was derived, shall be fifteen (15) feet. (Orig. 9-8-69)

E. DENSITY REGULATION:

No multi-family dwelling may be constructed or altered within this Zone District which contains an average density of less than fifteen (15) dwelling units per acre or more than fifty (50) dwelling units per acre. (Orig. 9-8-69)

F. PERCENTAGE OF LOT COVERAGE:

A minimum of 30% of the lot area shall be retained for open space or private recreation area. The parking of automobiles and other vehicles will not be permitted within that portion of the lot area that is designated for open space. (Orig. 9-8-69)

G. PARKING REQUIREMENT:

A minimum of one and one-half ($1\frac{1}{2}$) off-street parking spaces shall be provided for each dwelling unit. (Orig. 9-8-69)

H. DISTANCE FROM PUBLIC WAY AND NUMBER OF MAIN BUILDINGS PER LOT:

More than one main building per lot is permitted in this Zone District. However, each main building will require the designation of a zone lot if there is more than one main building per lot, (see Sub-section I). No building designed for occupancy by three (3) or more families shall be erected, converted or structurally altered if such building or any part thereof is located more than two hundred (200) feet from a deeded public way to which the property has access, unless the applicant submits a letter from the local Fire District that has jurisdiction over the applicant's property. This letter must state that the applicant is meeting the fire district regulations for fire prevention and safety. Said letter must be presented when the applicant requests a building permit. (Orig. 9-8-69)

I. ZONE LOT PROVISIONS:

The "zone lot" has the specific function of permitting the construction of more than one multiple dwelling on a single legal lot, but shall have a minimum lot area of 20,000 square feet. The "zone lot" does not require any lot frontage. Every "zone lot" must be legally described. Zone lots must be legally designated on a "Zone Lot Map". (Orig. 9-8-69)

Such zone lot map shall contain the legal description of the legal "lot" and all of the "zone lots". The line segments so described will be inscribed on the map. (Orig. 9-8-69)

The land designated as the building site for a structure; also, the land area occupied by a use or a structure. Such land area shall be composed of a single parcel of contiguous land and may be designated as a Zone Lot only by the owner or owners thereof. All designations of Zone Lots shall be filed with the Department of Planning. In cases where the entire Zone Lot is not owned by the same person or persons, firm or corporation, or where the ownership of a structure to be erected on a Zone Lot is different from the ownership of the Zone Lot, a copy of each such designation, or such other record thereof as deemed proper by the Department, shall be recorded by the County Clerk and Recorder. Upon application to and approval by the Department of Planning, the boundaries and area of a designated Zone Lot may be amended if full compliance with all requirements of this ordinance can be maintained. (Orig. 9-8-69)

SECTION 8: R-T RESIDENTIAL TRAILER DISTRICT

A. DEFINITIONS

1. A "trailer" means any coach, cabin, mobile home, house car or other vehicle or structure intended for or capable of human dwelling or sleeping purposes, mounted upon wheels or supports, or supported and/or capable of being moved by its own power or transported by another vehicle. (Orig.8-5-57.)
2. "Unit" means a trailer unit. (Orig.8-5-57.)
3. A "trailer camp" means any park, court, camp, site, parcel or tract of land designed, maintained, intended or used for the purpose of supplying a location or accommodation for two or more trailers and shall include all buildings used or intended for use as part of the equipment thereof, whether or not a charge is made for the use of the trailer camp and its facilities. "Trailer camp" shall not include automobile or trailer sales lots on which unoccupied trailers are parked for the purpose of inspection and sales. (Orig.8-5-57.)
4. A "space" means a plot of ground in a trailer camp of not less than two thousand four hundred (2,400) square feet of space designed for location for only one trailer and one or more automobiles and to include access road. (Orig.8-5-57.)

B. LOCATION OUTSIDE OF CAMPS

1. It shall be unlawful for any person, firm or corporation to place, keep or maintain any automobile trailer or house car upon any lot, piece or parcel of ground within the County of Jefferson, except in a legal trailer camp or campground as approved in accordance with Section 36 of this Resolution, where applicable; however, this section shall not be construed to prevent the placing, parking or keeping of an automobile trailer or house car within the County for a period of two (2) weeks from the time that such trailer or house car first arrives within the County provided that during such time, an adequate water supply and adequate toilets are available at all times, either day or night, to occupants of the trailer and that a special permit is obtained from the Building Inspection Department. This exception is especially intended to provide for guests of citizens, but in no case shall this exception extend beyond the two (2) week limitation as herein stated. (Orig.8-5-57; Am.1-4-65.)
2. Any automobile trailer or house car which is parked on private premises merely for storage purposes shall also be excepted from this section. (Orig.8-5-57.)

C. WHEEL REMOVAL - REMODELING AND ADDITIONS

1. Any action toward the removal of wheels except for temporary purposes of repairs or other action to attach the trailer to the ground by means of posts, piers or foundations, shall subject the trailer to the requirements of the Building Code as well as the Zoning Resolutions. (Orig.8-5-57.)
2. This section is not to be construed as prohibiting necessary stabilizing jacks or blocks. (Orig.8-5-57.)
3. No house trailers may be remodeled by additions, lean-tos or the like, for the purpose of converting the same into a residence. The use of temporary awnings and cabanas or other factory built, fireproof, or permanent additions shall not be considered as such remodeling. (Orig.8-5-57; Am.6-2-58.)
 - a. Except that permits for additions or cabanas shall be by approval of the Board of Adjustment. (Orig.6-2-58.)

D. TRAILER CAMP PLAN

1. Every trailer or trailer camp shall be located on a well drained area and the premise shall be properly graded so as to prevent the accumulation of storm or other waters. No trailer or trailer camp shall be located in any area that is situated so that drainage from any barnyard, outdoor toilet or other source of filth can be deposited in its location. (Orig.8-5-57.)
2. Trailer spaces shall be clearly defined and shall consist of a minimum of two thousand four hundred (2,400) square feet and width of not less than twenty-five (25) feet. (Orig.8-5-57.)
3. The camp shall be so arranged that all spaces shall face or abut on a driveway of not less than twenty (20) feet in width, such driveways shall be graveled or paved and maintained in good condition. (Orig.8-5-57.)
4. Requests for new R-T districts shall be accompanied by a preliminary plat and the County Commissioners may approve the rezoning, subject to approval of a final plat. Said plat to consist of the following: (Orig.6-2-58.)
 - a. Plot plan of total area to be used as a trailer park (Orig.6-2-58.)
 - b. Description of land to be rezoned. (Orig.6-2-58.)
 - c. Location of each existing and proposed structure. (Orig.6-2-58.)
 - d. Location area and dimensions of each trailer space. (Orig.6-2-58.)
 - e. Location and dimensions of all roads and/or driveways. (Orig.6-2-58.)

E. USE REGULATIONS

In R-T Districts the following uses are permitted: (Orig.8-5-57.)

1. One-family houses for camp owner or caretaker.(Orig.8-5-57.)
2. Laundry rooms. (Orig.8-5-57.)
3. Toilet rooms. (Orig.8-5-57.)
4. Shower and bath houses. (Orig.8-5-57.)
5. Trailer park offices.(Orig.8-5-57.)
6. Recreation rooms for park residents only. (Orig.8-5-57.)
7. One advertising sign only, not to exceed twenty-five (25) square feet for purposes of park advertising only and to be located not closer to front or side setback line than twenty (20) feet. Not to emit any glaring or flashing light. (Orig.8-5-57.)
8. Light and power poles for purposes of serving auto trailer camp only. (Orig.8-5-57.)
9. Deposit and/or excavation of sand, gravel, rock, earth, minerals and other similar materials in the manner prescribed in Section 25 of this Resolution. (Orig.7-11-66.)
10. Residential trailers. (Orig.7-11-66.)

F. HEIGHT REGULATION

1. No building or structure, including signs, shall exceed a height of twenty-five (25) feet. (Orig.8-5-57.)

G. AREA REGULATION PER PARK

1. No occupied trailer shall be located less than ten (10) feet from any building or other trailer. (Orig.8-5-57.)
2. FRONT YARD. The minimum depth of front yard for dwelling trailers and other main buildings shall be fifty (50) feet. Accessory buildings shall be set back at least one hundred (100) feet from front lot line. (Orig.8-5-57.)
3. SIDE YARD. The minimum width of side yard shall be fifty (50) feet. No trailer or building shall be located less than the minimum required distance from any side yard. (Orig.8-5-57.)

4. REAR YARD. The minimum depth of rear yard shall be fifty (50) feet. No trailer or building shall be located less than the minimum required distance from rear property lines. (Orig.8-5-57.)
5. SPECIAL EXEMPTIONS:
 - a. The use of the prescribed minimum yard for recreation purposes, clothes drying, equipment, playground equipment and service roads will be permitted. (Orig.8-5-57.)
 - b. Provided further that the setback area may be included in computing the area of trailer spaces, provided further, that no trailer shall be parked in said area. (Orig.8-5-57; Am.3-9-59.)
 - c. Provided further that if a trailer park is located with side yard or rear yard abutting commercial or industrial zoned land or a natural topographic barrier, the minimum yard requirement shall be not less than fifteen (15) feet. (Orig.8-5-57.)

H. EXISTING CAMPS

1. The land occupied by all trailer camps or units licensed by the State of Colorado as Auto and Tourist Camps, which have received a permit from the Tri-County Health Department, and which were in existence at the time of passage of this ordinance and were in conformity with prior ordinances, shall be rezoned Residential Trailer (R-T), by this ordinance, upon compliance with the provisions of Paragraph 2 of this section, provided, however, that trailer camps in existence on the effective date of this ordinance which have trailer spaces, buildings, signs or other installations having a width, area, setback or height not in conformity with that herein prescribed may continue to operate with existing trailer spaces, buildings, signs and other installations. (Orig.8-5-57.)
2. Such trailer camp or units shall register with the Planning Board of Jefferson County, within thirty (30) days from the effective date of this ordinance, setting forth: (1) The number of the state license issued for the camp (2) The legal description of property occupied by such camp (3) The number of trailer units in the camp, and (4) The number and description of accessory buildings in the camp. (Orig.8-5-57.)

Upon receipt of the above information, the Planning Board shall, after verification of the information contained therein, direct the Planning Director to make the necessary zoning map changes from the existing zoning districts in which the camp is located, to a residential trailer district. (Orig.8-5-57.)

SECTION 9: A-1 AGRICULTURAL ONE DISTRICT

A. USE REGULATION

No building or land shall be used and no building shall be hereafter erected, converted or structurally altered unless otherwise provided herein, except for one or more of the following uses: (Orig.5-6-46.)

1. Any use permitted in the R-1 (Residential One) District. (Orig.2-3-41; Am.5-6-46; Am.1-23-61.)
2. General farming and stock raising, including raising of rabbits for any purpose, but not including farms for the feeding of garbage to hogs. (Orig.2-3-41; Am.5-6-46.)
3. Poultry hatcheries, fish hatcheries and dairy farms. (Orig.2-3-41; Am.5-6-46.)
4. Greenhouses and nurseries, including both wholesale and retail, provided that the storage of manure shall not be permitted nearer the front or street lot line than one hundred (100) feet, nor nearer a side lot line than twenty-five (25) feet. (Orig.2-3-41; Am.5-6-46.)
5. Riding academies and public stables. (Orig.5-6-46.)
6. Hospitals and sanitariums for mentally disturbed or defectives or for contagious or infectious diseases. (Orig.2-3-41; Am.5-6-46.)
7. Road-side stands for operation during not more than six (6) months in each year for the sale of farm products produced or made on the premises, provided such stands are located not less than thirty (30) feet distance from any street, highway or right-of-way line. (Orig.5-6-46.)
8. Race tracks, fair grounds, amusement resorts, airports, radio towers and radio stations, if approved by the Board of Adjustment as hereinafter provided. (Orig.5-6-46.)

B. HEIGHT REGULATION

1. No dwelling shall exceed a height of thirty-five (35) feet. All buildings other than dwelling units shall not exceed a height of sixty-five (65) feet. (Orig.5-6-46.)

C. AREA REGULATIONS

1. AREA AND MINIMUM WIDTH OF LOT. For every dwelling unit or other main building hereafter erected or structurally altered (excepting hospitals and sanitariums) there shall be provided a minimum lot area of one (1) acre. For hospitals and sanitariums, there shall be provided a minimum lot area of one (1) acre. The minimum

width of lot shall be one hundred forty (140) feet for a dwelling, one hundred fifty (150) feet for a building other than a dwelling or a hospital or sanitarium, and four hundred (400) feet for a hospital or sanitarium, where width of lot in all cases is measured along a public street or at setback line from such public street. (Orig.5-6-46; Am.7-16-56; Am.12-26-62.)

2. FRONT YARD. The minimum depth of front yard for dwellings and other main buildings shall be thirty (30) feet. Private garages shall have the same front yard as the dwellings or other main building to which they are accessory. Accessory buildings housing livestock (including poultry and rabbits) shall be set back at least one hundred (100) feet from the front lot line. All other accessory buildings not otherwise listed herein shall be set back at least seventy-five (75) feet from the front lot line. (Orig.2-3-41; Am.5-6-46.)
3. SIDE YARD. The minimum width of side yard for all buildings shall be fifteen (15) feet on each side, except that adjacent to a road, the minimum yard shall be thirty (30) feet measured from the street side lot line. The minimum side yard for hospitals and sanitariums shall be one hundred (100) feet on each side. (Orig.2-3-41; Am.5-6-46.)
4. YARD ABUTTING RESIDENTIAL DISTRICT. In any property abutting a Residential District, no use causing an objectionable odor, noise or dust shall be permitted within five hundred (500) feet of the boundary of the Residential District. (Orig.5-6-46.)
5. REAR YARD. The minimum depth of rear yard shall be five (5) feet. (Orig.5-6-46.)

SECTION 10: A-2 AGRICULTURAL TWO DISTRICT

A. USE REGULATION

No building or land shall be used and no building shall be hereafter erected, converted or structurally altered, unless otherwise provided herein, except for one or more of the following uses: (Orig.5-6-46.)

1. Any use permitted in the A-1 (Agricultural One) District (Orig.5-6-46)
2. Feeding of garbage to hogs (Orig.5-6-46.)
3. Feed lots. (Orig.5-6-46.)
4. Fur farming, dog kennels, veterinary hospitals. (Orig.5-6-46.)
5. Cemeteries and crematories, if approved by the Board of Adjustment as hereinafter provided. (Orig.5-6-46.)

B. HEIGHT REGULATION

1. No dwelling shall exceed a height of thirty-five (35) feet. All buildings other than dwelling units shall not exceed a height of sixty-five (65) feet. (Orig.5-6-46.)

C. AREA REGULATIONS

1. AREA AND MINIMUM WIDTH OF LOT. For every dwelling unit or other main building hereafter erected or structurally altered there shall be provided a minimum lot area of one (1) acre. For hospitals and sanitariums, there shall be provided a minimum lot area of one (1) acre. The minimum width of lot shall be one hundred forty (140) feet for a dwelling, one hundred fifty (150) feet for a building other than a dwelling or a hospital or sanitarium and four hundred (400) feet for a hospital or sanitarium. (Orig.5-6-46; Am.7-16-56.)
2. FRONT YARD. The minimum depth of front yard for dwellings and other main buildings shall be thirty (30) feet. Private garages shall have the same front yard as the dwelling or other main building to which they are accessory. Accessory buildings housing livestock (including poultry and rabbits) shall be set back at least one hundred (100) feet from the front lot line. All other accessory buildings not otherwise listed herein shall be set back at least seventy-five (75) feet from the front lot line. (Orig.5-6-46.)
3. SIDE YARD. The minimum width of side yard for all buildings shall be fifteen (15) feet on each side except that adjacent to a road, the minimum yard shall be thirty (30) feet, measured from the street side lot line. The minimum side yard for hospitals and sanitariums shall be one hundred (100) feet on each side. (Orig.5-6-46.)

4. YARD ABUTTING RESIDENTIAL DISTRICT. In any property abutting a Residential District, no use causing an objectionable odor, noise or dust shall be permitted within five hundred (500) feet of the boundary of the Residential District. (Orig. 5-6-46.)
5. REAR YARD. The minimum depth of rear yard shall be five (5) feet. (Orig. 5-6-46.)

SECTION 11: R-C1 RESTRICTED COMMERCIAL ONE DISTRICT

A. USE REGULATION

No building or land shall be used and no building shall be hereafter erected, converted or structurally altered, unless otherwise provided herein, except for one or more of the following uses: (Orig.5-18-59.)

1. Business and professional offices, medical and dental clinics and veterinary hospitals (small animal, enclosed). (Orig.5-18-59; Am.5-3-65; Am.4-7-69.)
2. Post offices and banks. (Orig.5-3-65.)
3. Laboratories, except those which involve any hazardous process or emit noxious noise, dust and odor. (Orig.5-18-59.)
4. Service establishments employing not more than three (3) people, such as barber shops, beauty parlors, watch and jewelry repairing, pharmacies, and pick-up stations for laundry or dry cleaning. (Orig.5-18-59; Am.12-26-62.)
5. Public, parochial and private schools (including private, vocational, trade or professional schools), colleges, universities, preschools and day nurseries. (Including those uses commonly accepted as accessory thereto when located on the same premises.) (Orig.12-26-62; Am.5-3-65.)
6. Community buildings, Y.M.C.A.s, Y.W.C.A.s, churches, libraries, parks, museums, aquariums and art galleries. (Orig.12-26-62; Am.5-3-65.)
7. Golf courses (but not including miniature golf or putting ranges; driving ranges; private clubs or restaurants) and those uses commonly accepted as accessory thereto, when located on the same premises. (Orig.12-26-62; Am.5-3-65; Am.5-24-65.)
8. Mortuaries. (Orig.12-26-62.)
9. Homes for the aged, nursing homes, hospitals, (but not including hospitals for mentally disturbed or defective, contagious, or infectious diseases). (Orig.12-26-62; Am.5-3-65; Am.4-7-69.)
10. Art, photographic, dance, music, radio and television studios. (Orig.5-3-65.)
11. Ambulance service (where accessory to uses listed under item 9 and on the same premises, only.) (Orig.5-3-65.)
12. Parking of automobiles of clients, patients, patrons or customers of the occupants of adjacent commercial districts. (Orig.12-26-62.)
13. Wall signs having an area of not in excess of five (5) square

feet, advertising a business located on the premises, may be displayed without a permit. Not more than one ground sign advertising one or more businesses located on the premises may be erected. Such sign shall not have more than thirty-two (32) square feet of area on one side, and shall not exceed ten (10) feet in height above the ground level. A permit for such sign must be secured from the Building Department. (Orig.5-18-59; Am.12-26-62.)

14. Living quarters for not more than one family in a building other than a dwelling. (Orig.12-26-62.)
15. Deposit and/or excavation of sand, gravel, rock, earth, minerals and other similar materials in the manner prescribed in Section 25 of this Resolution. (Orig.7-11-66.)
16. Other such similar commercial uses as listed in 1 through 14 which are not more detrimental to uses in said district than are the uses by right hereinbefore enumerated. (Orig.5-18-59, Am.5-3-65.)
17. SPECIAL USES: The following uses shall be permitted only upon approval of the Planning Commission: (Orig.5-3-65.)
 - a. Governmental buildings, fire stations, but not including warehouses, storage or repair. (Orig.12-26-62.)
 - b. Telephone exchange, electric substations including electric transmission and distribution lines or gas regulator station where no repair or storage facilities are maintained. (Orig.12-26-62; Am.5-3-65.)
 - c. Water supply reservoir, wells, water tower or filter beds, irrigation canal. (Orig.12-26-62.)

B. HEIGHT REGULATION

1. No building shall exceed thirty-five (35) feet in height. (Orig.5-18-59.)

C. AREA REGULATION

1. AREA AND MINIMUM WIDTH OF LOT. No restrictions other than the required area for parking as provided under Section 21. (Orig.5-18-59; Am.12-26-63.)
2. FRONT YARD. The minimum front yard for any building shall be thirty (30) feet. (Orig.5-18-59.)
3. SIDE YARD. If a building is constructed of masonry or fireproof material, no side yard shall be required except when located on a corner lot. If a building is constructed of nonmasonry or non-fireproof materials, there shall be a side yard of not less than

five (5) feet on each side. On corner lots there shall be a side yard of not less than thirty (30) feet on the side adjoining the street. (Orig.5-18-59.)

4. REAR YARD. The minimum depth of rear yard shall be ten (10) feet, except that if the rear abuts upon an alley, the minimum depth shall be fifteen (15) feet from the center of the alley. (Orig.5-18-59.)

SECTION 11A: R-C RESTRICTED COMMERCIAL DISTRICT

A. USE REGULATION

No building or land shall be used and no building shall be hereafter erected, converted or structurally altered, unless otherwise provided herein, except for one or more of the following uses: (Orig.6-6-50.)

1. Any use permitted in the Restricted Commercial One (R-C1) District. (Orig.6-6-50; Am.12-26-63.)
2. Stores for retail trade, including package liquor stores and stores selling packaged three point two percent (3.2%) fermented malt beverage, except that there shall not be permitted: (Orig.6-6-50; Am.5-3-65.)
 - a. Liquor and three point two percent (3.2%) fermented malt beverage outlets where drinks are consumed on the premises. (Orig.5-3-65.)
 - b. New or used motor vehicle or trailer sales, repair and/or lots. (Orig.5-3-65.)
 - c. Fuel and feed stores. (Orig.6-6-50; Am.5-3-65.)
 - d. Lumber yards. (Orig.6-6-50; Am.5-3-65.)
3. Advertising signs (illuminated or otherwise) used in connection with other uses permitted by this section (on the same premises only), subject to provisions of Section 22. (Orig.6-6-50; Am.5-3-65.)
4. Service establishments such as cleaning and pressing establishments, tailor shops, dressmaking shops, barber shops, beauty parlors, pharmacies and watch and jewelry repair shops. (Orig.6-6-50; Am.5-3-65)
5. Newspaper offices and blue printing establishments. (Orig.5-3-65.)
6. Rental agencies, except those for automobiles, campers, trailers, or heavy equipment. (Orig.5-3-65.)
7. Car wash, garage and/or motor fuel filling station. (For permitted above ground storage of inflammable liquids, see Section 20. (Orig.5-20-63; Am.5-3-65.)
8. Other such similar commercial uses as listed in 1 through 7 which are not more detrimental to uses in said district than are the uses by right hereinbefore enumerated. (Orig.6-6-50; Am.5-3-65.)

B. HEIGHT REGULATION

1. No building shall exceed sixty (60) feet in height. (Orig.6-6-50; Am.5-3-65)

C. AREA REGULATION

1. AREA AND MINIMUM WIDTH OF LOT. No restrictions other than the required area for parking as provided under Section 21. (Orig.12-26-62)

2. FRONT YARD. The minimum front yard for any building shall be fifty (50) feet. (Orig.6-2-58; Am. 5-3-65.)
3. SIDE YARD. If a building is constructed of masonry or fireproof material, no side yard shall be required except when located on a corner lot. If a building is constructed of nonmasonry or non-fireproof materials, there shall be a side yard of not less than five (5) feet on each side. On a corner lot there shall be a side yard of not less than thirty (30) feet on the side adjoining the street.(Orig.6-2-58.)
4. REAR YARD. The minimum depth of rear yard shall be ten (10) feet except that if the rear abuts upon an alley, the minimum depth shall be fifteen (15) feet from the center of the alley. (Orig.6-2-58.)

SECTION 12: C-1 COMMERCIAL ONE DISTRICT

A. USE REGULATION

No building or land shall be used and no building shall be hereafter erected, converted or structurally altered, unless otherwise provided herein except for one or more of the following uses: (Orig.5-6-46.)

1. Any use permitted in the Restricted-Commercial (R-C) District. (Orig.5-6-46; Am.5-20-63.)
2. Stores for retail trade. (Orig.2-3-41.)
3. Lumber yards provided that unhoused storage of lumber and other materials shall be screened from view from adjacent streets and adjoining property. (Orig.5-6-46.)
4. Commerical billboards, electric display and advertising signs; subject to provisions of Section 22. (Orig.2-3-41; Am.5-3-65.)
5. Cold storage lockers (but not including slaughtering on the premises.) (Orig.5-6-46.)
6. Mobile homes, travel trailer, trailer, camper and motor vehicle display and sales, (but not including auto wrecking yards or storage of metals and/or machinery not in running order.) (Orig.12-26-62; Am.5-3-65.)
7. Assembly or convention halls, theatres, skating rinks, dance halls, bowling alleys, pool or billiard parlors, indoor firing ranges, archery ranges, exposition halls (no live animals), tennis courts, swimming pools, golf courses including putting and miniature courses, golf driving ranges, gymnasiums and trampolines, centers, massage parlors, turkish baths and health studios. (Orig.2-3-41; Am.5-6-46; Am.4-8-57; Am.9-30-57.)
8. Rental agencies including those for automobiles, campers, trailers and light equipment (but not including heavy equipment.) (Orig.5-3-65.)
9. Motels, licensed tourist courts and hotels. (Orig.5-6-46; Am.5-3-65.)
10. Package liquor stores, three point two percent (3.2%) fermented malt beverage stores or outlets, taverns, lounges, night clubs, private clubs and bars. (Orig.6-2-58; Am.12-26-62; Am.5-3-65.)
11. Restaurants, drive-in restaurants and cafes. (Orig.2-3-41; Am.5-3-65.)
12. Telephone exchange, electric substation including electric transmission and distribution lines, or gas regulator station with public office or repair or storage facilities. (Orig.2-3-41; Am.5-6-46)
13. Ambulance services. (Orig.5-3-65.)

14. Auction houses (no live animals.) (Orig.5-3-65.)
15. Lapidary shops, taxidermists. (Orig.5-3-65.)
16. Other such similar commercial uses as listed in 1 through 16 which are not more detrimental uses in said district than are the uses by right hereinbefore enumerated. (Orig.2-3-41; Am.6-2-58; (Orig.5-3-65.))
17. SPECIAL USES: The following use shall be permitted only upon approval of the Planning Commission: (Orig.5-3-65.)
 - a. Travel trailer-camper parks. (Orig.5-3-65.)

B. HEIGHT REGULATION

1. None. (Orig.5-6-46.)

C. AREA REGULATION

1. AREA AND MINIMUM WIDTH OF LOT. No restrictions shall apply other than the area for parking as provided under Section 21. (Orig.5-6-46; Am.12-26-62.)
2. FRONT YARD. Except as hereinafter provided, the minimum depth of any front yard for any building, measured from the front lot line to the front setback line, shall be fifty (50) feet. Motor fuel pumps may be erected not less than eighteen (18) feet from such front lot line. (Orig.2-3-41; Am.5-6-46; Am.4-8-57.)
3. SIDE YARD. If a building is constructed of masonry or fireproof materials, no side yard shall be required on an interior lot or on that side of a corner lot which is not adjacent to a street. If a building is constructed of materials other than masonry or fireproof materials, the minimum depth of any side yard of an interior lot or of a side yard of a corner lot on that side which is not adjacent to a street, measured from the side lot line to the side setback line, shall be five (5) feet. On corner lots the minimum depth of the side yard on the side adjacent to a street, measured from the side lot line to the side setback line shall be thirty (30) feet. On corner lots, motor fuel pumps may be erected not less than eighteen (18) feet from the side lot line on the side adjacent to the street. (Orig.2-3-41; Am.5-6-46.)
4. REAR YARD. The minimum depth of rear yard shall be ten (10) feet except where abutting upon an alley, the depth shall be fifteen (15) feet from the center of the alley. (Orig.2-3-41; Am.5-6-46.)

SECTION 13: C-2 COMMERCIAL TWO DISTRICT

A. USE REGULATION

No building or land shall be used and no building shall be hereafter erected, converted or structurally altered, unless otherwise provided herein, except for one or more of the following uses: (Orig.5-6-46.)

1. Any use permitted in the C-1 (Commercial-One) District. (Orig.2-3-41; Am.5-6-46.)
2. Amusement parks and go-cart tracks. (Orig.5-6-46; Am.5-3-65.)
3. Veterinary hospital. (Orig.2-3-41; Am.5-3-65; Am.4-7-69.)
4. Shop for custom work or for making articles to be sold at retail on the premises. (Orig.2-3-41.)
5. Wholesale business. (Orig.2-3-41.)
6. Cold storage plant. (Orig.5-6-46.)
7. Storage in bulk of, and/or warehousing of, such items as building materials, coal, wood, construction equipment and oil and petroleum in quantities less than tank car lots. Storage must be screened from public view. (For permitted above-ground storage of inflammable liquids, see Section 20.) (Orig.2-3-41; Am.5-6-46; Am.6-2-58.)
8. Auction houses including those for small animals but not including large animals such as cows, sheep, goats, swine or horses. (Orig.5-3-65.)
9. Manufacturing and/or industrial operation of any kind not heretofore listed and exclusive of industrial operations listed hereafter, where not in excess of five (5) horsepower is employed in the operation of any machine. (Orig.2-3-41.)
10. Rental agencies for heavy equipment. (Orig.5-3-65.)
11. Other such similar commercial uses as listed in 1 through 10 which are not more detrimental to uses in said district than are the uses by right hereinbefore enumerated. (Orig.2-3-41; Am.5-3-65.)

B. HEIGHT REGULATION

1. None. (Orig.5-6-46.)

C. AREA REGULATION

1. AREA AND MINIMUM WIDTH OF LOT. No restrictions shall apply other than the area for parking as provided under Section 21. (Orig.5-6-46; Am.12-26-62.)

2. FRONT YARD. Except as hereinafter provided, the minimum depth of any front yard for any building, measured from the front lot line to the front setback line, shall be fifty (50) feet. Motor fuel pumps may be erected not less than eighteen (18) feet from such front lot line. (Orig.2-3-41; Am.5-6-46; Am.6-2-58.)
3. SIDE YARD. If a building is constructed of masonry or fireproof materials, no side yard shall be required on an interior lot or on that side of a corner lot which is not adjacent to a street. If a building is constructed of materials other than masonry or fireproof materials, the minimum depth of any side yard of an interior lot or of a side yard of a corner lot on that side which is not adjacent to a street, measured from the side lot line to the side setback line, shall be five (5) feet. On corner lots, the minimum depth of the side yard on the side adjacent to a street, measured from the side lot line to the side setback line, shall be thirty (30) feet. On corner lots, motor fuel pumps may be erected not less than eighteen (18) feet from the side lot line on the side adjacent to the street. (Orig.2-3-41; Am.5-6-46.)
4. REAR YARD. The minimum depth of rear yard shall be ten (10) feet except where abutting upon an alley, the depth shall be fifteen (15) feet from the center of the alley. (Orig.2-3-41; Am.5-6-46.)

SECTION 14: I-3 INDUSTRIAL THREE DISTRICT

A. USE REGULATION

No building or land shall be used and no building shall hereafter be erected, converted or structurally altered unless otherwise provided herein, except for one or more of the following uses: (Orig.2-14-56.)

1. Manufacturing, processing or fabrication of any commodity, except those provided for within the I-1 (Industrial-One), I-2 (Industrial-Two) or I-4 (Industrial-Four) Districts. (Orig.2-14-56; Am.11-15-65.)
2. Wholesale sales, warehousing or storage of any commodity with the following exceptions: (Orig.2-14-56; Am.11-15-65.)
 - a. No live animals, commercial explosives or above-ground bulk storage of flammable liquids or gases may be included. (Orig.2-14-56; Am.11-15-65.)
 - b. Sales, warehousing or storage of junk, including machinery or vehicles not in operating condition, may be permitted only if contained within a building. (Orig.2-14-56; Am.11-15-65.)
3. Sale at retail of any commodity, manufactured, processed, fabricated or warehoused on the premises. (Orig.2-14-56; Am.11-15-65.)
4. Sale at retail of hardware or equipment, supplies and materials (except commercial explosives) for agriculture, mining, industry, business, transportation, building and other construction. (Orig.2-14-56; Am.11-15-65.)
5. Repair, rental and servicing of any commodity, the manufacture, processing, fabrication, warehousing or sale of which is permitted. (Orig.2-41-56.)
6. Veterinary hospital. (Orig.2-14-56; Am.4-7-69.)
7. Governmental buildings or uses such as police stations, fire stations, post offices, electric substations, gas regulator stations, telephone exchanges, water reservoirs and utility pumping stations. (Orig.6-2-58; Am.11-15-65.)
8. Railroad facilities, but not including shops. (Orig.2-14-56.)
9. Accessory uses such as banks, laboratories, restaurants, blueprinting establishments and offices. (Orig.6-2-58; Am.11-15-65.)
10. Parking or storage of motor vehicles. (Orig.2-14-56.)
11. Terminals for transportation and public transit vehicles. (Orig.6-2-58; Am.11-15-65.)
12. Motor vehicle service or gasoline filling stations. (Orig.2-14-56.)

13. Outdoor advertising devices, subject to provision of Section 22. (Orig.2-14-56; Am.11-15-65.)
14. Deposit and/or excavation of sand, gravel, rock, earth, minerals and other similar materials in the manner prescribed in Section 25 of this Resolution. (Orig.7-11-66)
15. The uses hereinabove set forth shall be subject to the following limitations and conditions: (Orig.2-14-56.)
 - a. Every use shall be so separated that the volume of sound, inherently and recurrently generated, does not exceed 70 decibels at any point of any boundary line of the lot on which the use is located. (Orig.2-14-56; Am.11-15-65.)
 - b. Every use shall be so operated that the ground vibration inherently and recurrently generated is not perceptible, without instruments, at any point of any boundary line of the lot on which the use is located. (Orig.2-14-56.)
 - c. Every use shall be so operated that it does not emit an obnoxious or dangerous degree of heat, glare, radiation or fumes beyond any boundary line of the lot on which the use is located. (Orig.2-14-56.)
 - d. All outdoor storage facilities for fuel, raw materials and products stored outdoors shall be enclosed by a fence adequate to conceal such facilities for fuel, raw materials, and products from adjacent residential, agricultural and commercial districts. (Orig.2-14-56.)
 - e. No materials or wastes shall be deposited upon a lot in such form or manner that they may be transferred off the lot by natural causes or forces. (Orig.2-14-56.)
 - f. All materials or wastes which might cause fumes or dust, or which constitute a fire hazard or which may be edible by or otherwise be attractive to rodents or insects shall be stored outdoors, only in closed containers. (Orig.2-14-56.)

B. HEIGHT REGULATION

1. None. (Orig.2-14-56.)

C. AREA REGULATION

1. AREA AND MINIMUM WIDTH OF LOT. No restrictions. (Orig.2-14-56.)
2. FRONT YARD. Except as hereinafter provided, the minimum depth of any front yard for any building, measured from the front lot line to the front setback line, shall be fifty (50) feet. Motor fuel

pumps may be erected not less than eighteen (18) feet from such front lot line. (Orig.2-14-56.)

3. SIDE YARD. If a building is constructed of masonry or fireproof materials, no side yard shall be required on an interior lot or on that side of a corner lot which is not adjacent to a street. If a building is constructed of materials other than masonry or fireproof materials, the minimum depth of any side yard of an interior lot or a side yard of a corner lot on that side which is not adjacent to a street, measured from the side lot line to the side setback line shall be five (5) feet. On corner lots, the minimum depth of the side yard on the side adjacent to a street, measured from the side lot line to the side setback line, shall be thirty (30) feet. On corner lots, motor fuel pumps may be erected not less than eighteen (18) feet from the side lot line on the side adjacent to a street. (Orig.2-14-56.)
4. REAR YARD. The minimum depth of rear yard shall be ten (10) feet except where abutting upon an alley, the depth shall be fifteen (15) feet from the center of the alley. (Orig.2-14-56.)

SECTION 15: I-1 INDUSTRIAL ONE DISTRICT

A. USE REGULATION

No building or land shall be used and no building shall be hereafter erected, converted or structurally altered, unless otherwise provided herein, except for one or more of the following uses: (Orig.5-6-46.)

1. Any use permitted in the I-3 (Industrial Three) District. (Orig.2-3-41; Am.11-15-65.)
2. Manufacturing, processing or fabrication of any commodity, except those provided for within the I-2 (Industrial Two) or I-4 (Industrial Four) Districts. (Orig.2-3-41; Am.6-2-58.)
3. Foundry. (Orig.2-3-41.)
4. Rock crusher, excavation of sand, gravel, earth, clay, rock or other similar materials. (Orig.2-3-41; Am.7-11-66.)
5. Storage of gasoline or other petroleum products. (for permitted aboveground storage of inflammable liquids, see Section 20.) (Orig.5-6-46; Am.6-2-58.)
6. Brick, tile or terra cotta manufacture. (Orig.2-3-41.)
7. Light or power plant, central station. (Orig.2-3-41.)
8. Grain drying or poultry feed manufacture, feed mill. (Orig.2-3-41.)
9. Other similar industrial uses as listed in 1 through 8 which are not more detrimental to the highest and best use of land in said district than are the uses by right hereinbefore enumerated. (Orig.2-3-41; Am.3-23-64.)

B. HEIGHT REGULATIONS

1. None. (Orig.5-6-46.)

C. AREA REGULATIONS

1. AREA AND MINIMUM WIDTH OF LOT. No restrictions shall apply, other than the area for parking as provided under Section 21. (Orig.5-6-46; Am.12-26-62.)
2. FRONT YARD. Except as hereinafter provided, the minimum depth of any front yard for any building, measured from the front lot line to the front setback line, shall be fifty (50) feet. Motor fuel pumps may be erected no less than eighteen (18) feet from such front lot line. (Orig.2-3-41; Am.5-6-46; Am.6-2-58.)
3. SIDE YARD. If a building is constructed of masonry or fireproof materials, no side yard shall be required on an interior lot or on

that side of a corner lot which is not adjacent to a street. If a building is constructed of materials other than masonry or fire-proof materials; the minimum depth of any side yard of an interior lot or of a side yard of a corner lot on that side which is not adjacent to a street, measured from the side lot line to the side setback line, shall be five (5) feet. On corner lots, the minimum depth of the side yard on the side adjacent to a street, measured from the side lot line to the side setback line, shall be thirty (30) feet. On corner lots, motor fuel pumps may be erected not less than eighteen (18) feet from the side lot line on the side adjacent to a street. (Orig.2-3-41; Am.5-6-46.)

4. REAR YARD. The minimum depth of rear yard shall be ten (10) feet except where abutting upon an alley, the depth shall be fifteen (15) feet from the center of the alley. (Orig.2-3-41; Am.5-6-46.)

SECTION 16: I-2 INDUSTRIAL TWO DISTRICT

A. USE REGULATION

No building or land shall be used and no building shall be hereafter erected, converted or structurally altered, unless otherwise provided herein, except for one or more of the following uses: (Orig.5-6-46.)

1. Any use permitted in the I-1 (Industrial One) District. (Orig.2-3-41; Am.5-6-46.)
2. Manufacturing, processing or fabrication of any commodity, except those provided for within the I-4 (Industrial-Four) District, including the following: Abrasives, basic manufacture; alcholic distillation; animal by-products, basic manufacture or processing; bone black, basic manufacture; brewery; carbon black and lamp black, basic manufacture; charcoal, basic manufacture; chemicals, heavy or industrial, basic manufacture or processing; cinder and cinder block, basic manufacture or fabrication; coal and coke, manufacture or processing; detergents, soaps and by-products, using animal fat, basic manufacture; fermented fruits and vegetable products, manufacture; fertilizers, manufacture or processing; fungicides, manufacture; gases, other than nitrogen and oxygen, manufacture; glass, manufacture; glue and size, manufacture; graphite, manufacture; gypsum and other forms of plaster base, manufacture; insecticides, manufacture; insulation, flammable types, manufacture or fabrication; matches, manufacture; meat slaughtering or packing; metals, extraction or smelting; metal ingots, pigs, casting, sheets or bars, manufacture; oils and fats, animal and vegetable, manufacture; paints, pigments, enamel, japans, lacquers, putty, varnishes, whiting and wood filler, manufacture or fabrication; paper pulp and cellulose, basic manufacture; paraffin, manufacture; petroleum and petroleum products, manufacture or processing; portland and similar cements, manufacture; rubber, manufacture, processing or reclaiming; sawmill or planing mill; serums, toxins, viruses, manufacture; sugars and starches, manufacture; tannery; turpentine manufacture; wax and wax products, manufacture; and wood preserving by creosoting or other pressure impregnation of wood by preservatives. (Orig.2-3-41; Am.5-6-46; Am.11-15-65.)

B. HEIGHT REGULATION

1. None. (Orig.5-6-46; Am.12-26-62.)

C. AREA REGULATION

1. AREA AND MINIMUM WIDTH OF LOT. No other restrictions shall apply, other than the area for parking as provided under Section 21. (Orig.5-6-56; Am.12-26-62.)

2. FRONT YARD. Except as hereinafter provided, the minimum depth of any front yard for any building, measured from the front lot line to the front setback line, shall be fifty (50) feet. Motor fuel pumps may be erected not less than eighteen (18) feet from such front lot line. (Orig.2-3-41; Am.5-6-46.)
3. SIDE YARD. If a building is constructed of masonry or fireproof materials, no side yard shall be required on an interior lot or on that side of a corner lot which is not adjacent to a street. If a building is constructed of materials other than masonry or fireproof materials, the minimum depth of any side yard of an interior lot or of a side yard of a corner lot on that side which is not adjacent to a street, measured from the side lot line to the side setback line, shall be five (5) feet. On corner lots, the minimum depth of the side yard on the side adjacent to a street, measured from the side lot line to the side setback line, shall be thirty (30) feet. On corner lots, motor fuel pumps may be erected not less than eighteen (18) feet from the side lot line on the side adjacent to a street. (Orig.2-3-41; Am.5-6-46.)
4. REAR YARD. The minimum depth of rear yard shall be ten (10) feet except where abutting upon an alley, the depth shall be fifteen (15) feet from the center of the alley. (Orig.2-3-41; Am.5-6-46.)

SECTION 16A: I-4 INDUSTRIAL FOUR DISTRICT

A. USE REGULATION

No building or land shall be used and no building shall be hereafter erected; converted or structurally altered, unless otherwise provided herein, except for one or more of the following uses: (Orig.11-15-65.)

1. Any use permitted in the I-2 (Industrial-Two) District. (Orig.11-15-65.)
2. Manufacture and storage of explosives (in conformance with setback and other safety requirements of the Jefferson County Building Code, and other applicable codes.) (Orig.11-15-65.)
3. Dumps, junk yards, automobile wrecking and processing yards, and other similar uses subject to provisions for retaining windblown trash on the premises, provided that all such properties shall be screened from adjacent streets, or other public ways, by an eight (8) foot solid fence to be maintained in a neat and well kept manner. (Orig.11-15-65.)
4. Storage of machinery or vehicles not in operating condition, provided that all such properties shall be screened from adjacent streets, or other public ways, by an eight (8) foot solid fence, to be maintained in a neat and well kept manner. (Orig.11-15-65.)

B. HEIGHT REGULATION

1. None (Orig.11-15-65.)

C. AREA REGULATION

1. AREA AND MINIMUM WIDTH OF LOT. No restrictions shall apply, other than the area for parking as provided under Section 21. (Orig.11-15-65.)
2. FRONT YARD. Except as hereinafter provided, the minimum depth of any front yard for any building, measured from the front lot line to the front setback line, shall be fifty (50) feet from such front lot line. (Orig.11-15-65.)
3. SIDE YARD. If a building is constructed of masonry or fireproof materials, no side yard shall be required on an interior lot or on that side of a corner lot which is not adjacent to a street. If a building is constructed of materials other than masonry or fireproof materials, the minimum depth of any side yard of an interior lot or of a side yard of a corner lot on that side which is not adjacent to a street, measured from the side lot line to the side setback line, shall be five (5) feet. On corner lots, the minimum depth of the side yard on the side adjacent to a street, measured

from the side lot line to the side setback line, shall be thirty (30) feet. On corner lots, motor fuel pumps may be erected not less than eighteen (18) feet from the side lot line on the side adjacent to the street. (Orig.11-15-65.)

4. REAR YARD. The minimum depth of rear yard shall be ten (10) feet except where abutting upon an alley, the depth shall be fifteen (15) feet from the center of the alley. (Orig.11-15-65.)

SECTION 17: MR-1 MOUNTAIN RESIDENTIAL ONE DISTRICT

A. USE REGULATION

No building or land shall be used and no building shall be hereafter erected, converted or structurally altered, unless otherwise provided herein, except for one or more of the following uses: (Orig.11-14-55.)

1. Any use permitted in the R-1 (Residential-One) District. (Orig.11-15-65.)

B. HEIGHT REGULATION

1. No building shall exceed forty-five (45) feet in height. (Orig.11-14-55.)

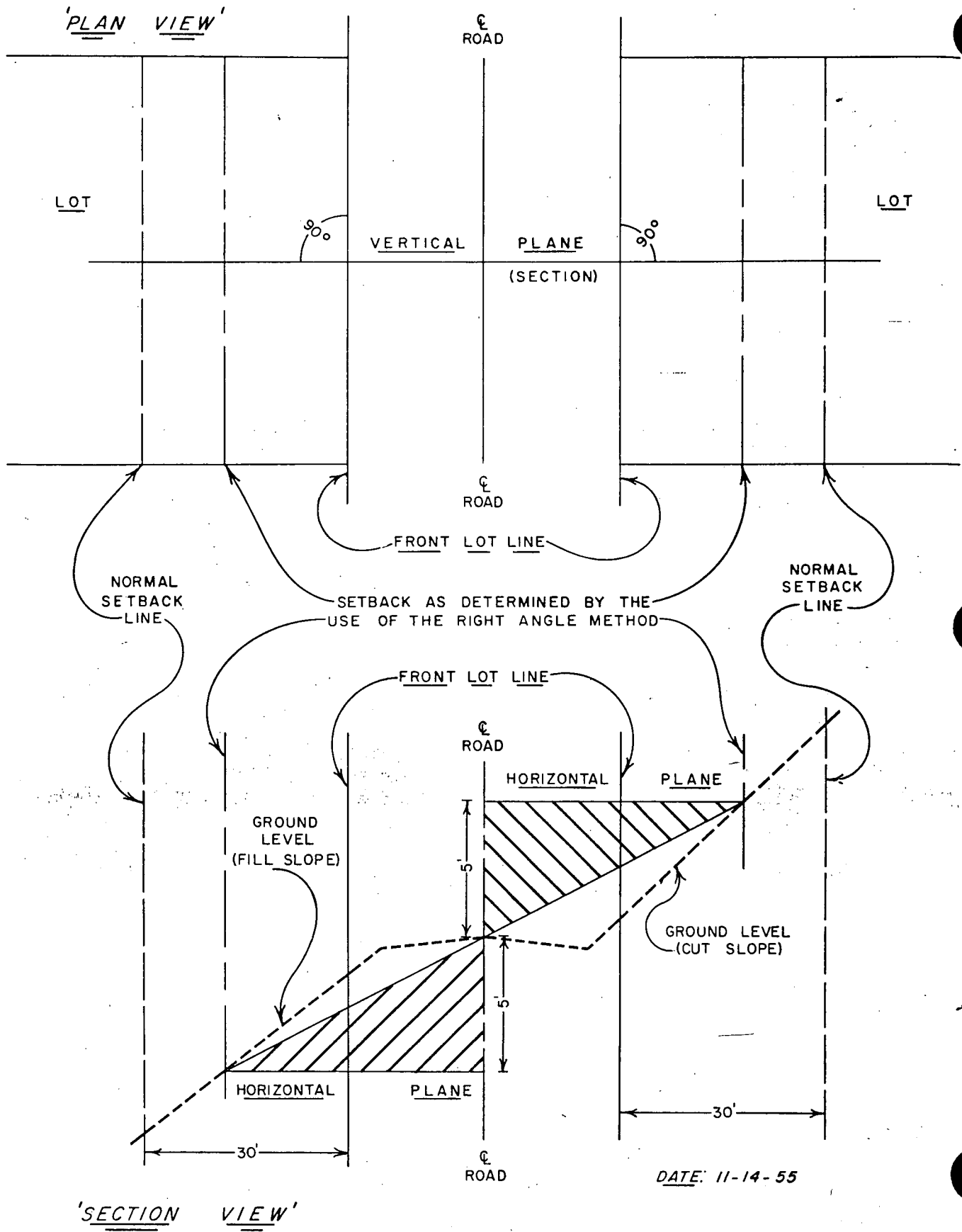
AREA REGULATION

1. AREA AND MINIMUM WIDTH OF LOT. The minimum lot area for a dwelling or other main building shall be seventeen thousand four hundred (17,400) square feet. The minimum width of lot for a dwelling or other main building shall be one hundred (100) feet. (Orig.11-14-55.)
2. FRONT YARD. The minimum depth of the front yard for dwellings and other main buildings shall be thirty (30) feet, or (whichever is the lesser) equal to the length of the horizontal leg of a right triangle the vertical leg of which is five (5) feet above (cut slope) or below (fill slope) the street or road surface at its centerline, the hypotenuse of which terminates at the intersection of the horizontal leg with the general slope of the adjacent lot from front to rear, and the plane of which is perpendicular to the plane of the front lot line at its midpoint. (see sketch) (Orig.11-14-55; Am.6-2-58; Am.11-15-65.)
3. SIDE YARD. The minimum width of the side yards for any building shall be twenty (20) feet on each side, except that on a corner lot the minimum width of the side yard abutting on a street shall be thirty (30) feet. (Orig.11-14-55; Am.11-15-65.)
4. REAR YARD. The minimum depth of rear yard shall be twenty (20) feet. (Orig.11-14-55; Am.11-15-65.)

November 15, 1965

SETBACK DIAGRAM

(MR-1, MR-2, MR-3 ZONES)



SECTION 18: MR-2 MOUNTAIN RESIDENTIAL TWO DISTRICT

A. USE REGULATION

No building or land shall be used and no building shall be hereafter erected, converted or structurally altered unless otherwise provided herein, except for one or more of the following uses: (Orig.11-14-55.)

1. Any use permitted in the MR-1 (Mountain Residential One) District. (Orig.11-14-55.)
2. Two family dwelling. (Orig.11-14-55.)

B. HEIGHT REGULATION

1. No building shall exceed forty-five (45) feet in height.(Orig.11-14-55)

C. AREA REGULATION

1. AREA AND MINIMUM WIDTH OF LOT. The minimum lot area for a one family dwelling shall be nine thousand (9,000) square feet, and the minimum lot area for any other main building shall be seventeen thousand four hundred (17,400) square feet. The minimum width of lot for a one family dwelling shall be seventy-five (75) feet, and the minimum width of lot for any other main building shall be one hundred (100) feet. (Orig.11-14-55.)
2. FRONT YARD. The minimum depth of front yard for dwellings and other buildings shall be thirty (30) feet, or (whichever is the lesser) equal to the length of the horizontal leg of a right triangle the vertical leg of which is five (5) feet above (cut slope) or below (fill slope) the street or road surface at its centerline, the hypotenuse of which terminates at the intersection of the horizontal leg with the general slope of the adjacent lot from front to rear, and the plane of which is perpendicular to the plane of the front lot line at its midpoint. (See sketch). (Orig.11-14-55; Am.6-2-58; Am. 11-15-65.)
3. SIDE YARD. The minimum width of the side yards for any building shall be fifteen (15) feet on each side, except that on a corner lot the minimum width of the side yard abutting on a street shall be thirty (30) feet, or (whichever is the lesser) equal to the length of the third side of a right angle, the base of which is five (5) feet long and perpendicular to the side lot line at the center of the side lot line and the hypotenuse of which is parallel with the general slope of the surface of the lot from side to side. (Orig. 11-14-55; Am.11-15-65.)
4. REAR YARD. The minimum depth of rear yard shall be twenty (20) feet. (Orig.12-26-62; Am.5-20-63; Am.11-15-65.)

SECTION 19: MR-3 MOUNTAIN RESIDENTIAL THREE DISTRICT

A. USE REGULATION

No building or land shall be used and no building shall be hereafter erected, converted or structurally altered unless otherwise provided herein, except for one or more of the following uses: (Orig.11-14-55.)

1. Any use permitted in the MR-1 (Mountain Residential One) District. (Orig.11-14-55.)
2. Two-family dwelling. (Orig.11-14-55.)

B. HEIGHT REGULATION

1. No building shall exceed forty-five (45) feet in height. (Orig.11-14-55.)

C. AREA REGULATION

1. AREA AND MINIMUM WIDTH OF LOT. The minimum lot area of a one family dwelling shall be six thousand two hundred fifty (6,250) square feet, and the minimum lot area for any other main building shall be nine thousand (9,000) square feet. The minimum width of lot for a one family dwelling shall be fifty (50) feet, and the minimum width of lot for any other main building shall be seventy-five (75) feet. (Orig.11-14-55.)
2. FRONT YARD. The minimum depth of front yard for dwellings and other buildings shall be thirty (30) feet, or (whichever is the lesser) equal to the length of the horizontal leg of a right triangle the vertical leg of which is five (5) feet above (cut slope) or below (fill slope) the street or road surface at its centerline, the hypotenuse of which terminates at the intersection of the horizontal leg with the general slope of the adjacent lot from front to rear and the plane of which is perpendicular to the plane of the front lot line at its midpoint. (See sketch) (Orig.11-14-55; Am.6-2-58; Am.11-15-65.)
3. SIDE YARD. The minimum width of the side yards for any building shall be fifteen (15) feet on each side, except that on a corner lot the minimum width of the side yard abutting on a street shall be thirty (30) feet, or (whichever is the lesser) equal to the length of the third side of a right angle, the base of which is five (5) feet long and perpendicular to the side lot line at the center of the side lot line and the hypotenuse of which is parallel with the general slope of the surface of the lot from side to side. (Orig.11-14-55; Am.11-15-65.)
4. REAR YARD. The minimum depth of rear yard shall be twenty (20) feet. (Orig.11-14-55.)

SECTION 20: ACCESSORY USES

A. IN ANY DISTRICT

A use customarily incidental to a use permitted in any district shall be permitted when located on the same lot. The following accessory use, in addition to those hereinbefore mentioned, shall be permitted: (Orig.6-6-50.)

1. The letting of rooms and the providing of table board for not more than five (5) persons in any private dwelling.(Orig.6-6-50.)
2. Dwellings for farm or ranch employees employed on the premises or for farm or ranch tenants on any farm or ranch. Any other building or structure incidental to the operation of any ordinary farm or ranch, irrespective of size. (Orig.6-6-50; Am.12-26-63.)
3. A restaurant, public dining room or other services customary to an apartment house and incidental to its residential use may be located therein as an accessory use. (Orig.6-6-50.)
4. Buildings housing technical offices, laboratories, medical offices, pharmacies, radiological facilities, medical and surgical suppliers, housing for personnel employed on the premises, and other similar uses may be located on the grounds of any hospital or sanitarium. (Orig.12-26-63.)

B. COMMERCIAL AND INDUSTRIAL DISTRICTS

In a commercial or industrial district, a use accessory to an authorized use shall be permitted. The parking of automobiles of clients, patients, patrons or customers within a front, side or rear yard of a building within the C-1 (Commercial One) District, C-2 (Commercial Two) District, RC-1 (Restricted Commercial One) District, R-C (Restricted Commercial) District, I-1 (Industrial One) District, I-2 (Industrial-Two) District, I-3 (Industrial Three) District, or I-4 (Industrial Four) District, without charge, and in connection with any use permitted in such, be deemed an accessory use. A use specified as an I-2 (Industrial Two) District use shall not be permitted as an accessory use in the I-1 (Industrial One) District, I-3 (Industrial Three) District nor the I-4 (Industrial Four) District. (Orig.5-6-46; Am.6-6-50; Am.6-2-58; Am.11-15-65.)

C. ABOVE GROUND STORAGE OF FLAMMABLE LIQUIDS AND GASES

No above ground storage of flammable liquids or gases in excess of one thousand (1,000) gallons shall be permitted in any district other than the I-1 (Industrial One) District or the I-2 (Industrial Two) District, unless approved by the Board of Adjustment as hereinafter provided. (Orig.5-6-46; Am.11-14-55.)

SECTION 21: PARKING REQUIREMENTS

The scope of the regulation herein set forth shall apply and govern in all Districts except the Public District. When a Resolution or plan is enacted or adopted by the County Commissioners of Jefferson County for the purpose of providing off-street automobile parking spaces or for the purpose of establishing requirements that such spaces be provided with the section or sections of Jefferson County, then such plan or requirements shall be provided as follows: (Orig.12-9-57.)

Applicable to buildings hereafter erected and uses hereafter established and to such nonconforming buildings and uses as may be required to conform to the regulations hereof, which is to include the extension and enlargement of said buildings and uses, except in cases where it is impossible to provide additional parking space and the strict enforcement of this Resolution would create unnecessary hardship. (Orig.12-9-57.)

A. MAINTENANCE OF OFF-STREET PARKING SPACES

The duty to provide and maintain the off-street parking space herein required shall be joint responsibility of the operator and the owner of the use of the land on which the structures are located and the use or uses for which off-street parking space is required to be provided and maintained. (Orig.12-9-57.)

No land shall be used or occupied, no structures shall be designed, erected or altered and no use shall be operated unless the off-street parking space herein required is provided in at least the amount and maintained in the manner herein set forth. However, off-street parking space need be neither provided or maintained for land structures actually used, occupied and operated on the effective date of this Resolution. If after the effective date of this Resolution, such land uses and structures are expanded or changed to require a greater amount of off-street parking space, the amount of off-street parking space not required to be furnished, by reason of the foregoing exclusion for maintenance of off-street parking space, shall be maintained in accordance with the following classifications, unless after effective date of this Resolution such land uses and structures are expanded or changed to require a greater amount of off-street parking space. The surface of parking stalls, isles and truck standing spaces shall be treated, prepared and maintained for drainage and the elimination of dust and dirt. (Orig.12-9-57.)

B. SCOPE OF REGULATIONS

1. All parking spaces, required for any use and provided in compliance with the provisions of this section, shall be considered to be required spaces for the use or uses necessary and shall not be reduced or infringed upon in any manner. (Orig.12-9-57.)

2. All required parking stalls should be located on the premises to which such requirements apply or within off-street space not distant more than five hundred (500) feet from such premises, provided that such stalls as are required for employees and proprietors of any premises may be located in an off-street parking space distant not more than one thousand (1,000) feet from such premises. (Orig.12-9-57.)
3. Provision of parking stalls shared jointly by several persons in the same block or in the same vicinity is permissible, in which case, the number of stalls required shall be the sum total of the individual requirements provided. (Orig.12-9-57.)

Where it is found by the Board of Adjustment, upon application thereto, that the parking demand engendered by the different uses, included in any joint arrangements to provide parking stalls required herein, occurs at definite different times of day, as in the case of a theater generating demand for parking after normal daytime business hours and a store generating demand for parking during such daytime hours and in such similar cases, the Board may reduce the total number of parking stalls to be jointly provided. (Orig.12-9-57.)

4. In a case where any public or private off-street parking facility, to be opened for public use free of charge or at reasonable rates, is planned or in process of development and where the Board of Adjustment has reasonable assurance that such development will be carried to completion and will, when completed, relieve the parking demand in an area within five hundred (500) feet thereof, the Board may establish a reasonable time period within which such area shall be provided with the required space for parking stalls for any use or uses within. Upon completion of all or any portion of such development, the provisions of the above paragraph may be applied by the Board of Adjustment. (Orig.12-9-57.)
5. In a case where it is clearly shown by the applicant, to the satisfaction of the Board of Adjustment, that the provision of the amount of the space required herein for parking stalls, because of the particular nature of a proposed use, would be unnecessary, particularly difficult or create unnecessary hardship, the Board of Adjustment may reduce such requirements. (Orig.12-9-57)

C. APPLICATION FOR APPROVAL

All applications for approval of a parking plan filed with the Planning Department, by the owner of the land area designated in the plan, shall contain such information and representations required in this

Resolution, as may be deemed necessary by the Planning Department, and such application shall also include the plans showing the following detail: (Orig.12-9-57.)

1. The location of the uses or structures for which off-street parking spaces are required. (Orig.12-9-57.)
2. The size of the structure of which off-street parking spaces are required. (Orig.12-9-57.)
3. The location at which the off-street parking space is to be located. (Orig.12-9-57.)
4. All applications, hereunder, shall be reviewed by the Zoning Administrator and shall either be approved or disapproved. (Orig.12-9-57.)

D. APPROVAL OF PLANS

Upon the approval of any parking plan, hereunder, a copy of such plan shall be registered among the records of the Zoning Administrator or, in the case of new construction, a copy of the parking plan shall be registered with the Building Permit. (Orig.12-9-57.)

E. PARKING SPACE REQUIREMENTS

1. For the purpose of this Resolution, one parking stall shall not be less than three hundred (300) feet in area to include that area which is required for means of ingress or egress thereto. (Orig.12-9-57.)
2. A driveway for access, to any single parking stall or to a parking lot, shall be not less than twelve (12) feet in width nor more than thirty (30) feet in width at the property line along the street. It shall be so located as to minimize traffic hazards and congestion. All residential driveway widths shall be not more than twenty (20) feet. (Orig.12-9-57.)

F. OFF-STREET PARKING SPACE REQUIRED

Off-street parking space, except in commercial and industrial districts, shall be provided at a ratio of one parking stall for: (Orig.12-9-57.)

1. Each dwelling unit in any dwelling group or other building. (Orig.12-9-57.)

2. Each guest room or sleeping room in any automobile court or tourist home and each camp unit in any automobile camp or trailer park. (Orig.12-9-57.)
3. Each two guest rooms in any hotel, boarding house, fraternity house, sorority house or dormitory in addition to the number of parking stalls required for dining and entertainment uses. (Orig.12-9-57.)
4. Each three beds in any hospital. (Orig.12-9-57.)
5. Each five beds in any sanitarium, convalescent home or similar establishment. (Orig.12-9-57.)
6. Each three seats or similar accommodations in any restaurant, theatre, auditorium, entertainment facility halls for meetings, dancing or social events, and other uses where seats or similar accommodations are provided for gathering of six or more persons. (Orig.12-9-57.)
7. Churches shall provide an area equal to one quarter of the total church lot exclusive of park or playground area, or one parking space per each three seats in the sanctuary, whichever is the larger. (Orig.12-9-57.)

G. COMMERCIAL AND INDUSTRIAL REQUIREMENTS

1. There shall be provided at least three (3) square feet of gross parking area for each one (1) square foot of gross floor area in any business or commercial use and three (3) square feet of gross parking area for each one (1) square foot of basement floor area in retail use. For such establishments as drive-in markets and similar other businesses catering to drive-in patronage, the required ratio shall be one (1) parking stall per each fifty (50) square feet of ground floor area. (Orig.12-9-57.)
2. For those uses classified as office buildings or for professional services, not involved in retail trade, there shall be provided two (2) square feet of gross parking area per one (1) square foot of gross floor area. (Orig.12-9-57.)
3. There shall be provided one (1) parking stall for each three (3) persons, including proprietors, of maximum employment in a single shift in any industrial district, except when such district is to be used for commercial purposes, in which case, the above requirement for commercial zones shall apply. For those industrial uses allowed in commercial districts, the industrial requirements shall apply. (Orig.12-9-57.)

H. OFF-STREET LOADING SPACE REQUIRED

For each manufacturing or industrial use, there shall be provided off-street truck loading on the lot. Such space is to be not less than thirty-five (35) feet in length, twelve (12) feet in width and fifteen (15) feet in height. (Orig.12-9-57.)

For structures containing less than twenty-five thousand (25,000) square feet of gross floor area, there shall be provided one (1) loading space. (Orig.12-9-57.)

For structures containing twenty-five thousand (25,000) square feet or more of gross floor area, the number of loading spaces specified in the following table shall apply: (Orig.12-9-57.)

<u>SQ. FT. OF GROSS FLOOR AREA</u>	<u>MIN. REQUIRED NO. OF SPACES</u>
25,000 up to and including 40,000 sq.ft.	2
40,001 up to and including 100,000 sq.ft.	3
100,001 up to and including 160,000 sq.ft.	4
160,001 up to and including 240,000 sq.ft.	5
240,001 up to and including 320,000 sq.ft.	6
320,001 up to and including 400,000 sq.ft.	7
For each additional 90,000 sq.ft. over 400,000 sq.ft.	1 additional space

(Orig.12-9-57.)

I. SPECIAL PARKING PERMIT

The Board of Adjustment, in exercising the power and authority granted by law and this ordinance, may approve or grant special permits to establish off-street parking spaces in R-3 multiple dwelling districts for particular commercial uses which abut or join the R-3 District. (Orig.12-9-57.)

This issuance of any permit shall not be approved unless the Board shall find, in each case, that the location of the use for which the permit is sought, the manner of conduction the same and any facilities or services which are involved will not be dangerous or otherwise detrimental to persons residing or working in the vicinity thereof, or to the public welfare, and will not impair the use, enjoyment or value of any property. (Orig.12-9-57.)

There shall be no advertising signs allowed in the above named special districts, except those necessary for orderly parking. (Orig.12-9-57.)

SECTION 22: OUTDOOR ADVERTISING

ENFORCEMENT OF CODE

The Building Department shall be responsible for the enforcement of this Resolution, and the Inspector of Signs shall be designated by the Chief Building Inspector, whose duties shall be the enforcement of this and other resolutions covering the sign industry. (Orig.2-10-58.)

INSPECTION OF SIGNS

The Building Department shall require the proper maintenance of all signs which are subject to the provisions of this Resolution. Each sign for which a permit has been issued shall be inspected by the Inspector of Signs within thirty (30) days after each erection, and every sign in the County of Jefferson shall be inspected at least once annually, by the Building Department. (Orig.2-10-58.)

UNLAWFUL SIGN ERECTION

It is hereby declared unlawful for any person to erect a billboard, sign, awning, canopy or courtesy bench, within the County of Jefferson, until all the requirements of this Resolution have been fulfilled. (Orig.2-10-58.)

A. DEFINITIONS

1. The term ground sign or billboard, when used in this chapter, means any sign erected, constructed or maintained for the purpose of displaying outdoor advertising by means of poster, pictures, pictorial or reading matter and when such sign is supported by uprights or braces placed in or upon the ground and not attached to any part of any building. (Orig.2-10-58.)
2. The term roof sign, when used in this chapter, means any sign erected, constructed or maintained upon the roof of any building. (Orig.2-10-58.)
3. The term wall sign, when used in this chapter, means any painted sign or poster or any surface or plane that may be affixed to the front, rear or side wall of any building. (Orig.2-10-58.)
4. The term overhanging or projecting sign, when used in this chapter, means any letter, word, model, sign, device or representation used in the nature of an advertisement, announcement or direction extending outward from the building or support. Projected, illuminated or nonilluminated signs shall, for the purpose of this chapter, be divided into classes. (Orig.2-10-58.)
 - a. Projecting signs which are affixed to the building wall or to poles or posts which extend outward from the supporting structure. (Orig.2-10-58.)

- b. Flat signs which are attached in rigid manner and project parallel to the building wall. (Orig.2-10-58.)
5. The term canopy or marquee, when used in this chapter, means any covering or hood attached to a building which extends wholly or in part, outward and supported from the building. Also, free standing canopy. (Orig.2-10-58.)
6. The canopy sign, when used in this chapter, means any sign affixed to any hood or canopy over the entrance to places of public assemblage extending outward and supported from the building. (Ori-.2-10-58.)
7. The term courtesy bench shall mean any bench or seat placed for the convenience of the public and containing advertising matter. (Orig.2-10-58.)

B. PERMIT REQUIRED

No ground sign, roof sign, wall sign, projecting sign, canopy, awning or courtesy bench shall be erected by any person, firm or corporation except as prescribed in this chapter nor until a permit therefore, shall have been issued by the Inspection Department. If any sign is removed and any new sign is erected in its place, a permit shall be taken out the same as if a new sign were erected at a new location. If any sign is removed for maintenance and replaced on the same supports, a new permit will not be deemed necessary, if the size of the sign is not changed. If any sign is removed from one location and erected at a new location, a new permit shall be taken out. Alteration or enlargement of any sign shall require a permit the same as for a new sign. No permit shall be granted until after an application has been filed with the Building Inspector, showing the plans and specifications, including dimensions, materials and details of construction of proposed structure, not until all provisions of this chapter relating to such structures shall have been complied with, nor until after the Inspection Department has been paid the prescribed fee for every such permit. The Building Inspector may prescribe suitable regulations consistent with the provisions of this chapter concerning the form and contents of all applications for the various forms of permits herein required. Every person, firm or corporation applying for canopy, sign or courtesy bench permit shall have said application signed by the owner or owners in fee simple or his or their authorized agent of the building to which said canopy or sign is to be attached. (Orig.2-10-58.)

C. FEEES

75 square feet or less-----	\$ 2.50 (2-10-58)
75 to 150 square feet-----	\$ 5.00 (2-10-58)
150 to 300 square feet-----	\$10.00 (2-10-58)
300 square feet and over-----	\$15.00 (2-10-58)
Painted on walls 100 square feet-----	\$ 5.00 (2-10-58)
Courtesy bench-----	\$ 2.00 (6-2-58)

D. EXEMPTIONS

The following signs and the erection and maintenance thereof are exempt from the provisions of this Resolution; (Orig.2-10-58.)

1. Traffic and other County signs; house number, name plates and other legal notices; railroad crossings, signs and danger signs. (Orig.2-10-58.)
2. Unilluminated ground signs, flat signs, and wall signs, advertising the sale, rental or lease of the premises on which they are erected, not exceeding one hundred fifty (150) square feet in area. (Orig.2-10-58.)
3. Memorial tablets or tablets containing the name of the building, date of erection and use of the building, when built into the walls of the building and constructed of bronze, brass, marble, stone or other incombustible materials. (Orig.2-10-58.)
4. Unilluminated and nonfloodlighted signs, having an area not in excess of one (1) square foot, advertising the place of business of a doctor or a dentist or other permitted legal home occupation. (orig.2-10-58.)
5. Unilluminated and nonfloodlighted flat signs, wall signs, and ground signs having an area not in excess of thirty-six (36) square feet, announcing the destruction or construction or remodeling of a building or announcing the enterprise to be located in the building under construction or announcing the name and address of the architect or contractor of the building or the owner thereof provided, however, that not more than one such sign shall be erected until the Chief Building Inspector shall have approved the location, specifications and content of such sign. (Orig.2-10-58.)

E. PROHIBITIONS

1. UNSIGHTLY OR OBSCENE SIGNS NOT ALLOWED. No signs shall be erected or maintained or be permitted to remain publicly displayed which are of a misleading, fraudulent, obscene, immoral, indecent or unsightly character. (Orig.2-10-58.)
2. PASTING AND TACKING PROHIBITED. No sign of an advertising nature shall be pasted or glued directly on any wall or roof or affixed directly upon any wall or roof by any means of any similar adhesive substance. No paper or cloth sign shall be tacked directly on any wall or roof. (Orig.2-10-58.)
3. NOISE SIGNS PROHIBITED. It shall be unlawful to use in connection with any sign or to use for advertising purposes any radio, phonograph, whistle, bell or other sound or noise making or transmitting device or instrument, except with the permission of the Board of Adjustment. (Orig.2-10-58.)

4. SIGNS OVER STREETS PROHIBITED. It shall be unlawful to erect and/or maintain any sign over any street, alley or public way, except as herein expressly provided. (Orig.2-10-58.)
5. NO SIGN SHALL COVER UP A WINDOW, DOORWAY OR OTHER OPENING WHICH PROVIDES VENTILATION OR EXIT FACILITIES. It shall be unlawful for any person to fasten, place, post, paint or attach in any way, any sign, handbill, poster, advertisement or notice of any kind or sort, whether political or otherwise or cause the same to be done in or upon any curbstone, lamppost, telephone pole, telegraph pole, electric light or power pole, hydrant, bridge or tree or in or upon any portion of any public sidewalk or street. (Orig.2-10-58.)

F. LOCATION OF SIGNS

No sign shall be hereafter erected or maintained upon or along any boulevard, parkway, highway or street, except in business, commercial or industrial districts. (Orig.2-10-58.)

G. EXCEPTIONS

Courtesy benches for the convenience of the local bus patrons and members of the general public, when installed by permission of the County Commissioners may contain advertising matter and be located in any district in Jefferson County when in accordance with the rules and regulations contained in that portion of this Resolution pertaining to Courtesy benches. (Orig.2-10-58.)

H. GROUND SIGNS AND BILLBOARDS

Every ground sign or billboard shall be set back from the front property line or street line the same distance or a greater distance than is required under the Zoning Resolution for new buildings on the premises. Every billboard or ground sign shall have an open space of not less than two (2) and not more than six (6) feet between the lower edge of such sign and the ground level. The billboard or ground sign shall be stoutly constructed and anchored in a secure and substantial manner. Every ground sign shall be so anchored and/or braced that it will safely sustain a wind pressure of twenty (20) pounds per square foot of exposed area. No billboard or ground sign shall hereafter be erected whose top is a greater height than twenty-five (25) feet above the level of the ground immediately adjoining such a sign. No ground sign or billboard shall exceed sixty (60) feet in length. There shall be a clear opening at least two (2) feet between one (1) ground sign or billboard and any adjoining ground sign or billboard provided, however, that no opening between ground signs or billboards shall be required if the total length of such ground sign plus the length of such additional ground sign or billboard does not exceed sixty (60) feet. There shall be a clear opening of at least three (3) feet between any ground sign or billboard hereafter erected and any adjoining building. (Orig.2-10-58.)

I. ROOF SIGNS

No roof sign shall be placed on the roof of any building so as to prevent free passage from the said roof to any other part thereof or interfere with any openings on such roof, and no sign that is placed upon the roof of any building shall project beyond the exterior wall, except signs which are placed at right angles to the wall facing the street, which may project four (4) feet from the front building line, the same as is permitted for projecting signs. All roof signs except signs that are placed at right angles to the face of the building shall be so constructed as to leave a clear space of not less than four (4) feet between the roof level and the lowest part of the structure, and at least five (5) feet clearance between the vertical supports thereof. When a roof sign is illuminated, light reflectors may project four (4) feet beyond the building line. Every roof sign shall be so securely attached, braced or constructed, that it will safely sustain a wind pressure of thirty (30) pounds per square foot of exposed area. Every roof sign shall be constructed of metal or some other incombustible material, including the upright supports and braces thereof. All roof signs shall be secured by, or bear upon masonry walls, columns or girders. No roof sign may be erected upon wood or frame constructed buildings, except by permission of the Board of Adjustment. Every such sign and all the supports, braces, guys and anchors, thereof, shall be kept in repair and unless made of noncorroding material, shall be properly maintained and the Building Inspector may order the removal of any such signs that are not maintained in accordance with the conditions of this section. All chains, guys, fastners, lag screws and etc. shall be made of galvanized metal, or equal corrosion resistant metal. (Orig.2-10-58.)

J. WALL SIGNS

No wall sign shall extend beyond the building line more than twelve (12) inches; except, however, if the sign is illuminated, the lighting reflectors may project four (4) feet beyond the building line, and provided; further, that all such wall signs must be safely and adequately attached to said building. No wall sign shall be so erected as to cover the doors or windows, used for exit or ventilation of any building or otherwise prevent free ingress or egress to or from any window, door or fire escape of any building. All wall signs, the bottom of which are erected at a height of ten (10) feet or more above the public way, may extend beyond the building not more than eighteen (18) inches. Every wall sign shall be made of incombustible materials, provided; however, that a limited amount of moulding or combustible materials may be used, not to exceed fifteen (15) percent of the total sign (Orig.2-10-58)

K. PROJECTING SIGNS

All projecting signs must be made of sheet metal or other nonflammable material. No projecting vertical sign shall extend more than ten (10) feet above the roof or top of the cornice wall. A sign attached to the corner of

a building and parallel to the vertical line of such corner shall be deemed to be a projecting sign and subject to all the restrictions of this chapter, pertaining to projecting signs. Every projecting sign must be constructed and braced to withstand a horizontal wind pressure of not less than thirty (30) pounds for every square foot of surface exposed and shall be rigidly and securely attached to the building wall or supporting structure in an approved manner. Projecting signs shall not extend more than six (6) feet beyond the building line measured at right angles to the front building line and on corner lots measured radially outward to the point of intersection of two (2) lines parallel to the building lines on both front and side streets except as follows: (Orig.2-10-58.)

1. Projecting signs may be placed over a canopy and extend from the front building line to within two (2) feet of the outer edge of the canopy. (Orig.2-10-58.)
2. No projecting sign shall be at its lowest point less than ten (10) feet from the ground or public way. (Orig.2-10-58.)
3. All cables, guys, fasteners, lag screws, etc. shall be made of galvanized metal or equal corrosion resisting metal. (Orig.2-10-58.)
4. There shall be allowed one (1) projecting pole type sign for each place of business, advertising the place of business or products sold at the place of business. This sign is not to exceed forty (40) square feet and may be placed not closer than five (5) feet from the property line. (Orig.2-10-58.)

L. CANOPIES AND CANOPY SIGNS

The Inspection Department shall not issue any permit for the erection or maintenance of a canopy or canopy sign until after an application has been filed with the department for such a permit, which application shall set forth in detail, the plans and specifications and location of said canopy or canopy sign. When required by the Inspection Department, said applicant shall furnish complete proof, in the form of engineering calculations, stress, diagrams and etc., that the building to which the canopy, marquee or canopy sign is to be attached is so built that the addition of the canopy, marquee or canopy sign to the building wall, will in no case, stress the materials in the building supporting said canopy, marquee or canopy sign beyond the limits of safety, as defined by Building Code or a Civil Engineer. Canopies or marquees may extend outward from the building to within two (2) feet of the property line. No such canopy, marquee or canopy sign shall be less than ten (10) feet in the clear at the lowest point above the level of the ground, and there may be placed an illuminated fascia sign which may extend the entire length and width of the canopy provided such sign does not extend more than four (4) feet above nor more than one (1) foot below such canopy, but under no circumstances, shall the sign or signs in single face be over two hundred (200) square feet and double face over four hundred (400) square feet. (Orig.2-10-58.)

The Inspection Department may remove defective signs. Power and authority is hereby given the Inspection Department to remove, or cause to be removed, any and all defective or dangerous signs when the owner or agent has failed to comply with all orders to repair or make said sign in a safe manner. This order or requirement shall apply to all types of signs, canopies, marquees and canopy signs, when defective installation makes it hazardous for the public. Whenever any sign which does not comply with the provisions of this chapter, shall blow or fall down, or if the sign is removed from its location, except for maintenance, it shall not be replaced or reconstructed, except in full compliance with the requirements of this chapter. (Orig.2-10-58.)

M. EXISTING SIGNS

Any sign which exists at the time of the passage of this chapter, but does not conform with the provisions thereof, shall not be altered or enlarged without making the entire sign conform with the provision of this chapter. This provision, however, shall not be construed so as to prevent illuminating or repainting or relettering of same. (Orig.2-10-58; Am.6-2-58)

N. AWNINGS

Awnings shall be supported without posts by an iron bracket, or by an iron framework attached firmly to the building. The frames and supports for all such awnings shall be securely attached to the walls of the building upon which such awning shall be placed, and no such awning shall project more than ten (10) feet beyond the building line. The lower most point of the frame of such awning shall not be less than eight (8) feet above the sidewalk and the lowest part of the curtain scallop or valance shall be at least seven (7) feet above the sidewalk when in use. The bracket or other device, frames and supports for the purpose used in this method of attaching same to the building shall be such as to clear the heads of pedestrians at the building line. The sidewalk and walkway must be left wholly unobstructed to insure the safety of pedestrians and shall be subject to the approval of the Building Inspector, but it shall not be necessary to issue a permit for awnings. (Orig.2-10-58.)

O. GENERAL RULES AND REGULATIONS

No advertising structures or sign may be erected or maintained unless the name and mailing address of the person or company owning or maintaining it is plainly displayed thereon. No advertising structure or sign shall be placed within the right-of-way of any highway or in any way to be placed as to be considered a traffic hazard, as determined by the Sheriff's Department. (Orig.2-10-58.)

No advertising structure or sign shall be placed upon the inside of a curve or within one hundred (100) feet of a railroad crossing or highway intersection if such would obstruct or interfere with the view of a train, locomotive, automobile or other vehicle or cause any other hazard. (Orig.2-10-58)

P. SETBACK ADJUSTMENT

In a block where the average setback of existing legal signs, within a distance of two hundred (200) feet of both sides of a sign to be erected, is greater or less than the setback required for the district, the setback for such sign shall be not less than such average depth. (Orig.2-10-58.)

Q. COURTESY BENCHES

PERMITS REQUIRED: No courtesy bench shall be installed or maintained by any person, firm or corporation except upon the consent of the adjacent property owner and a permit obtained from a duly authorized inspector. (Orig.2-10-58.)

APPLICATION FOR PERMITS: An application for a permit shall be submitted to the inspector disclosing the name of the applicant, the location of the proposed courtesy bench, together with any other information required by the inspector. One application may be made for one or more benches provided however, that a separate fee shall be paid as hereinafter provided. (Orig.2-10-58.)

FEES - NATURE OF PERMITS: Each application for a permit shall be accompanied by a fee of two dollars (\$2.00) for each courtesy bench except that if the application is filed on or after October 1, in any year, the fee shall be one dollar (\$1.00) for each bench. All permits shall expire at midnight on the 31st day of March of each year. No refunds or rebates shall be made when permits are revoked except as otherwise provided in this article. (Orig.2-10-58.)

ISSUANCE OF PERMITS: If the Inspector shall find that the applicant has complied with all of the provisions of this article and that the maintenance of a bench at the proposed locations will not tend to obstruct passage or create a hazard to persons traveling on the public way in the vicinity thereof, he shall issue a permit; otherwise said application shall be denied. (Orig.2-10-58.)

PERMITS REVOKED: Any permit issued under authority of this article may be revoked by the Inspector for any of the following reasons and as hereinafter set forth: (Orig.2-10-58.)

1. Violation by permittee of any of the provisions of this article. (Orig.2-10-58.)
2. For any fraud or misrepresentation made by the permittee in the application. (Orig.2-10-58.)
3. For failure by the permittee or applicant, to maintain in full force and effect, the necessary indemnity bond or evidence of public liability insurance as required by this article. (Orig.2-10-58.)

4. Where continued maintenance of a bench at a specified location shall be deemed to be a hazard to pedestrians and vehicular traffic or prejudicial to the interest of the general public. In this event, the revocation shall be partial only and shall apply to the bench or benches involved. (Orig.2-10-58.)

BENCH REMOVAL UPON PERMIT REVOCATION: In the event a permit is revoked for any bench, the permittee shall remove the bench within fifteen (15) days after receipt of notice of revocation. (Orig.2-10-58.)

LOCATION AND MAINTENANCE OF BENCHES - SPECIFICATIONS: The permittee shall cause any courtesy bench to conform to the following requirements: (Orig.2-10-58.)

1. No bench shall carry any political advertising or cigarettes, beer or intoxicating liquor; nor shall any wording or sign on such bench display any wording which might mislead or distract traffic. (Orig.2-10-58.)
2. No bench shall be more than forty-two (42) inches in height and two feet, six inches (2' 6") wide and not more than seven (7) feet in length. Benches shall be uniform in appearance throughout the County and authority is empowered to make and enforce rules and regulations to accomplish this purpose. (Orig.2-10-58.)
3. Benches shall be located only at designated bus stops and shall not be maintained on private property. The permittee shall inspect each bench at least semi-monthly. (Orig.2-10-58.)
4. No bench shall be maintained in any alley nor at any location where the distance from the roadway or curb to the property line is less than eight (8) feet, unless the inspector in his approval of the application, finds that to maintain a bench at such a location is in the public interest. Each such bench shall be installed parallel with the street and set back approximately three (3) feet from the paved roadway or curb, except as may be otherwise permitted by the inspector with all respect to safety. Benches shall be kept at all times in a neat, clean and usable condition so that each bench shall be accessible at all times. (Orig.2-10-58.)
5. Advertising shall be displayed only on the front and rear surfaces of the back rest. (Orig.2-10-58.)

INDEMNITY TO COUNTY AND PUBLIC BY PERMITEE: Before a permit for a courtesy bench shall be issued, the applicant shall post or maintain with the County, a bond or policy of insurance (Public Liability) approved by the County and conditioned substantially as follows: That the permittee will indemnify and save harmless the County of Jefferson, its officers, agents and employees from any and all loss, costs, damages, expenses or liability which may result from or arise out of the granting of such permit, for the installation and maintenance of such bench for which a permit is issued and that the

permittee will pay any and all loss or damage that may be sustained by any person as a result of or which may be caused by, or arise out of, such installation or maintenance. The bond or policy of insurance shall be maintained in its original amount by the permittee at his or its expense at all times during the period for which the permit is in effect. In the event that two (2) or more permits are issued to one permittee, one such bond or policy of insurance may be furnished to cover two (2) or more benches and each bond or policy shall be the type where coverage shall automatically be restored after the occurrence of any accident or loss from which liability may thereafter occur. (Orig.2-10-58.)

The limit of liability upon any bond or policy so posted shall in no case be less than fifteen thousand dollars (\$15,000.00) for death or injury of one person, five thousand dollars (\$5,000.00) for property damage. (Orig.2-10-58.)

Any bond shall be accompanied by good and sufficient sureties approved by the County. The County shall notify the permittee of any claim which the County has notice where such claim arises from the installation and maintenance of any courtesy bench as herein provided (Orig.2-10-58.)

OTHER REQUIREMENTS: In addition to the permit fee as set forth herein, the permittee shall also be required to obtain any other sign licenses, and pay any such sign permit fees as may be in force within the County.(Orig.2-10-58)

SECTION 23: EXCEPTIONS AND NONCONFORMING USES

A. USE REGULATION

1. The lawful use of land or buildings existing at the time of the passage of this Resolution that does not conform with the regulations prescribed in the preceding sections of this Resolution, shall be deemed a nonconforming use. Such use may be continued subject to such regulations as to the maintenance of the premises and conditions of operation as may, in the judgement of the Board of Adjustment, be reasonably required for the protection of adjacent or neighboring property. However, if such nonconforming use is discontinued for a period of six (6) months or more, in the use of the land or for twelve (12) months or more in the use of a building, any future use of said land or building must be in conformity with the provisions of this Resolution. (Orig.5-6-46; Am.2-14-56)
2. A nonconforming use shall not be extended. The extension of a continuing use to any portion of a building which was arranged or designed for such nonconforming use at the time of the passage of this Resolution shall be deemed an extension of a nonconforming use within the meaning of this section. No building may be structurally altered to an extent exceeding sixty (60) percent of the market value of the building, at the time of alteration unless the use of said building is changed to a conforming use. A nonconforming use, if changed to a conforming use, may not thereafter be changed back to any nonconforming use. (Orig.5-6-46.)
3. Nonconforming advertising structures and nonconforming junk yards, outdoor automobile dismantling establishments or storage of motor vehicles not in running order shall be discontinued within two (2) years from the effective date hereof. (Orig.5-6-46.)
4. Existing advertising signs which, although conforming to the use regulations of the district in which located, are nearer a lot line than prescribed herein, shall, within a period of one (1) year from the effective date hereof, be moved to conform with the requirements of this Resolution; provided, however, that this provision shall not apply to signs attached to or painted on the walls of a building. (Orig.5-6-46; Am.2-14-56.)
5. If the County of Jefferson shall acquire title to any property, the use of such property shall thereafter be in conformity with this Resolution. (Orig.5-6-46; Am.2-14-56.)

B. HEIGHT REGULATION

The height limits established herein for any district, shall not apply to chimneys, stacks, water towers, radio towers (including antenna) grain

elevators, windmills, silos, elevators, penthouses, monuments, domes, spires, belfries, hangars and accessory mechanical appurtenances. (Orig.5-6-46.)

C. AREA REGULATION

1. AREA AND MINIMUM WIDTH OF LOT. Under the following conditions the Board of Adjustment may permit the following exceptions to the area and width requirements hereinabove set forth, provided that such exceptions can be permitted without substantial detriment to the public good and without substantially impairing the intent and the purpose of the zoning plan as embodied in this Resolution and district maps: (Orig.5-6-46; Am.6-2-58.)
 - a. Where a lot, as shown on a subdivision plat which was on record in the office of the County Clerk and Recorder on or before April 1, 1946, has a smaller area or less width than the minimums hereinabove required, the Board of Adjustment may permit the use of such lot or of any building thereon, or the erection, conversion or structural alteration of a building or buildings thereon, as though the area and width of such lot conformed to the minimums hereinabove required. (Orig.5-6-46.)
 - b. Where the area of a lot is not less than the minimum hereinabove required and the width of the lot is not less than eighty (80) percent of the minimum hereinabove required, or where the width of a lot is not less than the minimum hereinabove required, and the area of the lot is not less than eighty (80) percent of the minimum hereinabove required or where the area and width of a lot are not less than ninety (90) percent of the minimums hereinabove required, the Board of Adjustment may permit the use of such lot or of any building thereon, or the erection, conversion or structural alteration of a building or buildings, thereon, as though the area and width of such lot conformed to the minimums hereinabove required. (Orig.5-6-46.)
2. FRONT YARD
 - a. On a through lot, the front yard requirements of the district or districts in which such lot is located shall apply to each street frontage. (Orig.5-6-46.)
 - b. Every part of a required front yard shall be open and unobstructed from its lowest point to the sky, except as hereinabove provided, except for landscaping and fencing not prohibited by Section 24, of this Resolution and except for open fire escapes and stairways, chimneys and one-story unenclosed porches which extend not more than eight (8) feet into the required front yard. (Orig.5-6-46; Am.12-26-62.)

- c. If fifty (50) percent or more of the main buildings within a built up area in any district except the R-C (Restricted Commercial) District, have less than the required front yard no new main building need have a front yard greater than the average prevailing in the built up area. If fifty (50) percent or more of the main buildings, within a built up area in any district, have more than the required front yard, each new main building must have a front yard not less than the average prevailing in the built up area, except that for the purpose of computing such average, a front yard in excess of fifty (50) feet shall be deemed to be fifty (50) feet. For the purposes of this subparagraph, an area shall be deemed "built up" if fifty (50) percent or more of the lots within two hundred (200) feet of each side lot line of any particular lot shall have been improved with buildings. (Orig.5-6-46.)

3. SIDE YARD

Every part of a required side yard shall be open and unobstructed from its lowest point to the sky except as hereinabove provided and hereinafter provided and except for landscaping and fencing not prohibited by Section 24 of this Resolution. (Orig.5-6-46.)

Under the following conditions, the Board of Adjustment may permit the following exceptions to the side yard requirements hereinabove set forth, provided that such exceptions can be permitted without substantial detriment to the public good and without substantially impairing the intents and the purposes of the zoning plan as embodied in this Resolution and the district maps: (Orig.5-6-46.)

- a. The Board of Adjustment may permit on a side adjoining another lot a side yard of not less than sixty (60) percent of the minimum hereinabove required, if the owner or owners of such other lot shall consent in writing. (Orig.5-6-46.)
- b. Where a lot adjoins another lot on which a dwelling or other main building is situated, and such other lot has, on the adjoining side, a yard greater than the minimum hereinabove required, less the amount by which the side yard of such other lot exceeds the minimum hereinabove required, whichever is the greater. (Orig.5-6-46.)
- c. The Board of Adjustment may permit chimneys and open fire escapes and stairways to extend not more than five (5) feet into a required side yard if such chimneys, fire escapes or stairways can be so situated as not to obstruct unreasonably the light and ventilation of an existing dwelling or other main building on an adjoining lot. (Orig.5-6-46.)

4. REAR YARD

- a. Every part of a required rear yard shall be open and unobstructed from its lowest point to the sky, except as hereinabove and hereinafter provided, except for landscaping and fencing not prohibited by Section 24 of this Resolution, and except for such normal accessories as clothes lines and incinerators. (Orig.5-6-46.)
- b. The Board of Adjustment may permit chimneys and open fire escapes or stairways to extend not more than five (5) feet into a required rear yard if such rear yard abuts on an alley which is not less than sixteen (16) feet in width, provided that such exceptions can be permitted without substantial detriment to the public good or without substantially impairing the intent and the purpose of the zoning plan as embodied in this Resolution and the district maps. (Orig.5-6-46.)

SECTION 24: FENCES, WALLS AND OBSTRUCTION TO VIEW

A. VISION CLEARANCE AT CORNERS AND RAILROAD CROSSINGS

No fence, wall, hedge or other structure or other obstruction above a height of forty-two (42) inches shall be erected, placed or maintained within fifty-five (55) feet of the intersection of the right-of-way lines of two (2) streets or railroads, or of a street intersection with a railroad right-of-way as depicted on the Section 24 sketch. Notwithstanding any regulations set forth in Section 24 of this Resolution, nor any permit or variance granted by the Board of Adjustment; no type of tree, planting, sign, fence or portion thereof or any type of obstacle shall be planted, placed or retained in such a manner which would obstruct the vision clearance at corners, curb cuts, railroad crossings or cause a traffic hazard. (Orig.6-2-58; Am.12-26-62.)

B. CLASSIFICATION OF FENCES AND WALLS

1. Masonry walls. (Orig.2-14-56.)
2. Ornamental iron (eighty percent (80%) open). (Orig.2-14-56; Am.12-26-62.)
3. Woven wire (eighty percent (80%) open). (Orig.1-14-56; Am.12-26-62.)
4. Wood or other materials (more than fifty percent (50%) open). (Orig.12-26-62)
5. Solid fences-wood or other materials (less than fifty percent (50%) open). (Orig.2-14-56.)
6. Hedges. (Orig.2-14-56.)
7. Barbed-wire or sharp-pointed fences. (Orig.12-26-62.)

C. AGRICULTURAL DISTRICTS

Fences and walls within the A-1 and A-2 Districts shall conform to the following requirements: (Orig.12-26-62.)

1. Section 24, Subsection A. (Orig.12-26-62.)
2. Class 1, 2, 3, 4, 5, 6 or 7, fences and walls may be erected and maintained to a maximum height of eighty-four (84) inches; however, when the A-1 and/or the A-2 District is adjacent to or within a developed area, the requirements and erection shall be compatible with those of the adjacent areas and such fences and/or walls shall require the approval of the Building Inspector. (Orig.12-26-62.)

D. RESIDENTIAL DISTRICTS

1. Fences and/or walls with the R-1, R-1A, R-1B, R-2, R-3, R-3A, R-T, MR-2 and MR-3 Districts shall conform to the following requirements: (Orig.2-14-56.)
 - a. Section 24, Subsection A and the requirements set forth and depicted on the Section 24 Sketch. (Orig.12-26-62.)
2. Fences and/or walls within the MR-1 District shall conform to the following requirements: (Orig.12-26-62.)

- a. Section 24, Subsection A. (Orig.12-26-62.)
- b. Class 1, 2, 3, 4, 5, 6, or 7 fences and walls may be erected up to a maximum height of eighty-four (84) inches; however, when the MR-1 District is adjacent to or within a developed area, the requirements and erection shall be compatible with those of the adjacent area and such fences and/or walls shall require the approval of the Building Inspector. (Orig.12-26-62.)

E. COMMERCIAL DISTRICTS

Fences and/or walls within the R-C, R-C1, C-1 and C-2 Districts shall conform to the following requirements: (Orig.2-14-56.)

1. Section 24, Subsection A except front yard class 2 or 3 fences may be erected in the front yard up to a maximum height of seventy-two (72) inches. (Orig.12-26-62.)
2. Side and rear yard, class 1, 2, 3, 4, 5, or 6 fences and/or walls may be erected up to a maximum height of seventy-two (72) inches, except that Section 24, Subsection A shall prevail at all intersections. (Orig.12-26-62.)

F. INDUSTRIAL DISTRICTS

Fences and/or walls, within the I-1, I-2 and I-3 Districts shall conform to the following requirements: (Orig.2-14-56.)

1. Section 24, Subsection A except class 2 or 3 fences, no height regulation. (Orig.12-26-62.)
2. Class 1, 2, 3, 4, 5, 6 or 7 fences and/or walls, no height regulation. (Orig.12-26-62.)

G. ALL PUBLIC BUILDINGS, GROUNDS AND ANY PUBLIC STRUCTURE

Fences and/or walls for all public buildings, grounds and/or any public structure shall conform to the following requirement: (Orig.12-26-62.)

1. Section 24, Subsection A except that class 2 or 3 fences shall be permitted with no height regulation. (Orig.12-26-62.)

H. MEASUREMENT OF ALL FENCE AND/OR WALL HEIGHT AND/OR LOCATIONS

1. All fences and/or wall height shall be measured from the lot line. (Orig.12-26-62.)
2. All locations for distance measurements shall be measured from the lot line. (Orig.12-26-62.)

I. HEIGHT OF ANY BARBED WIRE OR SHARP POINTED FENCE

1. No barbed wire or sharp pointed fence will be permitted under a height of seventy-two (72) inches in any zoned district with the exception of the A-1 and A-2 and MR-1 zoned districts. (Orig.12-26-62.)

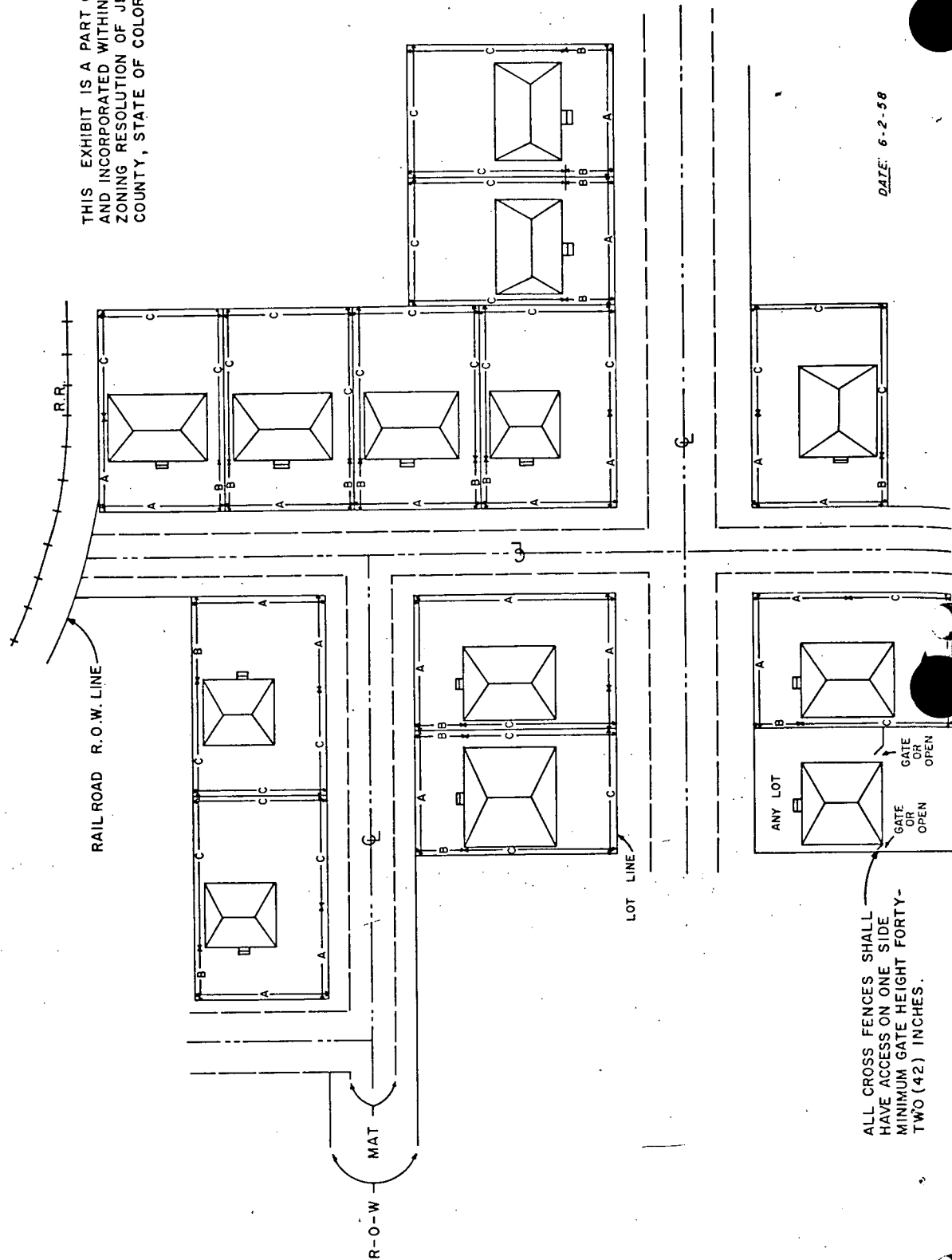
J. HEIGHT OF FENCES ATOP RETAINING WALLS

1. A combination fence and retaining wall may be erected to a height of seventy-two (72) inches above the higher finished grade or ninety-six (96) inches above the lower finished grade, said measurement to be made at the property line, with the exception that the fence portion may not exceed seventy-two (72) inches above the higher finished grade. (Orig.12-26-62.)

SECTION 24 SKETCH

AREAS, TYPES OF WALLS, FENCES PERMITTED AND THEIR HEIGHTS

- A. CLASS 2, 3, OR 4 UP TO FORTY-TWO (42) INCHES IN HEIGHT
- B. CLASS 1, 2, 3, 4, 5 OR 6 UP TO FORTY-EIGHT (48) INCHES IN HEIGHT
- C. CLASS 1, 2, 3, 4, 5 OR 6 UP TO A HEIGHT OF SEVENTY-TWO (72) INCHES



THIS EXHIBIT IS A PART OF,
AND INCORPORATED WITHIN THE
ZONING RESOLUTION OF JEFFERSON
COUNTY, STATE OF COLORADO.

SECTION 25: BOARD OF ADJUSTMENT

A. ESTABLISHMENT

A Board of Adjustment is hereby established, the members of which shall be appointed by the Board of County Commissioners. The word "Board" when used in this section shall be construed to mean the Board of Adjustment. The Board shall consist of five (5) members, not more than two (2) of whom at any time may be members of the Jefferson County Planning Commission. Each member shall serve five (5) years. Vacancies shall be filled and associate members may be appointed as provided by law. Members of the Board of Adjustment as constituted at the time of enactment of this Resolution, shall be continued in office for the duration of their appointed terms. (Orig.5-6-46.)

B. OFFICERS

The Board shall at its first regular meeting of such year, select a Chairman, a Vice Chairman and a Secretary. The Secretary may or may not be a member of such Board. The Chairman shall preside at meetings and shall perform all duties usual and ordinary for the presiding officer of any Board or group. The Vice Chairman shall perform the duties of the Chairman in the absence of the Chairman. The Secretary shall keep full and complete minutes and records of all meetings and shall have the custody of all the records and shall generally supervise all of the clerical work of the Board and perform the duties usually performed by the Secretary of a Board or group. (Orig.5-6-46.)

C. POWERS

The Board shall have the following powers: (Orig.5-6-46.)

1. To hear and decide upon appeals where it is alleged by the appellant that there is an error in any order, requirement, decision or determination made by an administrative official or agency based on or made in the enforcement of this Resolution. (Orig.5-6-46.)
2. To hear and decide requests for special exemptions or for interpretations of the district maps or for decisions upon other special questions upon which the Board is expressly authorized by this Resolution to pass. (Orig.5-6-46)
3. To interpret the provisions of this Resolution in such a way as to carry out the intent and purpose of the plan where the street or highway layout on the ground varies from the street or highway layout as shown on the district map. (Orig.5-6-46.)
4. Where by reason of exceptional narrowness, shallowness or shape of a

specific piece of property at the time of the enactment hereof, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of such piece of property, the strict application of any regulation herein adopted would result in peculiar and exceptional and undue hardship on the owner of such property, to authorize, upon an appeal relating to such property, a variance from such strict application so as to relieve such difficulties or hardship, provided such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zoning plan as embodied in this Resolution and district maps. (Orig.5-6-46.)

5. To permit in a residential or agricultural district a temporary building or use of land for business or industry which is incidental to the residential development, such permit to be issued for a period of not more than one (1) year. (Orig.5-6-46.)
6. To permit in any district, the temporary use of vacant land for the excavation of sand, gravel, earth, clay, rock or other similar materials subject to such reasonable restrictions as may be deemed necessary by the Board to protect the residential property in the neighborhood. (Orig.5-6-46; Am.6-2-58; Am.7-11-66.)

This shall be construed to authorize the Board of Adjustment to include permits for rock crushers, screening equipment and other similar machinery deemed to be necessary for the normal operation of processing such materials, providing such equipment relates only to materials excavated from the same site and providing proper operation, setback and other controls necessary or proper under each set of location circumstances shall be established by the Board. (Orig.

7. To permit public utility or public service uses in any district when found to be necessary for the public health, safety, convenience or welfare. (Orig.5-6-46.)
8. To permit or to refuse to permit uses listed in the several districts as permissible only if approved by the Board of Adjustment; provided however, that in consideration of the use, due consideration shall be given to the effect of such use on adjacent property. (Orig.5-6-46; Am.12-26-62.)
9. To allow the reconstruction, within one year, of non-conforming building which has been destroyed by fire or other cause to the extent of not more than sixty (60) percent of its market value at time of destruction. (Orig.5-6-46.)
10. Where the boundary line of any district divides property which was in a single ownership on the effective date hereof and continued in single ownership to the time of the appeal, the Board may permit the use authorized by this Resolution on the less restricted portion of such property to extend not more than thirty (30) feet beyond the boundary line. (Orig.5-6-46.)

Permit the location in any Residential District of any accessory building authorized in any Residential District or in an (Agricultural-One) A-1 District, provided there shall be on file with the Board, the written approval of the owners of eighty (80) percent of all the adjacent land within such area as the Board shall have determined to be specifically affected by such proposed use or structure. (Orig.5-6-46.)

- . To permit temporary home occupations as provided (and defined) herein, subject to the following limitation: (Orig.11-15-65.)
 - a. Use must be located or operated within the single unit dwelling used by such person for his or her home and shall show no external evidence thereof. (Orig.11-15-65.)
 - b. Total area employed shall not exceed twenty-five (25) percent of the gross floor area of the dwelling unit; but shall be limited, in any event, to four hundred (400) square feet. Garages or porches, attached or otherwise, shall not be included in the floor area. (Orig.11-15-65.)
 - c. No assistant, not a resident of the premises, shall be employed. (Orig.11-15-65.)
 - d. No retail business of any type shall be permitted and further, no stock in trade may be kept or commodities may be sold or displayed. (Orig.11-15-65.)
 - e. Such home occupation shall be approved only for the use of the applicants, and not subject to transfer between ownerships or from property to property. (Orig.11-15-65.)
 - f. Such permission shall be given only in cases involving practical difficulties or unnecessary hardship, provided further that the relief requested be granted only if it is compatible with the general spirit and intent of the Jefferson County Zoning Resolution and such as to promote the general welfare and do substantial justice. The burden of proof shall rest with the applicant. (Orig.11-15-65.)
 - g. Advertising shall be limited to one (1) inanimate, non-illuminated sign, not to exceed one (1) square foot in area. (Orig.11-15-65.)
- 13. In exercising the above-mentioned powers, the Board may in conformity with the provisions of law, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from and shall make such order, requirement, decision or determination as in its opinion ought to be made in the premises, and to that end shall have all the powers of the County Building Inspector. (Orig.5-6-46)

SECTION 26: RULES OR PROCEDURE OF THE BOARD OF ADJUSTMENT

A. MEETINGS

1. Regular meetings of the Board of Adjustment shall be held on the first Wednesday and the third Wednesday of each month at 9:00 a.m. (Orig.5-6-46; Am.3-17-58; Am.4-30-69.)
2. Special meetings shall be held at the call of the Chairman and at such other times as the Board may determine. (Orig. 5-6-46.)
3. All meetings shall be opened to the public. (Orig.5-6-46.)
4. A quorum of the Board of Adjustment shall consist of three (3) members. (Orig.5-6-46.)
5. The members of the Board shall attend meetings of the Board, in person. (Orig.5-6-46.)
6. The Chairman, or in his absence, the Vice-Chairman or Acting Chairman, may administer oaths and compel the attendance of witnesses. (Orig.5-6-46.)
7. The Board shall keep minutes of its proceedings, showing the vote of each member on each question, or if absent or failing to vote, indicating such fact; and it shall also keep records of its examinations and other official actions, all of which shall be filed immediately in the offices of the Board and shall be a public record. (Orig.5-6-46.)
8. The concurring vote of four (4) members of the Board shall be necessary to reverse any order, requirement, decision or determination of the County Building Inspector or to decide in favor of applicant, any matter upon which it is required to pass, under the Zoning Resolution, or to effect any variation herein. An appeal may be taken from any final action of the County Building Inspector to the Board of Adjustment by any person aggrieved, or by an officer, department or board of the County. Such appeal shall be taken within fifteen (15) days after the date of the final decision of the County Building Inspector, by filing with the County Building Inspector and the Board of Adjustment, a notice of appeal specifying the grounds thereof. (Orig.5-6-46.)

B. CASES BEFORE THE BOARD

1. Every application, appeal or petition to the Board shall be made to the Board on forms especially provided, and shall include the data

required in such forms so as to supply all of the information necessary for a clear understanding and intelligent action by the Board. (Orig.5-6-46.)

2. Any communication purporting to be an application, appeal or petition shall be regarded as mere notice of intention to seek relief until it is made in the form required. (Orig.5-6-46.)
3. Upon receipt of any such communication, the writer shall be supplied with the proper forms for presenting his application, appeal or petition, and if he fails to supply the required data within time provided for appeal, his case may be dismissed for lack of prosecution. (Orig.5-6-46.)
4. When an appeal is filed, the County Building Inspector shall forthwith transmit to the Board of Adjustment, all papers pertaining to the case. (Orig.5-6-46.)

C. CALENDAR OF CASES- NOTICE OF HEARING

1. Each case filed in the proper form with the required data shall be numbered serially regardless of whether it be an application, petition or appeal, and shall be placed on the Secretary's calendar. The calendar numbers shall begin anew on January 1 of each year; shall be hyphenated with the number of the year and the initials indicating the character of the case. Applications for exceptions under the Zoning Resolution will be identified by a "Z" and an appeal from any order, requirement, decision or determination by the County Building Inspector shall be identified with an "A". (Orig.5-6-46.)
2. As soon as a case receives a calendar number, it shall be put on the Secretary's calendar and the applicant or appellant shall be notified of the date when his case will be heard, such notice to be by registered mail, sent to the address given on the application, petition or appeal. (Orig.5-6-46.)
3. Not less than fifteen (15) days notice of the time and place of such hearing shall be given by posting a sign in a prominent place on the premises which is the subject of such application or appeal. (Orig.5-6-46)
4. Any applicant or appellant, and any resident or taxpayer of Jefferson County, who desires to oppose the application or appeal and be heard at such hearing, may appeal in person, by agent, or by attorney. (Orig.5-6-46.)

D. FINAL DISPOSITION OF CASES

1. Every decision of the Board on any case shall be by recorded Resolution

indicating the reasons of the Board therefore. (Orig.5-6-46.)

2. The final disposition of any appeal from the County Building Inspector before the Board of Adjustment shall be in the form of a resolution, either affirming, reversing or modifying the order, requirement, decision or determination appealed from. If a resolution fails to receive four (4) votes in favor of the appellant upon appeal or of the applicant for a variation from the zoning regulations, the action will be deemed equivalent to a denial, and a resolution denying such application or appeal shall be formally entered upon the record unless there be a member absent at the roll call and unless the vote of each absent member added to those voting for an applicant or appellant would equal four (4), in which case the matter will be laid over for hearing before the full Board. (Orig.5-6-46.)
3. No application or appeal dismissed or denied can be considered again except (a) on a motion to reconsider the vote, or (b) on a request for a rehearing. No request to grant a rehearing will be entertained unless new evidence is submitted which could not have been, with due diligence, presented at the previous hearing. (Orig.5-6-46)
4. The Board may, on a motion by any member, review any decision that it has made and may reverse or modify such decision, but no such review shall prejudice the right of any person who has, in good faith, acted thereon before ruling is reversed or modified. (Orig.5-6-46.)

E. ZONING APPLICATION

1. No application for a variation from the course prescribed by the Zoning Resolution shall be heard by the Board of Adjustment except in a specific case and from an order, requirement, decision or determination made by the County Building Inspector upon the ground that the proposed plan or use is contrary to the provisions of the Zoning Resolution. (Orig.5-6-46.)
2. No such application shall be entertained unless the application is filed within fifteen (15) days after the date of the action of the County Building Inspector. (Orig.5-6-46.)
3. As soon as any application is completed by the filing of the necessary data, the Board of Adjustment shall fix a reasonable time for the hearing and give due notice thereof to the parties. (Orig.5-6-46)
4. At the time of the hearing, the applicant states his case, then the opposition shall be heard and the applicant shall have the opportunity to reply. (Orig.5-6-46.)
5. No application that has been dismissed or denied can be entertained in a case in which the applicant, by filing of new plans,

has obtained a new decision from the County Building Inspector, unless the new plans materially change the aspects of the case. (Orig.5-6-46.)

6. In cases coming under the provision of Subsection C-11 of Section 25 of the Zoning Resolution, in which written approval of owners of eighty (80) percent of the property defined to be affected are required, said approvals must be on forms provided, duly signed and must be filed with the Secretary of the Board, not later than 12 o'clock noon on the day preceding the date set for the hearing of the case. Any person who desires to rescind his approval in any such case must file with the Secretary of the Board a request for cancellation of his signature and withdrawal of his approval, which request shall be duly signed and must be filed as aforesaid, not later than 12 o'clock noon on the day preceding the date set for hearing of the case. (Orig.5-6-46.)

SECTION 25A: MOVE AND SET

- A. No building, structure or improvement shall be moved or set from or upon land located in any zoned area of the County or transported upon any public highway in the County until and unless a building permit to move and set and a transport permit has been obtained therefore and said building, structure or improvement complies with the provisions of this section. (Orig.4-1-59; Am.3-17-60.)
- B. All buildings, structures and improvements shall comply with the Jefferson County Building Code. (Orig.4-1-59.)
- C. PROCEDURE
 - 1. Any person who wishes to obtain a building permit, to move and set in compliance herewith shall apply at the office of the Building Inspector, request an inspection of the building, structure or improvement to be moved and set, and that an application for such permit be filed with the Building Inspector. (Orig.4-1-59; Am.3-17-60.)
 - 2. The applicant shall submit with his application for said building permit a plot plan, footing and foundation plan and construction plans for any new construction which plans shall comply with the Building Code. (Orig.4-1-59; Am.3-17-60.)
 - 3. If the building, structure or improvement is located in the County, all outstanding property taxes shall be paid and the applicant shall submit with his application, a statement from the County Treasurer showing that all past and current taxes have been paid before any permit shall be issued. (Orig.4-1-59.)
 - 4. Upon receipt of the above items, the Building Inspector shall inspect said building, structure or improvements, and the proposed location where same will be set within Jefferson County and upon determining that the proposed development complies with the Building Code and Zoning Resolution, the Building Inspector shall issue the building permit to move and set and then notify the office of the County Engineer, who shall issue a transport permit, providing said building complied with the resolution. The County Engineer or his agent will designate the route to be traveled. The transport permit is good only for the date specified on permits, except Saturday, Sunday or holidays. The transport permit will not be issued if ninety (90) days or more have lapsed from the date of inspection by the Building Inspector. (Orig.4-1-59; Am.5-11-59; Am.3-17-60)
 - 5. There will be a building permit fee of twenty-five (25) dollars, to cover costs of investigation and inspection for determining

the structural soundness of buildings, structures or improvements to be moved, which fee is payable in advance and must accompany the application provided for herein. The inspection shall determine what will be necessary to bring buildings, structures or improvements into compliance with the Jefferson County Building Code should the building not comply. This fee is not returnable. If buildings, structures or improvements are found to be capable of complying with the Jefferson County Building Code, a building permit will be issued at the regular fee as determined by the valuation of said building, structure or improvements as published in the Jefferson County Building Code. (Orig.3-17-60; Am.3-23-64.)

6. The transport permit provided for in this section shall not be in lieu of any building permits which may be required by the County. (Orig.4-1-59; Am.3-17-60.)
7. No transport or building permit to move and set shall be issued until the applicant has first obtained the necessary permits from the telephone company, public utilities companies, railroad companies and the State Highway Department of Colorado and the County Road Supervisor unless it can be shown by the applicant these agencies are not interested in the matter. (Orig.4-1-59; Am.3-17-60.)
8. No transport or building permit to move and set shall be issued for any building, structure or improvement exceeding twenty-four (24) feet in width, twenty (20) feet maximum loaded height, or in excess of fifty-five (55) feet in length. (Orig.4-1-59; Am.3-17-60; Am.3-23-64.)
9. No person, corporation or company shall transport, move or set any building, structure or improvement in the County of Jefferson until and unless such person, corporation or company shall post with the Building Inspector a good and sufficient indemnity bond in the amount of five thousand dollars (\$5,000) in favor of Jefferson County. Such bond shall be made by a surety corporation authorized to do business in this state; said bond may be issued on an annual basis but shall not be in excess of such period of time. (Orig.4-1-59.)

SECTION 27: APPLICABILITY OF DISTRICT REGULATIONS
AND GENERAL REGULATIONS

Except as may be otherwise provided herein:

1. No lot shall be reduced or diminished, nor shall any structure be so enlarged or moved, as to reduce beyond the minimum, the required yard, lot area, width of lot, open spaces, setbacks or other requirements of the zoning district where located, except under one of the following conditions: (Orig.7-28-58.)
 - a. Where the Board of Adjustment, within its authority, grants a variance, as provided within this Zoning Resolution, and the use of the remaining land within its zoning district would not create a hazardous situation, or be unreasonable. (Orig.8-26-68.)
 - b. Where, for public purposes, land is obtained by an authorized public entity, and the use of the remaining land within its zoning district would not create a hazardous situation, or be otherwise unreasonable. (Orig.8-26-68.)
2. Every building hereafter erected shall be located on a lot, as defined herein, and in no case shall there be more than one (1) main building on one (1) lot except as may be otherwise provided herein. (Orig. 7-28-58.)
3. The front of a yard on a lot shall be as indicated on the plat, regardless of the location or facing of any building or structure thereon, and shall be that portion corresponding to the fronts of the majority of the lots in the block. (Orig.7-28-58.)
4. Where a line designating the future width of any street or highway is shown on a Master Plan, official map, state highway plan or established in any other way, the front yard depth or building setback shall be measured from such line instead of from the existing front lot line. (Orig.7-28-58.)

SECTION 28: ENFORCEMENT: OFFICE OF THE BUILDING INSPECTOR

There is hereby established the position of the County Building Inspector. It shall be the duty of the County Building Inspector, to enforce the provisions of this Resolution. Hereafter, it shall be unlawful to erect, construct, reconstruct, structurally alter, to change the use of any building or other structure or to use any vacant land except for agriculture, without first obtaining from the Building Inspector, a written permit, and the Building Inspector shall not issue any permit unless the plans for the proposed erection, construction, reconstruction, alteration or use fully conform to all zoning regulations then in effect. Nothing in this provision shall be construed, however, to waive height, area and use regulations on accessory buildings in these districts. (Orig.5-6-46; Am.12-26-62.)

No oversight or dereliction on the part of the County Building Inspector or his authorized assistants or on the part of any official or employee of Jefferson County shall legalize, authorize or excuse the violation of any of the provisions of this Resolution. The County Building Inspector shall enforce such regulations as are necessary as to maintenance of premises and condition of operations to insure against unnecessary odors, smoke or noise of any permitted use. (Orig.5-6-46.)

The application for each permit shall give a description of the lot or land involved, location and intended use of the proposed building or buildings, the number of housekeeping units the building is designed to accommodate, if any, and such other information as may be required for the enforcement of this Resolution. All applications for permits and copies of permits issued shall be kept for ready public reference by the County Building Inspector. The Board of County Commissioners shall fix a reasonable schedule of fees for the issuance of such building permits. (Orig.5-6-46.)

For all new buildings before footing inspections and approval thereof, it shall be required that the owner, leasee, builder or contractor locate the property boundaries by placing at the property corners of the building site, stakes or other monuments to establish said boundaries. (Orig.12-26-62.)

Where uncertainty exists with respect to the boundaries of the various districts as shown on the sectional maps, the following rules shall apply: (Orig.5-6-46.)

1. In subdivided areas, unless otherwise shown on the maps, the district boundaries are either streets or alleys or record lot lines and where a district boundary line is approximately along a street or alley or record lot line, said street or alley or lot line shall be construed to be the boundary. (Orig.5-6-46.)
2. In unsubdivided areas, the district boundaries, unless otherwise shown on the maps are street, highways or land survey lines.

Where a portion of any district is indicated upon the district map, as a strip paralleling a street or highway, with width of the strip, unless given in figures, shall be determined by the use of the scale of the map. (Orig.5-6-46.)

3. In the event of controversy regarding the location of a district boundary line, the matter shall be referred for decision to the Board of Adjustment. (Orig.5-6-46.)

SECTION 29: DEFINITIONS

A. For the purpose of this Resolution, certain words and terms are defined as follows: (Orig.5-6-46.)

1. ACCESSORY BUILDING:
A subordinate building, or portion of a main building, the use of which is incidental to that of the main building on the same lot. (Orig.5-6-46.)
2. BUILDING:
A structure having a roof supported by columns or walls. (Orig.5-6-46.)
3. BUILDING - HEIGHT OF:
The vertical distance measured from the curb level to the highest point of the roof surface, if a flat roof; to the deck line of a mansard roof; and to the mean height level between eaves and ridge for a gable, hip or gambrel roof; provided, however, where buildings are set back from the line, the height of the building shall be measured from the average elevation of the finished grade of the building. (Orig.5-6-46; Am.11-15-65.)
4. CATTERY:
Any building, structure or open space devoted in its entirety or in part to the raising, boarding or harboring of four (4) or more adult cats. (Orig.11-15-65.)
5. CUL-DE-SAC: A non-thru or dead end local street with special features (bulb) for the turning around of vehicles. (Orig.4-7-69)
6. CUL-DE-SAC LOT: A parcel of land that is designed to be occupied by a main building and accessory buildings, which attaches to the turn circle (bulb) of a dead-end street (Orig.4-7-69.)
7. CUL-DE-SAC-LOT WIDTH: A cul-de-sac lot will have at least thirty (30) feet of street frontage. The average width of this lot shall be equal to the minimum required frontage of standard lots within any given zone district, and the lot will meet the area requirements of the zone district. However, lots fronting on cul-de-sacs (bulbs) will be excluded from meeting the "front yard" width requirements of the Jefferson County Zoning Resolution. (Orig.4-7-69.)
8. DWELLING - ONE FAMILY:
A building designed for occupancy by not more than one family. (Orig.5-6-46.)
9. DWELLING - TWO FAMILY:
A building designed for occupancy by two families living in separate apartments as tenants from month to month or for a term longer than one month. (Orig.5-6-46; Am.11-15-65.)

10. DWELLING - MULTIPLE:
A building or group of buildings designed for occupancy by three (3) or more families living in separate apartments as tenants from month to month or for a term longer than one (1) month. (Orig.5-6-46.)
11. FAMILY:
Any number of individuals living together as a single housekeeping unit. (Orig.5-6-46.)
12. FARMING:
The cultivation of land, including ranching or raising of livestock only, unless otherwise herein specifically provided. (Orig.5-6-46; Am.11-15-65.)
13. FREEWAY:
A state highway designated, in the manner provided by law, as a freeway. (Orig.5-6-46.)
14. GARAGE - PRIVATE:
An accessory building or an accessory portion of a main building, designed for the shelter or storage of motor vehicles owned or operated by the occupants of the main building only. (Orig.5-6-46; Am.11-15-65.)
15. GARAGE - PUBLIC:
A garage, other than a private garage, used for the housing or care of motor vehicles, or where such vehicles are equipped for operation, repaired or kept for remuneration, hire or sale. (Orig.5-6-46.)
16. HIGHWAY - STATE:
A road designated, in the manner provided by law as a state highway; or a right-of-way or parcel of real property owned by the state, or a governmental subdivision thereof, as a part of a projected road to be constructed and designated as a state highway in the future. (Orig.5-6-46.)
17. HOME OCCUPATION:
Uses that may be deemed by the Board of Adjustment to be customary and incidental to the residential district and which are approved, and used, in conformance with provisions of Section 25 of this Zoning Resolution. (Orig.11-15-65.)
18. JUNK:
Scrap brass, scrap copper, scrap iron, scrap lead, scrap tin, scrap zinc, and all other scrap metals and the alloys and bones, rags, used cloth, used rope, used rubber, used tinfoil, used bottles, old or used machinery of any type, used tools, used appliances, used fixtures, used utensils, used lumber, used boxes or crates (fabricated of any material), used pipe or pipe fittings, used conduit or conduit fittings, used automobiles in non-operative condition, used tires and other manufactured goods that are so worn, deteriorated or obsolete as to make them unusable in their existing condition. (Orig.11-15-65.)

19. JUNK YARD:

An open area where any waste, junk, used or second hand materials are bought, sold, exchanged, stored, baled, packed, disassembled or handled, including, but not limited to, scrap iron and other metals, paper, rags, rubber tires and bottles. A "junk yard" also includes an autowrecking yard of the storage or keeping of one (1) or more inoperative motor vehicles, (except where otherwise specifically permitted), but does not include uses established entirely within enclosed buildings. (Orig.11-15-65.)

20. KENNEL:

Any building, structure or open space devoted in its entirety or in part, to the raising, boarding or harboring of four (4) or more adult dogs. (Orig.11-15-65.)

21. LABORATORY:

A building or a portion of a building devoted to the experimental study in science or the testing and analysis of chemicals, drugs, explosives, minerals, etc. (Orig.11-15-65.)

22. LABORATORY - MEDICAL OR DENTAL:

A building or a portion of a building devoted to the use of providing bacteriological, biological, medical, x-ray, pathological and similar analytical or diagnostic services to doctors or dentists and where no fabrication is conducted on the premises, except the custom fabrication of dentures. (Orig.11-15-65.)

23. LIVESTOCK:

Domestic animals of types customarily raised or kept on farms or ranches for profit or other productive purposes. (Orig.11-15-65.)

24. LOT:

A parcel of land occupied or designed to be occupied by a main building and the accessory buildings or uses customarily incidental to such main building, including the open spaces required by this Resolution and such open spaces as are arranged and designed to be used in connection with such buildings. A lot may or may not be the land shown as a lot on a duly recorded plat. (Orig.5-6-46.)

25. LOT - CORNER:

A lot of which at least two (2) adjacent sides abut for their full length upon a street. (Orig.5-6-46.)

26. LOT - INTERIOR:

A lot other than a corner lot. (Orig.5-6-46.)

27. LOT - THROUGH:

An interior lot abutting on more than one (1) street or corner lot abutting on more than two (2) streets. (Orig.5-6-46.)

28. LOT LINE - FRONT:

The common boundary line between an interior lot (other than a through lot) and a street, or the common boundary line between a corner lot (other than a through lot) and that street toward which the principal or usual entrance to the main building situate on such lot more nearly faces or the common boundary line between a through lot and any adjacent street. (Orig. 5-6-46.)

29. LOT LINE - REAR:

That boundary line of a lot which is most nearly opposite the front lot line of such lot, other than a through lot. (Orig. 5-6-46.)

30. LOT LINE - SIDE:

Any boundary line of a lot, other than a front lot line or rear lot line. (Orig. 5-6-46.)

31. MOBILE HOME:

Any assembled or manufactured living unit designed for permanent human occupancy, possessing a length greater than twenty-five (25) feet and being equipped for use with wheels for purposes of relocation by highway and/or rail transportation. (Orig. 11-15-65.)

32. MOBILE HOME PARK:

Land or property utilized for or intended for the use of renting occupancy spaces for one (1) or more mobile homes. (Orig. 11-15-65.)

33. PORCH - UNENCLOSED:

A porch which is open to the atmosphere on at least two (2) sides. (Orig. 5-6-46.)

34. SETBACK LINE - FRONT:

A line parallel with a front lot line of a lot, tangent to that part of a building situate on such lot (other than an open fire escape or stairway, a chimney or a one-story unenclosed porch) which is closest to such lot line and intersecting two (2) other lot lines of such lot. (Orig. 5-6-46.)

35. SETBACK LINE - FRONT-CUL-DE-SAC: a line concentrically parallel to the right-of-way line of the street on the cul-de-sac (bulb) and a line parallel to and a minimum of twenty (20) feet from the right-of-way line of the remainder of the cul-de-sac. (See Figure 1, Section 29.) On cul-de-sac lots, the Board of Adjustment may not issue a variance on the land that lies between the cul-de-sac front setback line and the cul-de-sac right-of-way line as depicted (See Figure 1, Section 29.) The projection of the front setback line in situations where the cul-de-sac is eccentric, shall conform to Figure 1, Section 29. (Orig. 4-7-69.)

36. SETBACK LINE - REAR:

A line parallel with a rear lot line of a lot, tangent to that part of a building situate on such lot which is closest to such rear lot line and intersecting two (2) other lot lines of such lot. (Orig. 5-6-46.)

37. SETBACK LINE - SIDE:

A line parallel with a side lot line of a lot, tangent to that part of a building situate on such lot which is closest to such side lot line and intersecting two (2) other lot lines of such lot. (Orig.5-6-46.)

38. STREET:

A public thoroughfare for vehicular traffic. (Orig.5-6-46.)

39. STRUCTURE:

Anything constructed or erected, the use of which requires a more or less permanent location on the ground; but not including earth-works, ditches, canals, dams, reservoirs, pipelines, telephone or telegraph or electric power lines, walks, driveways or curbs. (Orig.5-6-46; Am.6-6-50; Am.6-2-58.)

40. STRUCTURAL ALTERATIONS:

Any change in the supporting members of a building such as bearing walls, columns, beams or girders, floor joists or roof joists. (Orig.5-6-46.)

41. TAVERN:

Any establishment selling by the drink, fermented malt beverages, or malt, vinous or spirituous liquors, as defined by Section 2 and 18 of chapter 39, 1935 Colorado Statutes annotated, as amended. (Orig.5-6-46.)

42. TOURIST COURT OR CAMP:

A building or a group of buildings designed for occupancy by transients. (Orig.5-6-46.)

43. TRAVEL CAMPERS (ALSO TO INCLUDE FACILITIES REFERRED TO AS CAMPERS, CAMP TRAILERS OR TRAVEL TRAILERS):

A living unit designated for temporary occupancy, attaining no further length than twenty-five (25) feet and being equipped for use with wheels or mounted on motorized vehicle, for the purpose of relocation by highway transportation. (Orig.11-15-65.)

44. TRAVEL CAMPER PARK:

Land or property utilized for or intended for use of renting temporary occupancy space to transient users of travel campers. (Orig.11-15-65.)

45. VETERINARY HOSPITAL: A place where animals or pets of all types are given medical or surgical treatment. Use as a kennel shall be limited to short-time boarding and shall only be incidental to such hospital use and need not be enclosed within the main building. (Orig.4-7-69.)

46. VETERINARY HOSPITAL (SMALL ANIMAL, ENCLOSED): A place where small animals or pets (dogs, cats, birds and the like) are given medical or surgical treatment. Use as a kennel shall be limited to short-time boarding and shall only be incidental to such hospital use. All uses shall be enclosed within a sound-proof building which emits no objectionable odor. (Orig. 4-7-69.)

47. WIDTH OF LOT:

The shortest distance between any two (2) lot lines of a lot which are intersected by the same front setback line, measured from either of such points of intersection. (Orig. 5-6-46.)

48. YARD:

An open space on the same lot with a building, unoccupied and unobstructed from the ground upward except as otherwise provided herein. (Orig. 5-6-46.)

49. YARD - FRONT:

That portion of a lot lying between a public street and nearest parallel front setback line of such lot. (Orig. 5-6-46.)

50. YARD - REAR:

That portion of a lot lying between the rear lot line and the rear setback line of such lot. (Orig. 5-6-46.)

51. YARD - SIDE:

That portion of a lot lying between a side lot line and the nearest parallel side setback line of such lot. (Orig. 5-6-46.)

- B. Words used in the present tense include the future; words in the singular number include the plural, and words in the plural number include the singular; the word "building" includes the word "structure" and the word "shall" is mandatory and not directory. (Orig. 5-6-46.)

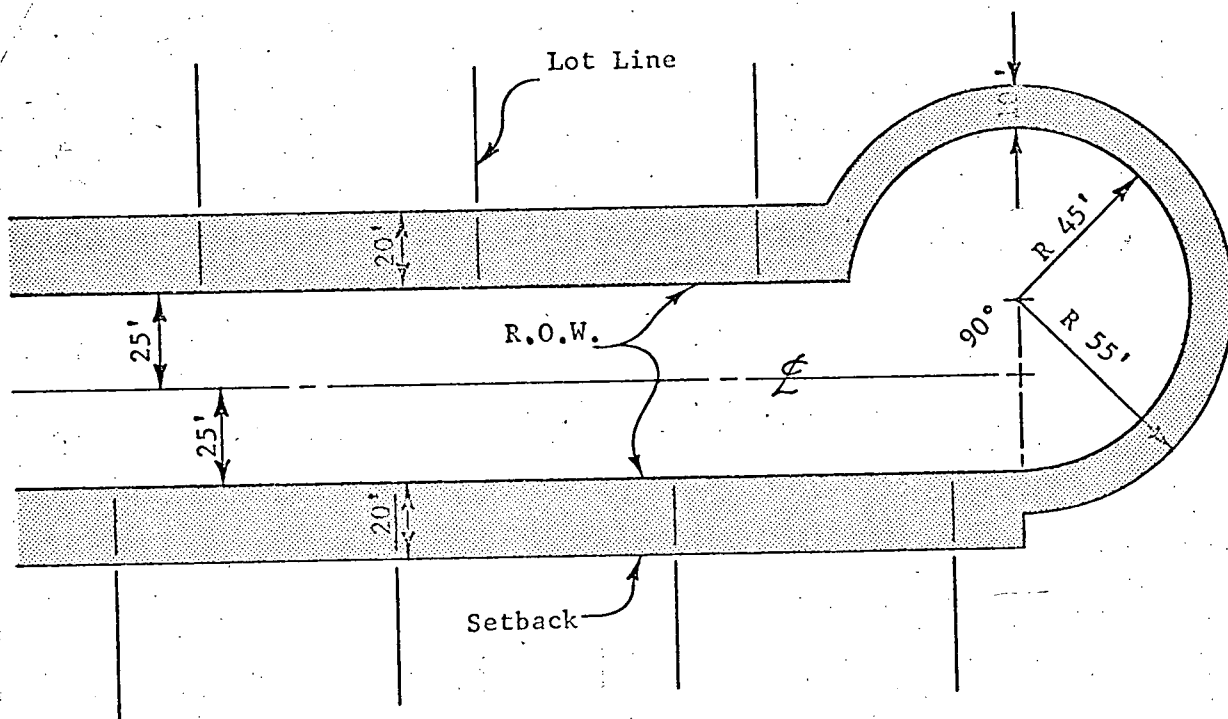
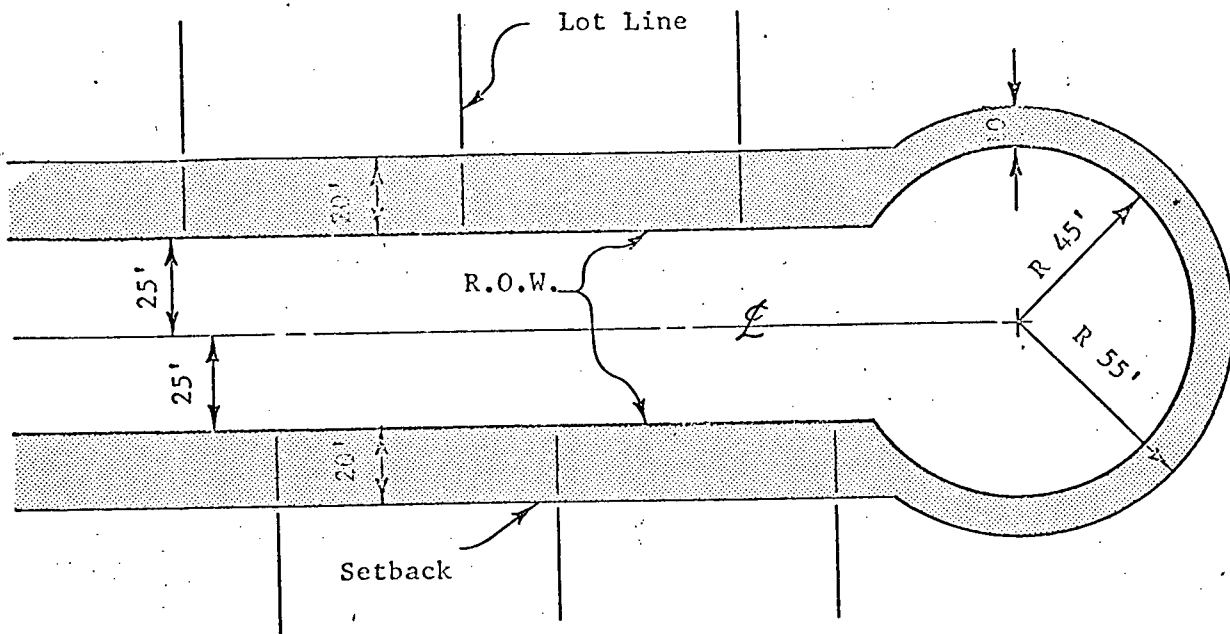


Figure 1 (Orig. 4-7-69)

(36f) April 7, 1969

SECTION 30: CHANGES AND AMENDMENTS

- A. The Board of County Commissioners, from time to time, may amend the number, shape, boundaries or area of any district or districts, or any regulation of or within such district or districts, or any other provisions of this Resolution, but such amendment shall not be made or become effective unless the same shall have been proposed by or be first submitted for the approval, disapproval, or suggestions of the Jefferson County Planning Commission. If disapproved by the Planning Commission within thirty (30) days after such submission, such amendment to become effective, shall receive the favorable vote of not less than a majority of the entire membership of the Board of County Commissioners. Before finally adopting any such amendment, the Board of County Commissioners shall hold a public hearing thereon, at least thirty (30) days notice of the time and place of which shall be given by at least one publication in a newspaper of general circulation in Jefferson County. Upon approval of such application by the Planning Commission, a fee of seventy-five dollars (\$75.00) will be charged. (Orig. 5-6-46; Am. 6-2-58; Am. 12-26-62.)
- B. A time limitation of one (1) year shall be required during which resubmission of a rezoning application, previously denied, pertaining to the same parcel of ground, or portion thereof, and a similar zone classification will not be accepted by the Jefferson County Planning Department for consideration by the Jefferson County Planning Commission, unless evidence is presented clearly showing that a substantial change in physical conditions and circumstances warrants an earlier hearing. (Orig. 7-11-66.)

No rezoning application shall be accepted by the Jefferson County Planning Department as long as there is a pending application for rezoning of said premises before the Planning Commission, the Board of County Commissioners, the Board of Review or in a court of record, and for one (1) year thereafter. The time limitation of one (1) year herein established shall be computed from the date of final determination of the rezoning application or of final judgment of any court of record. (Orig. 7-11-66.)

SECTION 31: INTERPRETATION

In interpreting and applying the provisions of this Resolution, they shall be held to be the minimum requirements for the promotion of public health, safety, morals, convenience, order, prosperity and the general welfare. It is not intended by this Resolution to interfere with or abrogate or annul any easements, covenants or agreements between parties, provided, however, that wherever this Resolution imposes a greater restriction upon the use of buildings or land or upon the location or height of buildings or structures or required larger open spaces about buildings than are imposed or required by other laws, resolutions or by easements, covenants or agreements between parties, the provisions of this Resolution shall govern. (Orig.5-6-46.)

SECTION 32: VIOLATION AND PENALTY

Any person, firm or corporation violating any regulation of this Resolution, shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined not more than one hundred dollars (\$100.00) or imprisoned not more than ten (10) days, or both. Each and every day during which the violation continues shall be deemed a separate offense. In case of a violation of this Resolution, the Board of County Commissioners, the District Attorney or any owner of real estate in the zoned area may institute injunction proceedings to halt such violation. (Orig.5-6-46.)

SECTION 33: VALIDITY

Should any section, clause, sentence or part of this Resolution be adjudged by any court or competent jurisdiction, to be unconstitutional or invalid, the same shall not affect, impair or invalidate the Resolution as a whole or any part thereof, other than the part so declared to be invalid. (Orig.5-6-46.)

SECTION 34: REPEAL

The Zoning Resolution passed and adopted on February 3, 1941, and all other resolutions in conflict with the provisions of this Resolution are hereby repealed. (Orig.5-6-46.)

SECTION 35: WHEN EFFECTIVE

This resolution shall be in effect from and after its passage. (Orig. 5-6-46)

SECTION 36: C-O CONSERVATION ZONE

A. USE REGULATION:

1. Agricultural uses but not including the feeding of garbage to hogs, provided that no dwellings are located within such areas. (Orig.12-26-62.)
2. Public parks and/or recreation area. (Orig.12-26-62.)
3. Buildings and structures customarily accessory to the permitted uses, provided that no dwellings are located within such areas except as specifically provided herein. (Orig.12-26-62; Am.1-4-65.)
4. Deposit and/or excavation of sand, gravel, rock, earth, minerals and other similar materials in the manner prescribed in Section 25 of this Resolution. (Orig.7-11-66.)

B. CONDITIONAL USES:

1. The following uses are permitted subject to such conditions as may be established by the Jefferson County Planning Commission and the Board of County Commissioners to preserve the general intent and purpose of this zone. (Orig.12-26-62.)
 - a. Riding academies and stables. (Orig.12-26-62)
 - b. Golf driving ranges and other similar uses of an open nature. (Orig.12-26-62.)
 - c. Railroad right-of-way. (Orig.12-26-62)
 - d. Residence for caretaker of public area on which it stands. (Orig.1-4-65.)
 - e. Campground for mounted camper units, camp trailers and tents. This provision shall apply only for campground areas for tourists, campers, hunters, fishermen, mountain climbers and other such individuals involved in similar temporary transient activity. Plans of such areas must be registered with and approved by both the Jefferson County Health Department and the Jefferson County Planning Department and be subject to all sanitary requirements of the Health Department on a continuing basis. This provision shall not be construed to permit mobile homes or trailers, as provided within the Residential-Trailer (R-T) District. (Orig.1-4-65.)
2. The following uses are permitted as a temporary use by obtaining a special permit from the Board of Adjustment and subject to such restrictions as may be deemed necessary by the Board of Adjustment to protect surrounding development: (Orig.12-26-62.)
 - a. Sanitary land fill, provided such fill does not create a water diversion hazard which would endanger adjacent areas, and further provided that such sanitary land fill would not create any undesirable odors or any unsightly areas to adjacent properties and/or buildings. (Orig.12-26-62.)

C. HEIGHT REGULATIONS:

1. No structure shall exceed twenty-five (25) feet in height. (Orig.12-26-62.)

D. AREA REGULATIONS:

1. No conditional use as described under Section B above shall be located on a lot containing an area of less than five (5) acres, in this zone. (Orig.12-26-62.)

E. PERCENTAGE OF LOT COVERAGE:

1. Buildings, including accessory structures, shall not cover more than one (1) percent of the area of any parcel of land in this zone. Campgrounds shall not cover more than twenty (20) percent of the area of any parcel on which approval for such use has been given, provided that not less than twenty-thousand (20,000) square feet be provided for each camp site. (Orig.12-26-62.)

F. FRONT YARD:

1. The front yard building setback line for any conditional use as shown in Section B above shall be a minimum of one-hundred (100) feet from any existing or proposed street or road right-of-way line. (Orig.12-26-62.)

G. SIDE YARD:

1. There shall be a minimum side yard of fifty (50) feet between any building, structure or camper unit and the nearest property line. (Orig.12-26-62; Am.1-4-65.)

H. REAR YARD:

1. There shall be a minimum rear yard of fifty (50) feet as measured from the rear property line to the nearest building or camper unit. (Orig.12-26-62; Am.1-4-65.)

I. STREAM SETBACK:

1. No building, structure or camper unit intended for overnight living quarters shall be permitted to be constructed or placed within the flood plain of any stream as determined by the highwater line of a twenty-five (25) year flood. The term "stream" shall be construed to include channel, marsh lands, swamp or any other area subject to inundation. (Orig.1-4-65.)

Where such flood plain boundary is in question, the owner shall provide a study prepared by a registered professional engineer, to determine such boundary, subject to approval and verification by the Jefferson County Planning Engineer and County Engineer. (Orig.1-4-65)

SECTION 37: MSR-1 MOUNTAIN SUBURBAN RESIDENTIAL ONE DISTRICT

A. USE REGULATION

No building or land shall be used and no building shall be hereafter erected, converted or structurally altered, unless otherwise provided herein, except for one or more of the following uses: (Orig.3-23-64.)

1. Any use permitted in the MR-1 (Mountain Residential One) District. (Orig.2-23-64.)

B. HEIGHT REGULATION

1. No building shall exceed thirty-five (35) feet in height.(Orig.3-23-64.)

C. AREA REGULATION

1. AREA AND MINIMUM WIDTH OF LOT: The minimum lot area for a dwelling or other main building shall be five (5) acres. The minimum width of lot for a dwelling or other main building shall be three hundred (300) feet.(Orig.3-23-64.)
2. FRONT YARD: The minimum depth of front yard for dwelling and other main buildings shall be fifty (50) feet. No part of the front yard, established by the required setback, may be used for off-street parking. Accessory buildings shall have the same front yard as the dwelling or other main building to which they are accessory. (Orig.3-23-64.)
3. SIDE YARD: The minimum depth of all side yards for dwellings and other main buildings shall be fifty (50) feet.(Orig.3-23-64.)
4. REAR YARD: The minimum depth of the rear yard for dwellings and other main buildings shall be fifty (50) feet. (Orig.3-23-64.)

SECTION 38: MSR-2 MOUNTAIN SUBURBAN RESIDENTIAL TWO DISTRICT

A. USE REGULATION

No building or land shall be used and no building shall be hereafter erected, converted or structurally altered, unless otherwise provided herein, except for one of the following uses: (Orig.3-23-64.)

1. Any use permitted in the MSR-1 (Mountain Suburban Residential One) District. (Orig.3-23-64; Am.11-15-65.)

B. HEIGHT REGULATION

1. No building shall exceed thirty-five (35) feet. (Orig.3-23-64.)

C. AREA REGULATION

1. AREA AND MINIMUM WIDTH OF LOT: The minimum lot area for a dwelling or other main building shall be two (2) acres. The minimum width of lot for a dwelling or other main building shall be one hundred and fifty (150) feet. (Orig.3-23-64.)
2. FRONT YARD: The minimum depth of front yard for dwellings and other main buildings shall be fifty (50) feet. No part of the front yard established by the required setback, may be used for off-street parking. Accessory buildings shall have the same front yard as the dwelling or other main building to which they are accessory. (Orig.3-23-64.)
3. SIDE YARD: The minimum depth of all side yards for dwellings and other main buildings shall be fifty (50) feet. (Orig.3-23-64.)
4. REAR YARD: The minimum depth of the rear yard for dwellings and other main buildings shall be fifty (50) feet. (Orig.3-23-64.)

SECTION 39: PD PLANNED DEVELOPMENT DISTRICT

A. INTENT OF CLASSIFICATION

The Planned Development District is intended to provide a means of developing large tracts of land into group-buildings and use complexes with a continuity of design and development, fulfilling the intent of this Resolution, but making provision for development concepts not otherwise provided for within the Zoning Resolution or Subdivision Regulations of Jefferson County. (Orig.5-24-65.)

B. USE REGULATIONS

Planned Development of any nature (residential, commercial, industrial, public or quasi-public), either as a single use or in combination may be permitted. Such development shall be under unified control, whether by single, corporate, condominium or association ownership. (Orig.5-24-65.)

C. AREA - HEIGHT AND SETBACK REGULATIONS

1. To qualify for consideration for Planned Development District zoning, the proposed development area shall contain a minimum of four (4) acres under unified control. (Orig.5-24-65.)
2. Other minimum parking, height, setback and area regulations shall be considered for the overall site with regard to those limitations established on similar uses in other Jefferson County zone districts and with regard to compatibility with surrounding development. Varied regulations for parking, height, setback or area may be established. Such regulations may be recommended to the Board of County Commissioners by the Planning Commission, but in any event, final regulations shall be established by the Board of County Commissioners when determined to be in the best interest of the public and overall development of the County. (Orig.5-24-65.)

D. CONSIDERATION OF PLANS

The County Planning Commission, prior to making recommendations to the Board of County Commissioners, shall consider the site plans of the proposed development, surrounding development characteristics and the recommendations of the Planning Department Staff. The County Planning Commission may make determinations of requirements and limitations, restrictions or other features felt to be necessary and reasonable. Requirements may be prescribed to insure that the proposed development will: not result in undue traffic congestion or traffic hazards; be adequately landscaped, buffered and screened; and will eliminate as many undesirable characteristics as possible, in its effect on nearby development. (Orig.5-24-65.)

E. APPROVAL OF PLANS

1. Approval of permits for construction, reconstruction, additions to, changes of size or layout, or change of height of buildings or structures in a Planned Development District, shall not be issued unless and until a complete site plan has been submitted to the County Planning Department and subsequently approved by both the Planning Commission and Board of County Commissioners. (Orig.5-24-65.)
2. Plans, approved under this classification, shall be provided to the Board of County Commissioners by the owner, developer, or authorized legal agent, in the form of reproducible linen (s) containing graphic and/or descriptive outlines of all final stipulations placed on this site plan by such Board. The linen (s) shall be recorded by the County Clerk and Recorder as an "Official Development Plan". (Orig.5-24-65.)
3. A fee of ten (10) dollars per sheet shall be charged to cover recording costs at the time of such recording. (Orig.5-24-65.)
4. All construction shall be in accordance with such "Official Development Plan" and shall be completed within a time limitation to be established by the Board of County Commissioners. Such time limitation will be based on the extent of proposed development in relation to size, amount of physical construction necessary, cost, and other time factors felt to be involved with the subject proposal. If, in the opinion of the Board of County Commissioners, substantial construction of physical improvements has occurred at the end of this time limitation, and is evidenced by the submission of documents by the applicant, the Board of County Commissioners may extend the initial time period. (Orig.5-24-65.)
5. Failure to complete construction at the termination of the initial time limitation, or such extension of time as may have been granted the applicant, shall justify initiation, by the Board of County Commissioners, of action to consider reclassification and rezoning of said site to a more restrictive zone classification, or classifications. (Orig.5-24-65.)