Zoning Resolution 1990

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FIGURE 5 LEGEND

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Rowans Acres	2
Val-E-Vu Estates	3
Pleasant View	4
Crestview Acres	5
Skyline Heights	6
Thompson Subdivision	7
Wrights Subdivision	8
Vansway Acres	9
VanBerg Tracts	10
Whitcomb Subdivision	11
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SECTION I

TITLE

1.1 Title

A resolution and map establishing Zoning Districts in Logan County, Colorado, regulating the location, height, bulk, and size of buildings and other structures within the territorial jurisdiction of Logan County; regulating the percentage of lot which may be occupied; the size of lots, courts and other open space, the density and distribution of population, and the location and use of land for trade, industry, recreation, or other uses; dividing said areas of zoning jurisdiction into districts; and providing for the amending and enforcing of this resolution and penalties for its violation.

1.2 Short Title

This resolution and map shall be known as the Logan County Zoning Resolution.

SECTION 2

PURPOSE AND AUTHORITY

2.1 General Purpose:

This resolution is necessary, designed, and enacted for the purpose of promoting the health, safety, morals, and general welfare of the present and future inhabitants of Logan County, Colorado, by lessening congestion in the streets and roads; securing safety from fire and other damages; providing adequate light and air; preventing the overcrowding of land; avoiding undue concentration of population; facilitating the adequate provision of transportation, water, sewage, schools, parks, and other public requirements; and protecting urban and rural development.

2.2 Authority:

The Logan County Zoning Resolution is authorized by Article 2, Chapter 106, of the Colorado Revised Statutes, 1963, as amended and is hereby declared to be in accordance with all provisions of these Statutes.

2.3 Zoning Map and Boundaries of Zone Districts:

A. The zone symbols and the boundaries of zone districts are shown on the accompanying map and are made a part hereof, being designated as the "Logan County Zone Map". Said map and all the notations, references and other information shown thereon, are as much a part of these regulations as if the matters and information set forth by said map were fully described herein.

B. Boundaries. In determining the boundaries of zone districts shown on the map, the following rules shall apply.

(1) Unless otherwise indicated, the zone boundaries are the centerlines of streets, roads, highways, alleys, railroad rights-of-way, and channelized waterways,or such lines extended;

(2) In unsubdivided property, zone boundaries shall be determined by use of the scale on the map. A legal description acceptable to the Planning Commission shall be made available if a controversy arises concerning zone district boundaries.

(3) Where a district boundary is shown by a specific dimension as being located at any given distance

from any right-of-way line, such specific dimension shall govern.

2.4 Vacations:

Whenever any street, alley, or other public way is vacated by official action of the Board of County Commissioners, the zoning district adjoining each side of such street, alley or public way shall be automatically extended to the center of such vacation and all area included in the vacation shall then and henceforth be subject to all appropriate regulations of the extended district.

2.5 Applicability:

Except as hereinafter provided:

A. No structure or land shall hereafter be used or occupied and no structure or part thereof shall be erected, moved or altered unless in conformity with the regulations herein specified for the District in which it is located.

B. No part of a lot, open area, or off-street parking area designated for any use or uses or structure or structures for the purpose of complying with the provisions of these regulations shall be designated as a part of a lot similarly required for another use or uses or structure.

2.6 Zoning Districts:

In order to carry out the purposes of this Resolution, Logan County is hereby divided into the following districts:

EP - Environmental Protection

A - Agricultural

RE - Residential Estate

RS - Residential Suburban

RM - Residential - Multiple Family

CH - Commercial Highway

CC - Commercial Center

I - Industrial

SECTION 3

ZONING DISTRICT REGULATIONS

3.1 USE SCHEDULES FOR ZONING DISTRICTS

The following schedule of permitted uses and of basic location and bulk regulations for the various districts are hereby adopted and declared to be a part of this Resolution, and may be amended in the same manner as any other part of this Resolution. In each zoning district, any use category not expressly permitted shall be deemed excluded. If a question arises as to whether a specific use does or does not come within the following expressed use categories, any person may apply to the board of zoning adjustment for a determination as to whether a specific use is expressly permitted.

	RE			RS			RM			CC			CH			I			EP			AG		
	R	C	P	R	C	P	R	C	P	R	C	P	R	C	P	R	C	P	R	C	P	R	C	P
Accessory buildings and uses	X			X			X			X			X			X			X			X		
Agricultural equipment sales and service		X			X			X		X			X			X						X		
Airports																	X						X	
Animal Hospital or Kennel											X			X			X						X	
Auditorium, indoor theaters, recreation centers										X			X			X								
Auto accessory parts and repair										X			X			X								
Auto and motorcycle racetrack or course																								X
Auto sales and service, not including auto salvage or wrecking										X			X			X								
Auto salvage and wrecking																		X						X
Auto service station and garage										X			X			X							X	
Auto wash and polish service										X			X			X								
Automobile parking lots (Commercial)									X			X			X			X						
Bakeries										X			X			X								
Banks, insurance, real estate, investment offices										X			X			X								
Barber shops, beauty shops										X			X			X						X		
Book, novelty, variety, hobby, toy, music stores										X			X			X								
Bottling works													X			X								
Bowling alley										X			X			X								
Building materials supply										X			X			X								
Bus, train, and airline terminals											X			X		X								

R = Use by Right
C = Conditional Use
P = Use by Special Permit

	RE			RS			RM			CC			CH			I			EP			AG		
	R	C	P	R	C	P	R	C	P	R	C	P	R	C	P	R	C	P	R	C	P	R	C	P
Cabinet making and carpentry shops.....													X			X								
Camping areas.....															X						X			X
Cemeteries.....											X			X									X	
Child day care centers.....								X			X			X			X					X		
Churches and related uses.....	X			X			X			X			X			X						X		
Civic, youth, social and fraternal organizations.....		X						X		X			X			X						X		
College and university buildings and uses...		X			X			X					X			X							X	
Country clubs and golf courses.....	X			X			X						X			X			X			X		
Dairies.....																X			X			X		
Department store.....										X			X			X								
Drive-In Restaurant.....										X			X			X								
Drive-In Theaters.....															X									X
Dry goods and variety stores.....										X			X			X								
Dwelling unit, provided it is occupied by the owner, operator or caretaker....										X			X			X								
Electrical and household appliance stores, sales and repair.....										X			X			X								
Electrical, heating, painting, plumbing, roofing and ventilating shops.....										X			X			X								
Electrical substations and gas regulator stations.....		X			X			X			X			X			X			X			X	
Electrical transmission lines.....		X			X			X			X			X			X			X			X	
Equipment rental.....										X			X			X								
Extractive land use[1].....																	X			X			X	

	RE			RS			RM			CC			CH			I			EP			AG		
	R	C	P	R	C	P	R	C	P	R	C	P	R	C	P	R	C	P	R	C	P	R	C	P
Fairgrounds														X			X			X			X	
Farming, ranching, and general agriculture													X			X			X			X		
Feed lots (livestock confinement areas)																								X
Feed lots (indoor confinement facilities)																								X
Fiber Optic Cable		X			X			X			X			X			X			X			X	
Fire and Police stations	X			X			X			X			X			X			X			X		
Fish hatcheries																X			X			X		
Florists										X			X			X						X		
Frozen food lockers, not including slaughtering on the premises										X			X			X								
Fur farming																			X			X		
Furniture, mail order, photography, shoe, and shoe repair stores										X			X			X								
Governmental and public utility offices		X			X			X		X			X			X								
Hardware and paint stores										X			X			X								
Home occupations																			X			X		
Hospitals, nursing homes, homes for the aged		X			X			X			X			X									X	
Hotel and Motel, Restaurant, bar and lounge										X			X			X								
Industrial - scientific research, manufacturing, compounding, fabrication, assembling, processing or treatment of products, distribution center, food and beverage processing or other similar types of use																X								
Keeping of pets and domestic animals	X			X			X			X			X			X			X			X		
Laundry and cleaning services										X			X			X								
Libraries and Museums	X			X			X			X			X			X			X			X		

	RE			RS			RM			CC			CH			I			EP			AG		
	R	C	P	R	C	P	R	C	P	R	C	P	R	C	P	R	C	P	R	C	P	R	C	P
Liquor, drug, food stores.....										X			X			X								
Living quarters for hired personnel.....																			X			X		
Machine Shops.....													X			X								
Medical and dental clinics.....										X			X			X						X		
Miniature golf or driving ranges.....													X							X			X	
Mobile Home for use as a principal dwelling unit[3].....																			X			X		
Mobile Home parks.....						X			X						X									X
Mortuaries.....										X			X			X								
Movie Production Site &/or Tourist Attraction Site.....											X			X			X			X			X	
Multiple family dwelling units.....							X																	
Music, radio, and television stores.....										X			X											
Novelty, curio, antique & souvenir shop.....										X			X											
Nurseries, greenhouses.....		X			X								X			X			X			X		
Oil & gas drilling and production facilities*.....															X			X			X			X
Outdoor entertainment facilities.....													X									X		
Parks, recreation lands, & wildlife preserves (public or private).....	X			X			X			X			X			X			X			X		
Pet shops.....										X			X											
Planned Unit Development (PUD).....					X			X						X			X							
Printing, photocopying, blueprint services..										X			X			X								
Processing of agricultural products (Commercial).....															X									X

*Refer to 5.11C for bonding requirements.

	RE			RS			RM			CC			CH			I			EP			AG		
	R	C	P	R	C	P	R	C	P	R	C	P	R	C	P	R	C	P	R	C	P	R	C	P
Professional and accounting services offices										X			X			X								
Radio and television studios.....										X			X			X						X		
Radio and television towers.....																			X			X		
Ranch offices.....																			X			X		
Repeater Facility.....		X			X			X			X			X			X			X			X	
Resort lodges and guest ranches.....																				X		X		
Riding academy.....											X			X			X			X			X	
Roadside stands[4].....																			X			X		
Rooming and boarding, fraternity & sorority houses.....							X																	
Sanitariums, mental institutions.....																							X	
Sanitary landfill (Commercial or public)....																		X						X
Schools; public and parochial.....	X			X			X				X			X								X		
Schools private.....										X			X			X								
Sewage treatment plants.....		X			X			X			X			X			X			X			X	
Single family dwellings.....	X			X			X												X			X		
Single family mobile homes.....				X																				
Sporting goods.....										X			X			X								
Stock raising, but not including feed lots..													X			X			X			X		
Telephone lines.....		X			X			X			X			X			X			X			X	
Tourist home.....													X			X								
Tourist Information Center.....													X											
Travel bureaus.....										X			X											
Two family dwellings.....							X																	

	RE			RS			RM			CC			CH			I			EP			AG		
	R	C	P	R	C	P	R	C	P	R	C	P	R	C	P	R	C	P	R	C	P	R	C	P
Underground utility lines for the transmission or collection of water, sewage, natural gas, or oil[6]		X			X			X			X			X			X			X			X	
Used Merchandise										X			X			X								
Warehouses													X			X						X		
Water reservoirs, water storage tanks, water treatment plants, water pumping stations, & sewer lift stations[5]		X			X			X			X			X			X			X			X	
Well Drilling Service center													X			X								

[1] Rock crushers, concrete & asphalt mixing plants, sand and gravel pits or any other such excavation, with the exception of coal mining.

[2] Providing they are not a nuisance or public health hazard.

[3] In connection with a ranch or farm provided that said mobile home is on a permanent foundation.

[4] For operation during six (6) months of the year for the sale of the products produced on the farm.

[5] For each instance, the water &/or sanitation district shall provide plot plans showing the proposed installation and its relationship to any nearby property. The Board shall prescribe conditions for each installation in order to protect adjacent properties.

[6] A Conditional Use Permit is not required for the construction of water &/or sewage transmission lines in Commissioner approved subdivisions.

3.2 BULK REQUIREMENTS

	RE	RS	RM	CC	CH	I	EP	AG
3.2.1 Minimum Lot Size								
A. With public sewer and water	1 a	7,000 sq.ft.	7,000 sq. ft.	NR	NR	NR	5 a	5 a
B. With public sewer only	1 a	1 a	1 a	NR	NR	NR	5 a	5 a
C. With public water only	2.5a	1 a	1 a	NR*	NR*	NR*	5 a	5 a
D. Without public sewer or water	5 a	5 a	2 a	NR*	NR*	NR*	35	5 a
3.2.2 Minimum Lot Size per Dwelling Unit								
A. Single family	Same as in 3.2.1 above							
B. Multiple family	One-half (1/2) of areas in 3.2.1 above for each dwelling unit							
3.2.3 Minimum Setbacks from Lot Lines								
A. Front	30'	25'	25'	40'	50'	40'	100'	70'
B. Back	20'	20'	20'	10'	10'	10'	25'	25'
C. Side	10'	5'	5'	NR	NR	NR	25'	25'
3.2.4 Minimum Lot Width	100'	50'	60'	NR*	NR*	NR*	200'	200'
3.2.5 Maximum Building Height	35'	35'	35'	35'	35'	35'	35'	35'
3.2.6 Minimum Floor Area (Square Feet)								
A. Single family	1000	300	700	300	300	300	300	300
B. Multiple family dwelling unit	NA	NA	500	NA	NA	NA	NA	NA
C. Mobile Home unit	NA	300	300	NA	NA	NA	NR	NR

* = Except as may be required by the local health authority for lots without secondary sewage treatment facilities.

NR = None Required

NA = Not Applicable

SECTION 4

NONCONFORMING USES AND BUILDINGS

4.1 Nonconformance:

Certain uses of land and buildings may be found to be in existence at the time of the passage of this Resolution, which do not meet the requirements of this Resolution. It is the intent of this Resolution to allow the continuance of such nonconforming use. However, the owner of each nonconforming use must register the use of such property at the Logan County Department of Planning and Zoning. The burden of proof as to whether the use existed prior to the adoption of this Resolution, is the responsibility of the applicant. Every five years, after registration of the nonconforming use, a questionnaire from the Board of County Commissioners will be sent to the nonconforming use registrant for the purpose of verifying that the use is still operating and in existence on the property. Failure to register or to reply to the questionnaire may be used as prima facie evidence of abandonment.

4.2 Expansion or Enlargement:

A. A nonconforming building to be extended or enlarged shall conform with the provisions of this Resolution.

B. A nonconforming activity may be extended throughout any part of a building which was arranged or designed for such activity at the enactment of this Resolution.

4.3 Repairs and Maintenance:

The following changes or alterations may be made to a nonconforming building or to a conforming building housing a nonconforming use:

A. Maintenance repairs that are needed to maintain the good condition of a building, except that if a building has been officially condemned, it may not be restored under this provision.

B. Any structural alteration that would reduce the degree of nonconformance or change the use to a conforming use.

4.4 Restoration or Replacement:

A. If a nonconforming activity is destroyed or damaged in any manner, to the extent that the cost of restoration to its condition before the occurrence shall exceed fifty percent of the cost of reconstructing the entire activity, it shall be restored only if such use complies with the requirements of this ordinance

B. If a nonconforming building is destroyed or damaged in any manner to the extent that the cost of restoration to its condition before the occurrence shall exceed seventy-five percent of the cost of reconstructin the entire structure, it shall be restored only if it complies with the requirements of this ordinance.

C. Where a conforming building devoted to a nonconforming activity is damaged less than fifty percent of the cost of reconstructing the entire structure or where a nonconforming building is damaged less than seventy-five percent of the cost of reconstructing the the entire structure, either may be repaired or restored, provided any such repair or restoration is started within twelve (12) months and is completed within eighteen (18) months from the date of partial destruction.

D. The cost of land or any factors other than the cost of the structure are excluded in the determination of cost of restoration for any building or activity devoted to a nonconforming use.

4.5 Discontinuance:

Whenever a nonconforming use has been discontinued for a period of twelve (12) months it shall not thereafter be reestablished, and any future use shall be in conformance with the provisions of this resolution.

4.6 Nonconforming Lots: (This section was repealed June 6, 1979.)

4.7 Change in Nonconforming Use:

No nonconforming use of a building or lot may be changed to another nonconforming use. A nonconforming use of a building or lot may be changed to a conforming use.

4.8 Construction Prior to Resolution Passage:

Nothing herein shall require any change in plans, construction, or designated use of a building or structure for which approval of the County Commissioners has been obtained prior to the effective date of this Resolution and construction of which shall have been diligently prosecuted within three (3) months following the date of such approval.

4.9 Special Exceptions to Provisions on Expansion of Nonconforming Uses:

The Board of Adjustment may authorize, upon appeal in specific cases, an exception permitting an increase in either or both the land area or the floor area of a structure or structures occupied by a non-conforming use, subject to terms and conditions fixed by the Board. Every exception authorized hereunder shall be personal to the applicant therefor and shall not be transferrable, shall run with the land only after the construction of any authorized structure or structures and only for the life of such structure or structures. No exception shall be authorized hereunder unless the Board shall find that all the following conditions exist:

A. That the use is a nonconforming use as defined by this Resolution, is in full compliance with all requirements of this Resolution applicable to nonconforming uses;

B. That, owing to exceptional and extraordinary circumstances, literal enforcement of the provisions of this Resolution regarding non-conforming uses will result in unnecessary hardship;

C. That the exception will not substantially or permanently injure the appropriate use of adjacent conforming property in the same district.

D. That the exception will not alter the essential character of the district in which is located that property for which the exception is sought;

E. That the exception will not weaken the general purposes of this Resolution or the regulations established herein for the specific district;

F. That the exception will be in harmony with the spirit and purposes of this Resolution;

G. That the exception will not adversely affect the public health, safety, or welfare.

4.10 Termination of Certain Non-Conforming Uses:

The following non-conforming uses shall be terminated within twelve (12) years from the date of the passage of this Resolution, in any districts, unless they are allowed in the district by conditional or special use permit and said permit has been issued:

A. Extractive Land Use
B. Sanitary Landfills
C. Sewage Treatment Plant
D. Agricultural Food Processing for Human Consumption
E. Auto Salvage and Wrecking
F. Drive-In Theaters
G. Automobile or Motorcycle Race Track or Course
H. Automobile Parking Lots
I. Camping Areas
J. Electrical Transmission Lines of Sixty-Nine Kv or more
K. Feed lots (Livestock Confinement Areas)

The twelve (12) year period is designated as an amortization period during which the market value of the property and use can be amortized. The owner of the property or use shall have ten (10) years from the date of the passage of this Resolution in which to submit an appeal to the County Commissioners that said twelve (12) year period is an inadequate period of time to amortize their non-conforming use, and in setting forth his grounds therefor.

SECTION 5

CONDITIONAL AND SPECIAL USES ALLOWED BY PERMIT ONLY

5.1 Conditional and Special Uses Allowed by Permit Only:

The purpose of conditional and special use permits is first to recognize that there are a number of uses which may or may not be appropriate in a particular district depending upon all the circumstances of the individual case, and second, to allow review of such uses so that the county is assured that these uses are compatible with their locations and surrounding land uses and will further the purposes of this Resolution. Conditional and special uses as designated under Section 3, Zoning District Regulations, may be allowed only following review and recommendation by the County Planning Commission and written permission by the Board of County Commissioners, as follows:

A. Conditional Uses shall be permitted by the County Commissioners provided that prior to the granting of such permission the County Commissioners shall have notified the County Planning Commission requesting their review and recommendation on the conditional use. The basis of Planning Commission review and the granting of permission for conditional uses by the Board of County Commissioners shall be, among other considerations, that: such use complies with and meets all the conditions and safeguards indicated for that particular use under this section, and under Sections 3 and 7 of this Resolution. Upon satisfactory demonstration and that all such conditions have been met, the County Commissioners shall grant permission for a Conditional Use, subject to additional conditions as may be imposed by the County Commissioners in order to comply with the purposes and intent of this Resolution.

B. Special Uses may be granted or denied at the discretion of the Board of County Commissioners, provided that prior to their action, the Board of County Commissioners shall have notified the County Planning Commission requesting their review and recommendation on the special use. The basis of Planning Commission review and granting or denial of any special use by the Board of County Commissioners shall be, among other considerations that: the special use shall be in conformance with standards and requirements regarding special uses as set forth under this section, and under appropriate provisions of Sections 3 and 7 of this Resolution. In granting permission for a special use, the County Commissioners may impose additional conditions in order to comply with the purposes and intent of this Resolution.

5.2 Procedure for Conditional or Special Use Permits:

A. Application for a conditional or a special use permit shall be submitted in writing to the County Commissioners along with such evidence as may be necessary to demonstrate compliance with the conditions and requirements set forth for the particular use according to this Resolution.

B. The County Commissioners shall study and review the application and accompanying evidence before taking action of the application. In addition, before ruling on the application, they shall:

1. Submit a copy of the application and accompanying data to the County Planning Commission for study and review.

2. Hold a public hearing on the application as indicated in Section 5.4 below.

C. The County Commissioners' study of the application shall include consideration of all the following:

1. Information submitted by or for the applicant;

2. Information submitted for the Public Hearing;

3. Comments by the County Planning Commission, and any additional qualified opinions.

D. The County Commissioners shall rule on the application as follows:

1. In the case of a conditional use application, such application shall be granted upon the conditions as indicated in Section 5.1 A, above.

2. In the case of a special use application, such application may be granted or denied, as indicated in Section 5.1 B, above.

5.3 Planning Commission Review:

As a part of the review and recommendation process of the County Planning Commission, the applicant for any conditional or special use shall post his property with a sign notifying the general public of the time and place or a meeting before the Planning Commission at which said property shall be reviewed for a conditional or special use. The sign shall be posted on the property at least fifteen (15) days prior to the scheduled meeting date, and shall be of a size three (3) feet by four (4) feet, posted four (4) feet above natural grade, with lettering not less than two (2) inches in size. Said sign shall be placed in conspicuous location visible from the public right-of-way.

5.4 Public Notice and Hearing:

Before granting a conditional use or special use permit, the Board of County Commissioners shall hold a public hearing on the matter, and notice of such hearing shall be published at the expense of the applicatn in a newspaper of general circulation within Logan County at least thirty (30) days prior to the hearing date. In addition, written notice of the hearing shall be mailed at least fifteen (15) days prior to the hearing date to the applicant and to owners of properties adjacent to the property in question. Failure to mail such a notice shall not affect the validity of any hearing or determination of the Board of County Commissioners. The applicant shall furnish at least thirty (30) days prior to the anticipated date of the public hearing a list of the owners of properties adjacent to the property in question. The applicant shall also pay an application fee which will serve to help defray the costs of processing and administering this Section. The fee shall be as established in the Logan County Fee Schedule. Payment of the fee shall be made to Logan County at the time of filing of the application for conditional or special use Permits.

5.5 Regulation of Conditional Uses:

A. Planned Unit Development (PUD).

All Planned Unit Developments shall conform to the regulations set forth in Section 6 of this Resolution.

B. All other conditional uses allowed by permit only shall conform to the regulations as set forth in Section 3, for the District in which they have been permitted. In addition, such uses shall conform to any supplementary regulations such as those designed for particular uses under Section 7 of this Resolution.

5.6 Regulations of Special Uses:

All special uses allowed by permit only shall conform to the regulations as set forth in Section 3 for the District in which they have been permitted. In addition, such uses shall conform to any supplementary regulations such as those designated for particular uses under Section 7 of this Resolution.

(Rev. 7/83)

5.7 Fees for Conditional Use Permits:

Permit fees shall be paid at the time of the granting of the permit and prior to its receipt by the permittee. The fee shall be as established in the Logan County Fee Schedule. The permit shall be in force for five (5) years. Permits may be renewed for the same period of time or less, without further notice, hearing, or posting of the property involved provided, however, that the operation of the conditional use has complied with all the terms and conditions of the original permit. A renewal of the permit shall be considered to be a new permit with respect to fees.

5.8 Fees for Special Use Permits:

Permit fees shall be paid at the time of the granting of the permit. The initial fee shall be as established in the Logan County Fee Schedule, and the permit shall be in force for five (5) years. At one (1) year intervals, beginning one (1) year from the date of issuance, there will be inspections to insure compliance with permit conditions. A letter, indicating compliance or non-compliance, will be sent to ther permittee after each inspection. If the permittee is found not to be in compliance, then the inspection letter will outline the problem(s), and suggest possible mitigation measures. The permit may be renewed without further notice, hearing, or posting of the property involved provided that the operation of the special use has complied with the terms and conditions of the original permit. Renewal fee is as established in the Logan County Fee Schedule. Renewed permits will be in force for five (5) years.

Special Use Permits issued prior to the adoption of this amendment will come into compliance with this amendment at their current renewal date.

5.9 Periodic Review of Conditional and Special Use Permit Conditions:

The County Commissioners or their designated representative shall review the compliance of the permittee with the conditions set up for each conditional or special use permit prior to its renewal. However, this shall not preclude the County Commissioners or their designated representative from reviewing at any time the compliance of the permittee with the conditions set up for each conditional or special use permit. Noncompliance with the permit conditions shall constitute grounds for the revocation of the permit by the County Commissioners.

5.10 Period of Permit Adjustment:

The period of time for which a permit can be issued may be adjusted by the County Commissioners when a specific completion time for the use can be established. A relative adjustment in the fees for the permit may also be determined by the County Commissioners.

5.11 Performance Bonds Required:

A. Mining, Sand and Gravel, and Other Extractive Operations.

Before any Conditional or Special Use Permit shall be issued for a mining, sand and gravel, or other extractive operation, the applicant shall furnish evidence of a bank commitment of credit in favor of Logan County, or bond or a certified check, in an amount calculated by the County Commissioners to secure the site restorations (as required in Section 7.3 of the Resolutions) in a workmanlike manner, and in accordance with specifications and construction schedule established or approved by the appropriate engineer. Such commitment, bond or check shall be payable to and held by the County Commissioners of Logan County.

B. The County Commissioners may require a performance bond for any Conditional or Special Use Permit if, in their opinion, such bond would be required to insure compliance with conditions of the Permit.

C. The County shall require two separate performance bonds to be in effect before issuing any Special Use Permit for oil and/or gas drilling operations within the County. One bond shall be a "drilling site" performance bond, the purpose of which is to minimize soil erosion and restoration of the surface at the drilling site, including all access routes from public roads to the drilling site. Said bond will be issued to require that upon cessation of drilling a well that is not producing, the surface will be restored to its original condition, to include removal of all drilling equipment, materials, pits, excavations, drilling mud, plugging of holes and reseeding of vegetation if necessary.

The other performance bond is for the benefit of Logan County and its taxpayers, and the purpose of which is to protect the County from damages to its roads, bridges, culverts, signs and other County property caused by drilling rigs or other oil and gas field equipment.

D. Both the "drilling site" performance bond and the performance bond required for protection of the County shall be obtained by the lessee of the drilling site. Insofar as the "drilling site" bond is concerned, the lessee shall have in effect a $10,000.00 performance bond for each drill site. The lessee needs to have only one performance bond in effect for the protection of the County regardless of the number of drill sites. The amount of this bond shall be in the sum of $50,000.00. All bonds must be issued by a bonding company authorized to do business in the State of Colorado. No Special Use Permit and no drilling rigs or other heavy equipment shall be moved on County roads until both of such bonds, in proper form, have been delivered to the Office of Planning and Zoning for the County.

E. The "drilling site" bond shall remain in force and effect for each site until all drilling operations have ceased at such site, and the drilling equipment removed, and the surface owner(s), and the duly authorized representative of the Soil Conservation District in which the drill site is located execute a release, in which event the County shall authorize the bonding company to terminate and release such bond.

No overweight or oversized vehicle, such as a drilling rig, shall be moved on any County road until a performance bond for the protection of

the County has been delivered to the County Office of Planning and Zoning. At the time of delivery of such bond, the County shall be informed of the route to be used by the drilling rig and other equipment. After completion or withdrawal from further drilling activities, the County shall be informed of the route intended to be used for the removal of such equipment. The County shall have a reasonable time after such notification, not to exceed fifteen days, however, in which to inspect the County roads, bridges and other property. If there are no damages to County property, the County shall release the bond, unless the lessee intends to undertake additional drilling activity within the County, in which event the lessee may choose to continue such bond in effect. No bond shall be released in the event of damage to County property until the repairs have been made, or the County, in its sole discretion, determines that adequate arrangements for repairs have been made.

5.12 Detailed Findings of Fact:

The Board shall make detailed findings of fact and shall state its reasons in acting upon an application for a Special or Conditional Use Permit.

5.13 Disclaimer:

Approval by the Board of a Conditional or Special Use Permit shall not be construed as an endorsement of the manner of operation but simply as a finding that the use, if performed in the manner described by the applicant, would be in conformity with this Resolution.

C. OIL & GAS SPECIAL USE. No oil or gas drilling or production facilities shall be constructed, erected, occupied or operated until a Special Use Permit has been issued by the Logan County Board of County Commissioners or a designated officer of the County. No permit shall be issued unless the proposed application is in full accordance with this resolution, except in those instances where a Variance has been granted by the Logan County Board of ~~Adjustment.~~

An approved State of Colorado Oil and Gas Conservation Commission Permit is required before Logan County will issue an Oil and Gas Special Use Permit. The approved OGCC form 2 will serve as the application for Logan County's Oil and Gas Special Use Permit. The applicant shall furnish evidence that the surface owner or surface tenant has been notified of the location(s) of the proposed drilling or production activity.

RESOLUTION

No. _____

WHEREAS, in 1983 the Logan County Commissioners amended the Zoning Resolution of Logan County, Colorado, and by said amendment did require by Paragraph 5.11 (C) that no special use permit for oil and/or gas drilling operations would be granted unless there was both a "drilling site" performance bond and a bond to protect the county for any damages to its roads or other public property; and

WHEREAS, the District Court of Douglas County, Colorado, recently ruled that counties do not have authority to impose such restrictions for drilling of oil or gas; and

WHEREAS, the county has been informed litigation is pending in other counties concerning the legality of similar requirements other counties have attempted to impose on oil and gas exploration and production; and

WHEREAS, the county does not want to be involved in any litigation until this matter has been finally resolved by a court of higher jurisdiction; and

WHEREAS, it is the opinion of the Board of County Commissioners that it would be in the best interest of all parties if a moratorium were declared on the bonding requirements.

THEREFORE, BE IT RESOLVED that Paragraph 5.11 of the Logan County Zoning Resolution insofar as it requires bonds shall not now be enforced. All oil and gas drillers, however, must still obtain a Special Use Permit before such operations can commence as is required by the Zoning Resolution.

This moratorium on the bonding requirements is effective immediately and shall continue until further resolution by the Board of County Commissioners of Logan County, Colorado.

Adopted this 5th day of February, 1986.

THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF LOGAN
AND STATE OF COLORADO

By: Elda M. Lousberg (Aye) (Nay)
Elda M. Lousberg

By: Tyson W. Phillips (Aye) (Nay)
Tyson W. Phillips

By: Bernard McLavey (Aye) (Nay)
Bernard McLavey

I, Charlene Craddock, the County Clerk and Recorder in and for the County of Logan, State of Colorado, do hereby certify that the foregoing resolution was adopted by The Board of County Commissioners of the County of Logan, State of Colorado, in its regular session assembled this 5th day of February, 1986.

Charlene Craddock (Seal)
County Clerk and Recorder

SECTION 6

PLANNED UNIT DEVELOPMENT

6.1 Purpose:

Permission for Planned Unit Development (PUD) may be granted in the districts in which PUD is listed as a use in this Resolution. Such PUD, in addition to serving the purpose of this Resolution described in Section 2, is intended to provide flexibility in the development of large sites, and to promote the unified development and use of such sites with regard to the unique natural assets and character of the County.

The PUD, by allowing greater flexibility, will be able to accommodate imaginative ideas in development and site design without being restricted to customary "standard" regulations. It is intended to promote a greater facility for open space, more functional use of land and placement of structures in appropriate relationships to each other, to open space and to common facilities.

6.2 Authorization:

Planned Unit Developments are authorized by Article 6, Chapter 106 of the Colorado Revised Statutes 1963, the "Planned Unit Development Act of 1972".

6.3 Permitted Uses:

A Planned Unit Development can include the uses allowed by right, condition or special permit as set forth in the district in which PUD's are permitted. In addition, to indicate the general type or character or permitted uses, a PUD may include the following uses or activities, separate or in combination, subject to density and design standards as set forth in this Section 6.

Single, two, and multi-family residences
Sale or rental of commercial goods or services
Recreational facilities
Offices
Convention facilities
Eating and drinking places in connection with recreational uses
Public offices, utilities, and facilities pertinent to the primary uses for which the PUD is intended
Lodging places, including motels, hotels, lodges, dormitories
Schools
Churches
Commercial Uses - service oriented and complementary to the needs of the Planned Unit Development
Industrial Uses - development as an industrial park

A minimum of five (5) acres shall be needed for a property or properties to be considered as a Planned Unit Development.

6.4 General Standards for the PUD:

The following general standards shall be observed regarding planning, design, and construction of the PUD:

A. The PUD shall be consistent with the intent of the Comprehensive Plan and the policies therein, providing a Comprehensive Plan for the County is in existence.

B. The PUD shall be designed in a manner such that wherever possible it protects the environmental assets of the area including considerations of elements such as plants and wildlife, streams and storm drainage courses and scenic vistas.

C. The planned unit's relationship to its surroundings shall be considered in order to avoid adverse effects to the development caused by traffic circulation, building height or bulk, lack of screening, or intrusions on privacy.

D. The PUD design and construction plans shall take into account characteristics of soils, slopes and potential geological hazards in a manner intended to protect the health, safety, and welfare of potential users of the PUD. These aspects of the plan must be accompanied by a detailed soil engineering report on the suitability of the area for the intended use and the necessary precautions needed to bring the area to a state of structural soundness before permission for a PUD shall be granted.

E. Design and construction of the PUD shall include adequate, safe, and convenient arrangements for pedestrian circulation, roadways, driveways, off-street parking and loading space.

Setbacks and lot widths shall be as required by the Planning Commission to provide adequate access and fire protection and to insure proper ventilation, light and air between buildings.

6.5 Requirements Regarding Site:

The following requirements shall be observed regarding the site of the PUD:

A. The developer shall provide within the PUD both public water and sewer facilities. The sewage system shall consist of a central collection system and secondary sewage treatment and disinfection facilities as approved by the Colorado Department of Health and the local health authority. As a temporary measure until such facilities become available, the developers shall provide within the PUD both potable water and sewage treatment facilities which meet standards of the Colorado Department of Health and the local health authority. Such temporary measures shall be subject to the approval of the County Commissioners as to the length of time such measures can be in effect.

B. The developer shall provide within the PUD a storm drainage system of sufficient capacity, as will carry off all predictable surface run-off within the PUD area.

C. Planned open spaces within the PUD, including those spaces being used as public or private recreation sites, shall be protected by adequate covenants running with the land, or by conveyances or dedications.

Such conveyances or dedications shall not be accepted for maintenance by the action of the approval of the PUD by the County Planning Commission and the Board of County Commissioners. The dedication of any lands for public use of any nature shall be accepted for maintenance only by specific action of the Board of County Commissioners.

In the event that the applicant provides for and establishes an organization for the ownership and maintenance of the common open space, it shall be subject to the following:

1. In the event that the organization established to own and maintain common open space, or any successor organization, shall at any time after establishment of the planned unit development fail to maintain the common open space in reasonable order and condition in accordance with the plan, the County Commissioners may serve written notice upon such organization or upon the residents of the planned unit development setting forth the manner in which the organization has failed to maintain the common open space in reasonable condition, and said notice shall include a demand that such deficiencies of maintenance be cured within thirty (30) days thereof and shall state the date and place of a hearing thereon which shall be held within fourteen (14) days of

the notice. At such hearing, the County Commissioners may modify the terms of the original notice as to deficiencies and may give an extension of time within which they shall be cured. If the deficiencies set forth in the original notice or in the modifications thereof are not cured within said thirty (30) days or any extension thereof, the County, in order to preserve the taxable values of the properties within the planned unit development and to prevent the common open space from becoming a public nuisance, may enter upon said common open space and maintain the same for a period of one (1) year. Said entry and maintenance shall not vest in the public any rights to use the common open space except when the same is voluntarily dedicated to the public by the owners. Before the expiration of said year, the County shall, upon its initiative or upon the written request of the organization theretofore responsible for the maintenance of the common open space, call a public hearing upon notice to such organization, or to the residents of the planned unit development, to be held by the Planning Board at which hearing such organization or the residents, of the planned unit development shall show cause why such maintenance by the County or Municipality shall not, at the election of the County, continue for a succeeding year. If the board designated by the County shall determine that such organization is ready and able to maintain said common open space in reasonable condition, the County shall cease to maintain said common open space at the end of said year. If the Planning Board shall determine such organization is not ready and able to maintain said common open space in a reasonable condition, the County may, in its discretion, continue to maintain said common open space during the next succeeding year and, subject to a similar hearing and determination, in each year thereafter.

2. The cost of such maintenance by the County shall be paid by the owners of properties within the planned unit development that have a right of enjoyment of the common open space, and any unpaid assessments shall become a tax lien on said properties.

   The County Commissioners shall file a notice of such lien in the office of the county clerk and recorder, upon the properties affected by such lien within the planned unit development, and shall certify such unpaid assessments to the Board of County Commissioners and County treasurer for collection, enforcement, and remittance in the manner provided by law for the collection enforcement, and remittance of general property taxes.

6.6 Requirements Regarding Density and Design:

A. The following requirements shall be observed in regard to the specified densities and uses in the PUD:

1. Open Space. A minimum of twenty-five percent (25%) of the total PUD area shall be devoted to open-air recreation or other useable open space (public or quasi-public). "Useable open space" shall be defined as open area designed and developed for use by the occupants of the development or by others for uses including, but not limited to, recreation, courts, gardens, parks and walkways. The term shall not include space devoted to streets and parking and loading areas.

2. Residential Density. The overall average density of the total area within the PUD shall not exceed twelve (12) dwelling units per acre.

3. Density of Other Uses. Density of other uses shall be subject to the approval of the County Commissioners, but in no case shall such approval be given for a density that will allow the building area coverage to exceed thirty-five (35) percent of the gross acreage of the lot.

B. The maximum height of buildings shall be thirty-five (35) feet for single family dwellings and for all other structures as may be approved by the County Commissioners in relation to the following characteristics of the proposed building:

1. its geographical location;

2. adverse visual effects to adjacent sites or other areas in Logan County;

3. potential problems for adjacent sites caused by shadows, loss of air circulation, or closing of view;

4. influence on the general vicinity, with regard to extreme contrast, vistas and open space;

5. uses within the proposed building;

6. fire prevention measures.

C. Off-street parking space requirements shall be provided in the PUD according to Section 7.2 of this Resolution. However, in the case of outdoor or mixed facilities and combinations of any permitted uses, the County Commissioners shall determine the off-street parking space requirements which will make reasonably adequate provision for the highest expected volume of users. Such determination may be based upon the following:

a. the designed capacity of such facilities.

b. an overall plan for concentration or concentrations of parking with appropriate consideration of designed landscaping and relation to the surroundings.

c. trade-off, or alternating use of parking area(s) by uses occurring during different hours, seasons, or days.

d. demonstration of sufficient parking facilities must be made to satisfy other needs or uses as may be developed in the PUD. Also, the Planning Commission shall be consulted on any additional parking requirements which, in their opinion, may be needed to satisfy the parking demand for any use developed in the PUD.

D. Circulation:

Circulation shall be determined by review of each Planned Unit. The Planned Unit must have an adequate internal street circulation system. Public streets must serve all Planned Units provided, however, that private roads may be permitted if they meet minimum construction standards and can be used by police and fire department vehicles for emergency purposes, and each structure or use in the PUD provides off-street loading spaces or loading berths or service courts.

E. Signs:

Signs shall be permitted in the PUD only in accordance with Section 7.1 of this Resolution.

6.7 Procedure:

The following procedure shall be observed when a planned unit development proposal is submitted for consideration.

A. Pre-Application Conference

A pre-application conference shall be held with the Planning Commission in order for the applicant to become acquainted with planned unit procedures and related County requirements.

B. Formal Application

An application for approval of a planned unit may be filed by a person having an interest in the property to be included in the planned unit. The application will be made on a form provided by the County and must include a consent by the owners of all property to be included in the planned unit. The application must be accompanied by a site plan and a written statement.

1. Site Plan - A complete site plan showing the major details of the proposed planned unit prepared at a scale of not less than 1" = 100' shall be submitted in sufficient detail to evaluate the land planning, building design, and other features of the planned unit. The site plan must contain, insofar as applicable, the following minimum information:

   a. the existing topography of the land at two (2) foot contour intervals.

   b. proposed land uses.

   c. the location of all existing and proposed buildings, structures, utility systems, and improvements.

   d. the maximum height of all buildings.

   e. the density and type of dwellings.

   f. the internal traffic and circulation systems, off-street parking areas, service areas, loading areas,and major points of access to public rights-of-way.

   g. the location, height, and size of proposed signs, lighting and advertising devices.

   h. areas which are to be conveyed, dedicated or reserved as general open space, common park areas, including public parks and recreational areas, and as sites for schools or other public buildings.

   i. areas subject to a 100-year flood.

   j. a general landscape plan.

   k. the proportion of land to be left in a natural condition as major open space, stated in terms of acreage or square footage, as well as the ratio of open space in areas to be developed stated on a square feet per unit basis.

2. Written Statement - The written statement to be submitted with the planned unit application must contain the following information:

a. a statement of the present ownership and a legal description of all the land included in the planned unit;

b. an explanation of the objectives to be achieved by the planned unit, including building descriptions, sketches or elevations as may be required to describe the objectives;

c. a development schedule indicating the approximate date when construction of the planned unit or stages of the planned unit can be expected to begin and be completed;

d. a description of the proposed method of providing ongoing (permanent) maintenance of all non-private buildings, facilities, areas and thoroughfares;

e. a written statement by a licensed engineer(s) which shall describe and/or provide evidence of:

(1) a water source with adequate and dependable capacity to service the proposed development;

(2) the proposed method(s) of sewage treatment and the location of plant and outfall;

(3) the soil, geological, and ground water conditions of the site;

(4) the manner in which storm drainage shall be handled.

f. copies of any special agreements, conveyances, restrictions, or covenants, which will govern the use, maintenance, and continued protection of the planned unit and any of its common park areas; and,

g. a list of the owners of properties located within three hundred (300) feet of the property lines of the land included in the planned unit, and their addresses from available County records.

3. The applicant may submit any other information or exhibits he deems pertinent that will aid in evaluating his proposed planned unit.

4. The Planning Commission may require such additional material and information as it may deem necessary for proper review of the PUD application.

6.8 Review and Approval Schedule:

Procedure to be followed by the Board of County Commissioners and the Planning Commission with respect to review and approval of a Planned Unit Development shall be the same as governing petitions for a subdivision as set forth in the subdivision regulations of Logan County, except that the following additional standards and requirements shall apply:

A. The Planning Commission shall review the preliminary development plan to determine that it complies with the PUD regulations and subdivision regulations.

B. The Planning Commission and Board of County Commissioners shall hold a joint public hearing at which all interested parties may present testimony and evidence pertinent to the proposed PUD.

C. Within five (5) days after the public hearing, the Planning Commission shall forward a written report to the Board of County Commissioners recommending that the plan be approved, disapproved, or approved with modifications. No action shall constitute approval.

D. Within thirty-five (35) days after the receipt of the written report from the Planning Commission, unless a longer period is mutually agreed upon, the Board of County Commissioners will either approve or disapprove the application. No action shall constitute approval.

E. If the Plan is approved, the PUD applicant(s) shall be notified that their application for a PUD has been granted for the Preliminary Plan.

F. Within eighteen (18) months following approval of the preliminary plan, the applicant shall file with the Planning Commission a final development plan. The Planning Commission may authorize the submission of the final development plan in stages. Upon approval of the final plan or portion thereof the plan and all accessory documents shall be filed with the County Clerk as a matter of public record. If the applicant has not submitted such plan within the period provided, the Planning Commission can and shall initiate proceedings to revoke the PUD's preliminary plan approval. The zoning regulations applicable before approval of the preliminary plan shall then be in effect.

G. The final development plan as approved by the Planning Commission shall be binding and shall not be changed during the construction of the PUD except upon application to the appropriate agency under the following procedures:

1. Minor changes in locations, siting, bulk of structures, height or character of building may be authorized by the Planning Commission if required by circumstances not foreseen at the time the final plan was approved.

2. All other changes in use, any rearrangement in lots, or changes in the provision of open space must be made by the Board of County Commissioners under the procedures authorized by this Resolution for amendment of the zoning map.

6.9 Failure to Meet Development Schedule:

If the applicant has not begun construction on the PUD within one year from the approval of the final development plan or otherwise has failed to meet the approved development schedule, the Planning Commission can and shall initiate proceedings to remove the PUD's final plan approval. The zoning regulations applicable before approval of the preliminary plan shall then be in effect. The Planning Commission may extend the development schedule for good cause shown by the applicant.

6.10 Zoning Review:

At least once every 24 months following the approval of a Planned Unit, the Planning Commission will review all building permits which have been issued for the Planned Unit and shall examine the construction which has taken place on the site. If they find that the rate of construction has not met the approved development program or if there is found to be violations of any of the provisions of this chapter or the terms or conditions of Planned Unit approval, there shall be forwarded a report of this information to the Board of County Commissioners. The Board of County Commissioners shall hold a hearing on the report of violations submitted by the Planning Commission having first given notice to the Planned Unit applicant and all owners of abutting property. Upon review of the alleged violations, the Board of County Commissioners may, if it is deemed necessary, require the appropriate action be taken to remedy the violations, amend or modify the Planned Unit, or revoke approval of the Planned Unit.

6.11 Completion of Planned Unit:

A. The Building Inspector shall issue a certificate for the planned unit certifying the completion of the planned unit, and shall file a copy of the certificate in the Building Inspector's office and one copy in the County Clerk's office.

B. After completion, the use of land and the construction, modification, or alteration of any buildings within the planned unit will be governed by the approved site plan.

6.12 Variance:

The Board of County Commissioners may grant variances from the provisions of this zoning resolution where it can be demonstrated that the foregoing provisions create an undue hardship; that there are unique physical circumstances or conditions involved which are peculiar to the affected property; that a variance, if granted, will not alter the essential character of the area, or substantially or permanently impair the appropriate use or development of adjacent property. In granting any variance, the Board of County Commissioners may attach such reasonable conditions and safeguards as it may deem necessary to implement the purpose of this Resolution.

6.13 Conformance with Subdivision Regulations:

Any area proposed as a PUD shall be subject to the requirements for review and approval under the subdivision regulations. Such subdivision review procedures may be carried out concurrently with overall or staged review of the PUD as outlined in this Section. A preliminary and a final plat must be submitted and processed through the procedure specified in the subdivision regulations.

6.14 Subdivision Resale:

A. A planned unit may be subdivided for purposes of sale or lease.

B. An application for approval of the subdivision or resubdivision must be made if the subdivision or resubdivision will create a new plat line. The procedures applicable to the initial approval of a planned unit are also applicable to the approval of a subdivision of a planned unit.

C. The subdivision or resubdivision may be approved if it does not increase the dwelling unit density of the planned unit and if the planned unit, following the subdivision or resubdivisions, is in compliance with the standards for planned units provided in this article.

6.15 Fees for PUD Application:

A. Logan County will not incur any expenses for PUD review, inspection, advertising, posting, filing fees or any other expenses incidental to a PUD application or its development. Such costs shall be borne by the applicant who shall also pay the appropriate subdivision fees.

520-0457

SECTION 7

SUPPLEMENTARY REGULATIONS

7.1 SIGN REGULATIONS

A. Application:

These rules are applicable to all areas of Logan County, Colorado. Construction and placement of sign adjacent to County Roads shall not be visible from the main traveled ways of the Colorado State Highway System. Permits for off-premise advertising devices adjacent to State, Federal, or Interstate Highway Systems are administered by the State of Colorado Department of Highways.

B. General Sign Requirements:

1. Signs to be located on public property require specific approval of the governing body. Temporary signs or banners on or over public property will be authorized for a period not to exceed ten (10) days.
2. Signs shall be located so as not to conflict with the clear and obvious appearance of public devices controlling public traffic, or obstruct a driver's vision at intersections.
3. Illumination of a sign shall be allowed when the lighting is of low intensity or brilliance and does not cause glare or impair the vision of the driver of any motor vehicle. Signs with flashing lights, beacons, or other distracting devices that cause glare, are a visual hazard or a public nuisance, are prohibited.
4. All signs shall observe the setbacks in the district in which it is displayed.
5. Signs and sign structures shall be maintained at all times in a state of good repair with all braces, bolts, clips, supporting frame and fastenings free from deterioration, insect infestation, rot, rust, or loosening. Signs shall be able to safely withstand the maximum wind pressure for the area in which they are located. The County will have the authority to order the repair, alteration or removal of a sign or structure which constitutes a hazard to life or property. In the event that such a sign has not been removed, altered, or repaired within thirty (30) days after written notification from the County, the County shall have the authority to remove said sign or structure at the expense of the owner of the premises on which the sign is located.
6. Advertising devices, whether on-premise or off-premise, will not be allowed over or on State Highway right-of-way.

7. The owner of any advertising device in Logan County, Colorado, shall save and hold harmless the County from any and all liability, direct or indirect, arising from damages or injuries caused by the erection or maintenance of any advertising device within this County and further shall indemnify the County from all expenses resulting therefrom.

C. Uses by Right - All Districts:

1. Signs for the identification of public buildings;

2. One sign of a temporary nature located on a property for the purpose of advertising said property for sale, lease, or rent. Such signs shall be no larger than six (6) square feet each in size, shall be no higher than eight (8) feet above natural grade, and shall not be lighted at night;

3. Signs located on a property, posting said property for warnings or prohibitions on hunting, fishing, or trespassing. Such signs shall be no larger than one (1) square foot each in size, and shall be no higher than eight (8) feet above natural grade, and shall be spaced a minimum of three hundred (300) feet apart;

4. Signs located on a property for the purpose of identifying the occupants, the address and its use. Such signs shall be no larger than two (2) square feet in size, shall be no higher than eight (8) feet, and shall be spaced a minimum of three hundred (300) feet apart; and

5. Roadside market signs advertising produce grown and sold on the property on which they are located. Such signs shall not remain continuously erected more than six (6) months of every calendar year, shall be a maximum height of eight (8) feet above natural grade, and shall be limited to two (2) to a property.

D. On-Premise Identification Signs:

On-premise identification signs may be permitted along streets and highways in the commercial and business districts provided that such signs are in accordance with the following standards, and further provided that any such signs which, in the opinion of the County Zoning Administrator, might create a hazard are only allowed after special approval of the County Planning Commission:

1. Wall mounted signs shall be a maximum of one hundred (100) square feet in size, shall not be attached to the roof of the structure, shall be lighted by an indirect light source, and shall be limited to a maximum of two (2) such signs per use advertised.

2. Pedestal mounted signs shall be a maximum of fifty (50) square feet in size for one face not to exceed one hundred (100) square feet for the total sign and shall be a maximum of twenty-five (25) feet in height. Said signs shall be limited to two per use on a property.

3. Hanging signs shall be a maximum of ten (10) square feet on a face, not to exceed a maximum of twenty (20) square feet for the total sign, and shall be limited to one per use on a property. Hanging signs shall project a maximum of five (5) feet from the building into a street, alley, or other public space provided that such signs do not come closer than two (2) feet from the plumbline of the curbline; clearance below such signs shall be a minimum of nine (9) feet. Refer to paragraph B. 6.

E. Off-Premise Signs:

Off-premise advertising devices in areas zoned Commercial or Industrial adjacent to the State Highway System must obtain a State sign permit. Applications for a State Sign Permit may be obtained from the Division of Highways, P. O. Box 850, Greeley, CO 80631, or the local office of the Department of Highways.

F. Sign Permits:

Prior to the construction of any sign over two (2) square feet in size that is not of a temporary nature, an Outdoor Advertising Structure Permit shall be obtained from the County Zoning Administrator. Said permit shall be for a one (1) year term. Permit for all or any portion of a year shall be considered a permit for a full year. Said permit shall be renewed annually on or before June 30, provided that such renewal would not be adverse to the public health, safety or welfare. If the Zoning Administrator judges any sign to be in poor repair, not properly located, public hazard or nuisance, said sign may be removed by the Zoning Administrator. The costs of the removal shall be borne by the owner of the premises on which the sign is located. Permits shall be clearly visible and firmly attached to the lower on-fourth of the sign and located four (4) feet above ground level. The fee for said Outdoor Advertising Structure Permit shall be as established in the Logan County Fee Schedule. The renewal fee for each Outdoor Advertising Structure Permit shall be as established in the Logan County Fee Schedule.

Along with the application for an Outdoor Advertising Structure Permit, the applicant shall include a legal description of the location of the sign and construction drawings for the placement of the sign.

Any sign over two (2) square feet in area which does not have a current Outdoor Advertising Structure Permit and is located

so as to constitute a hazard or public nuisance, or is structurally unsound or detrimental to the general public health or welfare, may be removed at any time by the Zoning Administrator. All signs existing at the time of adoption of this Resolution must be issued permits for the first year (or part of) only, unless they are, upon inspection, declared structurally unsound. Thereafter, all applications for permits shall be made annually.

7.2 Off-Street Parking:

No building shall be erected, enlarged to the extent of increasing floor area by as much as fifty (50) percent, or changed in use unless there is provided on the lot space for the parking of automobiles or trucks in accordance with the following minimum requirements:

A. There shall be a minimum of two (2) parking spaces per single family dwelling unit.

B. There shall be a minimum of one and one-half (1.5) parking spaces per multiple family dwelling unit.

C. The following are the minimum requirements for parking spaces to be maintained in connection with the structures and uses indicated below:

1. Bowling alley: Four (4) parking spaces for each alley, plus one additional space for every four (4) employees.

2. Business, professional or public office building, banks and lending institutions: Three (3) parking spaces plus one (1) additional parking space for each four hundred (400) square feet of floor area over one thousand (1,000).

3. Church: One (1) parking space for each six (6) seats in the main auditorium. Twenty-two inches of undivided seating shall constitute one seat.

4. Civic, youth, social and fraternal organizations: One (1) parking space for every four (4) members or one (1) space for every 100 square feet of gross floor area, whichever is greater.

5. Community Center, library, or museum: One (1) parking space for every two (2) employees plus one (1) parking space for each one thousand (1,000) square feet of gross floor area.

6. Elementary and junior high schools: One (1) parking space for every staff and faculty member or one (1) parking space for every eight (8) seats in the main auditorium, whichever is greater.

7. High schools, colleges and universities: One (1) parking space for every ten (10) students plus one (1) parking space for every staff and faculty member plus sufficient off-street space for safe and convenient loading and unloading of students.

8. Hospital, sanitarium, nursing home, home for the aged or similar institutions: One (1) parking space for each three (3) beds.

9. Hotels, motels, lodges and inns: One (1) space per unit plus one (1) space for each two hundred (200) square feet of commercial floor area contained therein.

10. Manufacturing or industrial establishment, research or testing laboratory, creamery, bottling plant, warehouse or similar establishment: One (1) parking space for every two (2) employees on the maximum working shift plus space to accommodate all trucks and other vehicles used in connection therewith.

11. Markets, grocery stores, retail bakeries, and delicatessens: One (1) parking space for every one hundred (100) square feet of space dedicated exclusively for the sale and display of such merchandise, plus one (1) parking space for every two (2) employees.

12. Medical and dental clinics: Two (2) parking spaces per doctor engaged at the clinics, plus one (1) additional space for every two (2) employees.

13. Mortuary or funeral home: One (1) parking space for each fifty (50) square feet of floor space in slumber rooms, parlors and individual funeral service rooms.

14. Restaurant, night club, cafe or similar recreation or amusement establishment: One (1) parking space for each one hundred (100) square feet of floor area.

15. Retail store or personal service establishment: One (1) parking space for each four hundred (400) square feet of floor area, plus one (1) parking space for every two (2) employees.

16. Rooming house, lodging house, fraternity or sorority: One (1) parking space for each two (2) beds.

17. Sports arena, stadium or gymnasium (except school): One (1) parking space for each five (5) seats or seating spaces.

18. Theater or auditorium (except school): One (1) parking space for each five (5) seats or bench seating spaces.

D. Outdoor or mixed facilities and combinations of any permitted uses shall have sufficient number of spaces that will, in the determination of the Commissioners, make reasonable and adequate provision for the highest expected volume of users. Such determinations may be based on the following:

1. The designed capacity of the facilities;

2. A plan for concentration or concentrations of parking with appropriate consideration of designed landscaping and relation to the surroundings.

3. Recommendation of the Planning Board.

7.3 Supplementary Regulations for Certain Uses By Right, Condition and Special Uses Allowed by Permit Only:

The following regulations shall apply to certain uses by right, condition, or special uses allowed by permit only, as indicated in Section 3 of this Resolution.

A. Extractive Land Use - Rock crusher, concrete mixing plants, asphalt mixing plants, sand and gravel pits, subject to the following provisions:

1. When the application for an Extractive Land Use Permit is filed, the applicant shall provide a plan showing the land proposed for excavation. This plan shall show any improvements thereon and to a distance of three hundred (300) feet in all directions from the subject property.

2. Concurrent with the above, the applicant shall also provide a plan showing the contemplated changed condition of the land due to the excavation. This plan must include the contemplated re-use of the land and what rehabilitation of the land is planned.

3. No excavation or processing of excavated materials shall be permitted nearer than thirty (30) feet to the boundary of adjacent property nor nearer than one hundred twenty-five (125) feet to any existing residence, unless by written agreement the owner or owners of such adjacent property consent to a lesser distance and the Board of County Commissioners approves such lesser distance. The Board may set a greater distance than above mentioned, when in their opinion it is justified.

4. The Board of County Commissioners shall specify the degree of slopes of banks on all excavations, the depth of and the distance from any public structure when excavations are made in or near stream beds. When excavations are near or adjacent to irrigation canals or ditches the applicant shall secure a written agreement from the ditch company or from officials responsible for the canals or ditches indicating their determination as to setbacks.

5. Sand and gravel shall be excavated in such a manner so as to assure the convenient restoration of the land and to hold to a minimum any adverse affects to adjacent land as a result of piling or storing the overburden material.

6. After the excavation has been filled the operator shall spread evenly a layer of topsoil to a depth at least equal to the depth before the excavation took place. Said topsoil shall be capable of at least supporting the original vegetation. Operations shall be conducted in such a manner that excavated areas will not collect or permit stagnant water to remain therein.

7. An excavation operation shall maintain haulage roads within the premises covered by the permit and such roads shall be kept in a reasonably dust-free condition when said dust would be injurious to bordering premises. The board shall specify the conditions in each instance to insure this requirement.

8. Rock crushers, concrete and asphalt mixing plants may be permitted providing the Board finds that the following facts prevail:

   a. The use is accessory to the sand and gravel operation, and;

   b. In the finished product the operator uses the product of the sand and gravel pit on which the operation is proposed. The Board may set out additional conditions under which these operations may be permitted and the said conditions may vary by location due to abutting land uses.

9. The Board of County Commissioners shall have the power and authority to provide for a method of indemnifying the county, such as the posting of a bond to insure the full compliance with all of the terms and conditions of the permit and the rules and regulations of the Board of County Commissioners pertaining to extraction and processing.

10. The operator shall furnish evidence that he is insured to the extent of not less than $50,000 against liability for any negligent act or omission arising from the operation or maintenance of an excavation and all activities connected with or incident thereto.

B. Sanitary Landfills - Subject to the Following Provisions:

1. If the excavated materials from the property are not being solely used on the property for cover for the landfill operation, then the Sanitary Landfill Permit applicant shall also apply for an Extractive Land Use Permit.

2. When the application for a Sanitary Landfill Permit is filed, the applicant shall provide a plan showing the land proposed for landfill. This plan shall show any improvements on the land to a distance of three hundred (300) feet in all directions from the subject property.

3. Concurrent with the above, the applicant shall also provide a plan showing the contemplated changed condition of the land due to the landfill. This plan must include the contemplated re-use of the land and what rehabilitation of the land is planned.

4. No excavation or processing of excavated materials shall be permitted nearer than thirty (30) feet to the boundary of adjacent property nor nearer than one hundred twenty-five (125) feet to any existing residence, unless by written agreement the owner or owners of such adjacent property consent to a lesser distance and the Board of County Commissioners approves such lesser distance. The Board may set a greater distance than above mentioned, when in their opinion it is justified.

5. The Board of County Commissioners shall specify the degree of slopes of banks for all excavations, the depth of and the distance from any public structures when excavations are made in or near stream beds. When excavations are near or adjacent to irrigation canals or ditches the applicant shall secure a written agreement from the ditch company or from officials responsible for the canals or ditches indicating their determination as to setbacks.

6. Storing of fill materials shall be in such a manner so as to hold to a minimum any adverse affects to adjacent land.

7. After the excavation has been filled the operator shall spread evenly a layer of topsoil to a depth at least equal to the depth before the excavation took place. Said topsoil shall be capable of supporting the original vegetation. Operations shall be conducted in such a manner that excavated areas will not collect or permit stagnant water to remain therein.

8. A sanitary landfill operation shall maintain haulage roads within the premises covered by the permit and such roads shall be kept in a reasonable, dust-free condition when said dust would be injurious to bordering premises. The Board shall specify the conditions in each instance to insure this requirement.

9. The Board of County Commissioners shall have the power and authority to provide for a method of indemnifying the county, such as the posting of a bond, to insure the full compliance with all of the terms and conditions of the permit and the rules and regulations of the Board of County Commissioners pertaining to extraction and sanitary landfill.

10. The operator shall furnish evidence that he is insured to the extent of not less than $50,000 against liability for any negligent act or omission arising from the operation or maintenance of the sanitary landfill and all activities connected with or incident thereto.

C. Sewage Treatment Plant Subject to the Following Provisions:

1. Any sewage treatment facility to be constructed for the purpose of processing domestic, industrial, or municipal sewage or wastewater effluent shall require a permit except septic systems. This requirement for a permit shall include but not necessarily be limited to lagoons and primary, secondary, and tertiary treatment facilities. regardless of the specific process involved.

2. A statement shall be required from an engineer registered to practice in Colorado, stating that the sewage treatment plant will not be susceptible to a one hundred (100) year flood.

3. When the application for a sewage treatment plant permit is filed, the applicant shall provide a plan for the land proposed for the plant site. This plan shall show the contours of the land on at least two (2) foot contour intervals, any improvements thereon and to a distance of three hundred (300) feet in all directions from the subject property.

4. When the plant site is near or adjacent to irrigation ditches or canals the applicant shall secure a written agreement from the ditch company or from officials responsible for the canals or ditches indicating their determination as to setbacks.

D. Agricultural Food Processing for Human Consumption Subject to the Following Provisions:

1. An explanation shall be made in writing of methods to be used to minimize smoke, odors, noise, dust, and similar environmental problems which might result from the operation of the proposed use and in accordance with requirements of Section 7.4 of this Resolution.

2. There are side yards of not less than fifty (50) feet and a rear yard of not less than fifty (50) feet.

3. The area shall include adequate off-street parking for automobiles as well as trucks and shall be designed to provide adequate truck maneuvering space for both loaded and unloaded trucks.

E. Auto Salvage and Wrecking Subject to the Following Provisions:

1. The use shall be enclosed by an approved fence of at least eight (8) feet in height which shall help to obstruct the view from public rights-of-way.

2. There shall be side yards of not less than fifty (50) feet.

3. Auto salvage and wrecking areas shall be subject to the additional regulations for industrial uses as set forth in this Section 7.4.

4. Sufficient off-street parking and loading areas shall be provided to accommodate the expected volume of automobiles and trucks for that use.

F. Drive-In Theaters Subject to the Following Provisions:

1. The use shall be enclosed by an approved fence of at least eight (8) feet in height which helps to obstruct the view of the drive-in theater from public rights-of-way.

2. Adequate ingress and egress from the drive-in theater shall be provided in order that traffic shall not be a nuisance or hazard.

G. Automobile or Motorcycle Race Track or Course Subject to the Following Provisions:

1. Provisions shall be made for adequate off-street parking to handle the anticipated volume of traffic for the use.

2. Use of a building or structure (temporary or permanent) for restaurant or "coffee shop" purposes shall be permitted during the days of the race only. Structures used for such purposes shall be subject to all regulations of the local health authority.

H. Automobile Parking Lots Subject to the Following Provisions:

1. All parking stalls shall be a full ten (10) feet in width and twenty (20) feet in length.

2. The property shall be graded for proper drainage and must be surfaced with an all-weather surfacing and be maintained in usable condition.

3. No portion of any entrance or exit driveway leading from or to a public street, highway or alley shall be closer than thirty-five (35) feet to an intersection of two or more public streets, alleys or highways. The intersection point shall be determined by the crossing of two rights-of-way. No two driveways shall be within thirty (30) feet of one another.

4. No portion of any parking space shall be closer than five (5) feet to any right-of-way line.

10. The principal business of the camping area shall be to supply parking spaces for travel trailers, camper vehicles and/or tent camping whose occupants are engaged in recreational activities such as fishing, hunting, hiking, boating or camping. Travel trailers and camper vehicles accommodated shall not exceed forty (40) feet in length and eight (8) feet in width. The terms of accommodation for any travel trailer or camper vehicle within the camping area shall be limited to three (3) months.

11. The Camping Area Permit shall be conspicuously posted in the office of, or on the premises of, the camping area at all times.

J. Electrical Transmission Lines of Sixty-Nine Kv or More, Subject to the Following Provisions:

1. That the construction of such transmission lines does not cause water pollution and/or create erosion or soil problems.

2. That no undue amount of vegetation shall be disturbed or destroyed during the construction of the transmission lines.

3. There shall be every attempt made that such use does not destroy visual amenities. Upon the discretion of the Board of County Commissioners, a written explanation may be required indicating methods to prevent destruction or deterioration of visual amenities.

4. Every attempt shall be made to vary the width configuaration of the edge, and alignment of the transmission's right-of-way or easement when passing through vegetated areas so as to minimize the visual impact of the use.

5. The width of the transmission line right-of-way shall be at least equal to twice the height of the towers on which the transmission line is strung.

K. Feed Lots (Livestock Confinement Areas) Subject to the Following Provisions:

1. Every feedlot operator shall take all preventative measures to avoid the pollution of the waters of Logan County due to surface runoff waters or discharges from within feedlots or stockyard enclosures, or from manure or sludge storage areas appurtenant thereto.

2. To the extent necessary, minimum preventative measures shall include the construction of sealed collection and retention ponds; provision for adequate drainage to prevent the collection of surface waters within such enclosures or upon appurtenant areas; the use of mechanical means for scraping, cleaning and grading all areas which could contribute to water pollution; the disposal of animal excrements and other wastes, and the diversion of surface runoff or drainage waters prior to contact with contaminating areas or substances.

3.. The applicant shall follow the "Rules and Guidelines for Water Pollution Control at Livestock Confinement Areas" as issued by the Colorado Department of Health, Water Pollution Control Commission, and shall present written evidence of their acceptance of the plans for the proposed livestock confinement area to the Board of County Commissioners prior to the granting of the Livestock Confinement Area Permit by the Board.

4. The standard setback for all feedlot or livestock confinement areas shall be 300 feet. However, that setback requirement may be altered by the County Planning Commission and County Commissioners. That determination will be based on any revelant factors, including, but not limited to: the size of the proposed operation; the number of animals to be confined; future expansion plans of the operation, drainage characteristics and problems; method of waste disposal; odor potential, and proximity to an incorporated unit of government, platted subdivision or surrounding residential units.

L. Any Conditional and Special Uses as Allowed in the Various Districts Under Section 3 of this Resolution are Subject to the Following General Provisions:

1. That such use does not create any danger to safety in surrounding areas, does not cause water pollution, and does not create offensive noise, vibration, smoke, dust, odors, heat, glare or other objectionable influences beyond the boundaries of the property on which such use in located.

2. That upon the discretion of the County Commissioners, a written explanation may be required indicating methods to be used to minimize smoke, odors, dust, and similar environmental problems which might result from the operation of the proposed use.

7.4 Industrial Performance Standards;

All industrial, commercial and extractive resource businesses whether established as a use by right, condition or special permit shall comply with the following standards to provide that these uses do not create any danger to safety in surrounding areas, do not cause water pollution and do not create offensive noise, vibration, smoke, dust, odors, heat, glare or other objectionable influences beyond the boundaries of the property in which such uses are located, nor shall be operated in any manner so as to constitute a public nuisance or hazard.

A. Emission of Heat, Glare, Radiation and Fumes - Every use shall be so operated that it does not emit an obnoxious or dangerous degree of heat, glare, radiation or fumes beyond any boundry line of the property on which the use is located. Such emissions shall not violate the regulations and standards of the Federal Air Pollution Control Authority.

B. Outdoor Storage and Waste Disposal

1. No highly flammable or explosive liquids, solids or gases shall be stored in bulk above ground without proper safeguards.

2. No materials or wastes shall be deposited upon a property in such form or manner that they may be transferred off the property by natural causes or forces.

3. 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.

4. In addition to these regulations all storage of flammable, explosive or dangerous materials shall be subject to all applicable State Laws concerning such.

C. Water Pollution - No water pollution shall be emitted by the manufacturing or other processing. In a case in which potential hazards exist, it shall be necessary to install safeguards acceptable to the Building Inspector, the Colorado Department of Health and the local health authority and in compliance with the laws of the Environmental Protection Agency before operation of the facilities may begin.

All percolation tests or ground water resource tests as may be required by the Colorado Department of Health and the local health authority must be met before operation of the facilities may begin.

7.5 Additional Height and Area Regulations:

A. Public, semi-public, or public service buildings, hospitals, institutions, or schools, when permitted in a district, may be erected to a height not exceeding sixty (60) feet, and churches may be erected to a height not exceeding seventy-five (75) feet, provided that the front yard depth shall be thirty (30) percent in excess

of those specified in these Regulations, and further, provided that the side yards of an interior lot shall be twenty (20) feet and the side yard on a corner lot shall be equal to the front yard requirements as stated hereinabove.

B. Chimney, church steeples, cooling towers, elevator bulkheads, fire towers, monuments, stacks, stage towers or scenery lofts, tanks, water towers, ornamental towers, spires, wireless towers, grain elevators, or other necessary mechanical appurtenances, are exempt from the height regulations as herein contained for each district.

C. Radio, television and all other towers, except for those towers otherwise described in the Regulations, may exceed the height regulations of the district in which they are located, provided they are so situated on a lot so that the distance from the tower to the property lines, in all directions, is at least equal to the height of the tower.

D. Electric substations and gas regulator stations may exceed the height requirements for the district in which they are located provided that for each additional one (1) foot of height an additional one (1) foot of front, rear, and side yard shall be required.

E. Country clubs and golf courses shall locate any buildings and structures indicental to the use not less than three hundred (300) feet from the nearest residence.

F. There shall be a setback in each district of fifty (50) feet from the centerline of irrigation ditches or canals. For the purposes of this Resolution an irrigation ditch or canal shall be defined as being capable of passing a minimum of twenty (20) cubic feet per second.

G. Accessory buildings may be built in a required rear yard but such accessory buildings shall not occupy more than thirty (30) percent of a required rear yard and shall not be nearer than two (2) feet to any side or rear lot line, except that when a garage is entered from an alley at right angles, it shall not be located closer than ten (10) feet to the alley line. If a garage is located closer than ten(10) feet to the main building, the garage shall be regarded as a part of the main building for the purposes of determining side and rear yards.

H. No accessory buildings shall be built upon a lot until the construction of the main building has been actually commenced, and no accessory building shall be used for dwelling purposes except in those districts in which the use "living quarters for hired personnel" is specifically stated as an allowable use. The Zoning

Inspector shall inspect any accessory building to be used for dwelling purposes in order to make a determination of its fitness for occupancy.

I. Every part of a required yard shall be open to the sky, unobstructed by any structure, except for the projection of sills, belt course, cornices and ornamental features which are not to exceed two (2) feet, and except for structures specifically built to produce shade such as trellises and pergolas.

J. No basement or cellar shall be occupied for residential purposes until the remainder of the building has been substantially completed.

K. Open-lattice enclosed fire escapes, fireproof outside stairways, and balconies opening upon fire towers, and the ordinary projections of chimneys and flues into the rear yard may be permitted by the Building Inspector for a distance of not more than five (5) feet and where the same are so placed as not to obstruct light and ventilation.

L. An open unenclosed porch or paved terrace may project into a front yard for a distance not exceeding ten (10) feet. An unenclosed vestibule containing not more than forty (40) square feet may project into a required front yard for a distance not to exceed four (4) feet.

M. Terraces, uncovered porches, platforms and ornamental features which do not extend more than three (3) feet above the floor level of the ground story may project into a required yard provided these projections be at least two (2) feet from the adjacent side lot line.

N. For the purpose of the side yard regulations, a two-family dwelling, or a multiple dwelling shall be considered as one building occupying one lot.

O. Where a lot or tract is used for farming or for a commercial or industrial purpose, more than one main building may be located upon the lot or tract, but only when such buildings conform to all open space requirements around the lot for the district in which the lot or tract is located.

P. In the event that a lot is to be occupied by a group of two or more related buildings to be used for multiple dwelling, institutional, motel or hotel purposes, there may be more than one main building on the lot provided, however, that the open space between buildings that are parallel or within forty-five (45) degrees of being parallel, shall have a minimum dimension of twenty (20) feet for one story buildings, thirty (30) feet for two story building, and forty (40) feet for three or four story buildings.

Q. Where an open space is more than fifty (50) percent surrounded by a building, the minimum width of the open space shall be at least thirty (30) feet for two story buildings, and forty (40) feet for three or four story buildings.

R. Where lots have double frontage, the required front yards shall be provided on both streets.

S. The required side yard on the street side of a corner lot shall be one-half (½) the required front yard on such street, provided that no adjacent structures front on the same street, in which case the entire required front yard must be provided, except that the building width shall not be reduced to less than thirty-two (32) feet, and no accessory building shall project beyond the required front yard on either street.

T. Measurements made to determine the location of proposed construction of buildings or structures for compliance with the County setback requirements will be made from the edge of the roadway or the edge of the roadway right-of-way (easements, property lines, road dedications, etc.). This requirement will be implemented for all construction of buildings or structures, not otherwise provided for in the Logan County Zoning Resolution.

U. The minimum depth for the installation of all utility lines shall be thirty-six (36) inches unless otherwise approved by the Board of County Commissioners.

As a result of the October 10, 1977, public hearing regarding the regulation of mobile home park permits, the following proposed amendments to the Logan County Zoning Resolution have been adopted.

7.6 Mobile Home Park Regulations:

A. It shall be unlawful for any person to maintain or operate a Mobile Home Park without having first obtained a Special Use Permit therefor, except that the maintenance or operation of a Mobile Home Park which is in existence on the effective date of this Resolution may be continued under a temporary permit for such period of time and under such conditions as are specified in Section B.

1. Although these regulations require that both a Special Use Permit hearing and review and a Mobile Home Park hearing and review be conducted for the approval of a Mobile Home Park, the two hearing and review meetings may be conducted simultaneously or one immediately preceding the other.

2. The fee for transfer of a Special Use Permit to operate a Mobile Home Park shall be as established in the Logan County Fee Schedule.

B. A temporary permit, upon written request, shall be issued by the Board of County Commissioners for each Mobile Home Park in existence upon the effective date of this Resolution which will permit said park to be maintained and operated for a period of not longer than one year following the effective date of this Resolution without being subject to the health and sanitation provisions of this Section; except, however, that operation of said park may continue longer than one year if, in the opinion of the Colorado Department of Health and the local health authority, no health hazard exists and said continued operation is approved by the Board of County Commissioners.

1. If the continued operation of a nonconforming Mobile Home Park is not so approved, the person maintaining or operating a Mobile Home Park shall have filed an application for a Special Use Permit with the Board of County Commissioners in conformity with this Section within 30 days following expiration of the first one year period.

2. That plans and specifications accompanying the application for a Special Use Permit comply with all provisions of this Resolution and all other applicable resolutions and statutes.

3. The annual fee for a Mobile Home Park temporary permit shall be as established in the Logan County Fee Schedule.

C. All applications for a Special Use Permit to operate a Mobile Home Park shall be filed by the owner or his agent with the Board of County Commissioners and all Special Use Permits shall be issued by the Board of County Commissioners. The following data shall accompany all applications for Special Use Permits filed with the Board of County Commissioners:

1. The name and address of the applicant;
2. The location and legal description of the Mobile Home Park;
3. A complete plan of the park in conformity with the requirements of this Section;
4. Plans and specifications of all buildings, improvements and facilities constructed or to be constructed within the Mobile Home Park;
5. A topographic map showing two (2) foot contour intervals;
6. Such further information as may be requested by the Board of County Commissioners to enable it to determine if the proposed park will comply with legal requirements.

D. The application for a Special Use Permit to operate a Mobile Home Park shall be filed in triplicate. The Board of County Commissioners, in the acceptance or rejection of such Special Use Permit application, shall be guided by the findings and recommendations of the Logan County Planning Commission, the Colorado Department of Health, and the local health authority. It shall be the duty of the Planning Commission to review the application for a Special Use Permit, the proposed plans and specifications in accord with the requirements in Paragraph "G" below. The Planning Commission shall submit its findings and recommendations to the Board of County Commissioners within 60 days after the application for a Special Use Permit. Failure to submit such findings and recommendations within the allotted time shall constitute Planning Commission approval of the plans. The local health authority shall also submit his findings within said 60-day period. If the proposed Mobile Home Park will, when constructed or altered in accordance with such plan and specifications, be in compliance with all provisions of this Resolution and all other applicable resolutions and statutes, the Board of County Commissioners shall approve the application, and upon completion of the park according to the plans shall issue the Special Use Permit.

E. Application for renewal or transfer of an annual Special Use Permit to operate a Mobile Home Park shall be made in writing by the owner or his agent to the Board of County Commissioners and the Board of County Commissioners shall issue a certificate renewing or transferring such Special Use Permit for a period not to exceed one year provided, however, that payment of the annual Special Use Permit fee is made at the time of issuance

and it is the opinion of the Colorado Department of Health and the local health authority that no health hazard exists.

F. The Planning Commission, in its review of the application for a Special Use Permit to operate a Mobile Home Park not previously permitted and including any application for transfer of a Special Use Permit shall base its review on the following design requirements:

1. The Mobile Home Park shall have access to a public street or highway.

2. The Mobile Home Park shall be located on a well-drained site, graded for rapid drainage and free from stagnant pools of water.

3. The plan shall show entrances and exits to the park, driveways and walkways, and the design and arrangement of all mobile home spaces.

4. All mobile home spaces shall abut upon a driveway of not less than 30 feet in width which shall have unobstructed access to a public street or highway or private roadway.

5. All driveways shall be graveled or hard surfaces.

6. All roads or streets, whether public or private, shall be hard surfaced and constructed to County specifications.

7. Each mobile home space shall be provided with an electrical outlet supplying at least 110 volts and shall comply with the State Electrical Code.

8. An adequate supply of pure water shall be supplied by pipes to all buildings and to each mobile home space. Each mobile home space shall be provided with a cold water tap at least four inches above the ground provided that the tap may be below ground level for prevention of freezing if in the opinion of the Colorado Department of Health and the local health authority that no health hazard exists.

9. In Mobile Home Parks, waste from showers, bath tubs, flush toilets, urinals, lavatories, slop sinks and laundries in service and other buildings shall be discharged into a public sewer system in compliance with applicable regulations or into other such system as may be approved by the Colorado Department of Health and the local health authority.

10. In Mobile Home Parks each mobile home space shall be provided with a sewer at least four inches in diameter, which shall be connected to receive the waste from the shower, bath tub,

flush toilet, lavatory and kitchen sink of the mobile home harbored in such space and having any or all of such facilities. The sewer in each space shall be connected to discharge the waste into a public sewer system as may be approved by the Colorado Department of Health and the local health authority.

11. There shall be a minimum distance of fifty (50) feet from any mobile home space to the boundary of the park. This yard area shall be landscaped so as to create a buffer zone.

12. A complete landscaping plan shall be submitted which shall show existing trees and shrubs which are to be maintained and new trees and shrubs which are to be planted. The plan shall include the size and type of planting proposed and their spacing.

13. The Planning Commission shall recommend to the County Commissioners requirements on distances between mobile home spaces. In general the design of the Mobile Home Park shall be subject to the review procedures of a Planned Unit Development as set forth in Section 6 of this Resolution. The Planning Commission and the County Commissioners may aid their decisions on design by criteria set forth in the "Mobile Home Court Developers Guide", a U.S. Department of Housing and Development (HUD) guide.

G. In all Mobile Home Parks, metal or plastic garbage cans in good condition with tight-fitting covers shall be provided in quantities adequate to permit disposal of all garbage and rubbish. Garbage cans shall be located not farther than three hundred (300) feet from any mobile home space. The cans shall be kept in sanitary condition at all times. Garbage and rubbish shall be collected and disposed of as frequently as may be necessary to insure that the garbage cans shall not overflow. Garbage and trash collection stations shall be screened from other activities by visual barriers such as fences, walls, or natural growth.

H. Each Mobile Home Park shall be equipped at all times with fire extinguishing equipment in good working order, of such type, size and number or so located within the park as to satisfy applicable reasonable regulations of the County Sheriff. No open fires shall be permitted at any place which may endanger life or property. No fires shall be left unattended at any time.

I. In Mobile Home Parks it shall be the duty of the owner or operator to keep a register containing a record of all mobile home owners and occupants located within the park. The register shall contain the following information:

1. The name and address of each mobile home occupant, and age of minor occupants;

2. The name and address of the owner of each mobile home and motor vehicle by which it is towed.

3. The make, model, year and license number of each mobile home and motor vehicle;

4. The state, territory or county issuing such licenses;

5. The date of arrival and of departure of each mobile home;

6. The register shall be available for inspection at all times by law enforcement officers, public health officials and other officials whose duties necessitate acquisition of the information contained in the register. The register record for each occupant registered shall not be destroyed for a period of three years following the date of departure of the registrant from the park.

J. The owner, operator, or a duly authorized attendant or caretaker shall be in charge at all times to keep the Mobile Home Park, its facilities and equipment in a clean, orderly and sanitary condition. The attendant or caretaker shall be answerable, with the permittee, for the violation of any provision of this Resolution to which the permittee is subject.

K. The Board of County Commissioners may revoke any Special Use Permit to amintain and operate a Mobile Home Park, when the owner or operator has been found guilty by a court of competent jurisdiction of violating any provision of this Resolution.

L. The Special Use Permit or temporary permit to operate a Mobile Home Park shall be posted in a conspicuous place on the premises at all times.

7.7 Floodplain Regulations:

A. Statutory authorization, findings of fact, statement of purpose and definitions.

1. Statutory authorization. This Resolution for flood prevention and control is adopted pursuant to the authority contained in Title 30, Article 28, Colorado Revised Statutes 1973, as amended.

2. Findings of fact. The Board of County Commissioners finds that there are within the County of Logan various floodplains constituting natural hazards of state and local interest, the occupation of which has already resulted in or is likely to cause the loss of human life and the destruction of property, and that the imprudent occupation of these floodplains will pose a continuing and greater future danger to life and property, unless proper regulations are adopted concerning their use and occupation.

3. Statement of purpose. It is the purpose of this Resolution to promote the public health, safety and general welfare by provisions designed to:

a. Permit only such uses within the designated floodplains as will notendanger life, health, public safety or property in times of flood.

b. Prohibit the placement of fill, materials and structures which would significantly obstruct flood flows to the potential damage of others or cause potentially damaging debris to be carried downstream.

c. Protect the public from the burden of avoidable financial expenditures for flood control projects and flood relief measures.

d. Prevent avoidable business and commerce interruptions.

e. Minimize damages to public utilities, streets and bridges.

f. Minimize victimization of unwary home and land purchasers.

g. Minimize the pollution of water by prohibiting the disposal of garbage and other solid waste materials in floodplains.

4. Definitions. As used in this Resolution the following words or phrases are defined as follows:

a. "Designated floodplain" means the area designated as a floodplain by official action of the Board of County Commissioners with the prior concurrence of the Colorado Water Conservation Board.

b. "Floodplain" means an area in and adjacent to a stream, which area is subject to flooding as the result of the occurrence of an intermediate regional flood and which area thus is so adverse to past, current, or foreseeable construction or land use as to constitute a significant hazard to public health and safety or to property.

c. "Floodproofing" means a combination of structural provisions, changes, or adjustments to lands, properties and structures subject to flooding primarily for the reduction or elimination of flood damages to lands, properties, structures, and contents of buildings in

a flood hazard area.

d. "Floodway zone" is the channel of a stream and those portions of the adjoining floodplain which are reasonable required to carry and discharge the flood-waters of an intermediate regional flood. In the context of this Resolution, it is the designated floodplain less the low hazard zone, if any such low hazard has been identified. If no low hazard zone has been identified, then the terms "designated floodplain" and "floodway zone" shall be considered as being synonymous.

e. "Intermediate regional flood" means a type of flood, including the water surface elevation and territorial occupation thereof, which can be expected to occur at any time in a given area based upton recorded historical precipitation and other valid data, but with an average statistical one percent chance of being equalled or exceeded during any one year. The term is used interchangeably with a one-percent flood or one hundred year flood.

f. "Low Hazard Zone" means that area of the floodplain in which water of an intermediate regional flood (100 year flood) will not attain a maximum depth greater than two (2) feet.

g. "Stream" means any natural channel or depression through which water flows either continuously, intermittently or periodically, including any artificial modification of the natural channel or depression.

B. Designation of floodplains - subdivisions thereof - identification.

1. Designation. The floodplains of the County of Logan are hereby defined as encompassing all those land areas of the County in and adjacent to a stream which lies within the area which would be inundated by an intermediate regional flood which land area is heretofore or hereafter approved by the Colorado Water Conservation Board, and is heretofore or hereafter designated by the Board of County Commissioners of Logan County in the manner prescribed by this Resolution.

2. Floodplain subdivisions. Where sufficient data are available to determine the effect thereof on existing or foreseeable land uses, the designated floodplain may be subdivided into a floodway zone and a low hazard zone as defined in subsections A.4.d. and f. of this Resolution.

3. Identification. True and official copies of maps of floodplains so designated by the Board of County Commissioners shall be kept and maintained for public inspection in the offices of the County Commissioners and the County Building Inspector. Such maps shall be in sufficient detail and scale so as to permit ready identification of the flood hazard area, including the low hazard zone, if any, by ground inspection or survey. Copies of such maps shall be available for public sale.

4. Interpretation. Where interpretation is needed as to the exact location of the boundaries of designated floodplains or subdivisions thereof, the designated County Building

Inspector shall make the necessary interpretation. The intermediate regional flood elevation for the point or points in question shall be the governing factor in determining the actual boundaries.

5. Official zoning map. Any official zoning map or maps of the County shall incorporate the floodplains designated by the Board of County Commissioners, including the low hazard zone, if such has been identified.

6. Unmapped Identification. Where the intermediate flood area has not yet been officially identified and incorporated as a part of the official zoning map, it shall be the responsibility of the County Building Inspector to determine whether a proposed development site is probably located within or outside of the intermediate flood area. If the County Building Inspector determines that a proposed development site is probably located within the intermediate flood area, and upon written notice to the applicant it shall be the responsibility of the applicant to conduct the engineering and hydrological studies necessary to determine whether a proposed development site is located within or outside of the intermediate flood area. If said studies indicate the said development site is within the intermediate flood area then the applicable provisions of these regulations shall apply.

C. Use of designated floodplains.

1. General. No development, use, fill, construction or alteration on or over any portion of a designated floodplain shall be permitted which alone, or cumulatively with other such activities, would cause or result in any of the following:

   a. The storage or processing of materials that in times of flooding are buoyant, flammable, explosive or otherwise potentially injurious to human, animal or plant life.

   b. The disposal of garbage or other solid waste materials.

   c. The erection of structures, either fixed or mobile, for residential, commercial or industrial purposes, either permanent or temporary.

   d. Substantial solid debris being carried downstream by floodwaters.

   e. Any obstruction which would adversely affect the efficiency of or restrict the flow capacity of a designated floodplain so as to cause foreseeable damage to others, wherever located.

2. Exceptions permitted in low hazard zones. Except as prohibited by subsections c.1.a and c.1.b the low hazard zone of a designated floodplain, if any such low hazard zone has been identified, may be used for any lawful purpose; provided that:

   a. Such use shall not cause a measurable enlargement of

the floodplain so as to cause damages to or on lands other than those owned by the user.

b. Any building or structure, whether fixed or mobile, designed for human occupancy or the storage of property, and occupying a space greater than one hundred square feet, shall be constructed or located so that any external wall shall be not less than fifteen feet from the stream side of the low hazard zone.

c. The lowest floor of any such building or structure shall be not less than one foot above the maximum water elevation of the computed intermediate regional flood, unless such building or structure has been adequately floodproofed to or over one foot above said maximum water elevation.

d. The proposed construction in a floodplain be anchored to prevent flotation, collapse, or lateral movement of the structure.

e. The designs for new or replacement water supply systems and sanitary sewage systems minimize or eliminate infiltration of flood-waters and provide for on-site waste disposal systems to be located so as to avoid impairment of them, or contamination from them, during or subsequent to flooding, if applicable.

3. Non-conforming uses. The provisions of this section shall not apply to or affect:

a. Any fixed building or structure already lawfully in place or the terms or conditions of any lawful permit

already granted at the time of the enactment of this Resolution; provided that, in the event of the discontinuance of use or destruction or damage in major part of a non-conforming building or structure, its reconstruction or replacement shall be considered a new use and be governed by the other applicable provisions of this section.

b. Any device or structure reasonably necessary for the deversion or storage of water or for flood control or prevention.

D. Administration.

1. Permits. It shall be unlawful to develop, fill or occupy, or to construct, reconstruct or alter, any building or structure, within a designated floodplain without the property owner or his authorized representative first obtaining a building permit from the Logan County Building Inspector,in accordance with the Logan County Zoning Resolution, and subject to said Resolution's procedures.

2. Inspection.

a. The Logan County Building Inspector or his authorized representatives are hereby empowered and directed to inspect and examine the use, occupation or development of designated floodplains within the County of Logan for the purpose of determining from time to time whether or not such use, occupation or development is in violation of any of the provisions of section C of this Resolution or of any permit issued or required pursuant to this section D.

b. If a violation shall be found to exist, section 10 of this Resolution shall apply.

E. Interpretation, disclaimer or liability and severability.

1. Interpretation.

a. It is not intended by this Resolution to repeal, abrogate or impair any existing easements, convenants, or deed restrictions. However, where this Resolution imposes greater restrictions, the provisions of this Resolution shall prevail. All other Resolution's inconsistent with this Resolution are hereby repealed to the extent of the inconsistency only.

b. In their interpretation and application, the provisions of this Resolution shall be held to be minimum requirements and shall not be deemed a limitation or repeal of any other powers granted by the state constitution or statutes.

2. Disclaimer of liability. The degree of flood protection required by this Resolution is considered reasonable for the protection of life and property and is based on engineering and scientific methods of study. Larger floods may occur on rare occasions or the flood height may be increased by man-made or natural causes, such as ice jams and bridge or culvert openings being restricted by debris. This Resolution does not imply that areas outside the designated floodplains or land uses permitted within such floodplain will be free from flooding or flood damages. This Resolution shall not create liability on the part of the County of Logan or any officer or employee thereof for any flood damages that result from reliance on

this Resolution or any administrative decision lawfully made thereunder.

3. Severability. If any section, clause, provision or portion of this Resolution is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Resolution shall not be affected thereby.

7.8 AREAS AROUND AIRPORTS - REGULATIONS

A. Purpose and Intent: The purpose and intent of these regulations shall be to:

1. Minimize the danger to public health and safety or to property in areas around airports.

2. Avoid danger to public safety and health or to property due to aircraft crashes, traffic congestion, air pollution, water pollution, and noise.

3. Facilitate the orderly development of areas around airports by establishing requirements that must be met before such development will be permitted.

4. Bring the Logan County Zoning Resolution into conformance with Federal Aviation Regulations, Part 77, entitled "Objects Affecting Navigable Airspace".

B. Definitions:

1. "Airport" means any proposed or existing municipal or county airport or airport under the jurisdiction of an airport authority.

2. "Airport Height Zones" are imaginary surfaces designed by the Federal Aviation Administration to control the height of objects, both natural and man-made, which may affect navigable airspace around an airport (as defined in F.A.R., Part 77, Subsections 77.23 and 77.25).

3. "Development" means any construction or activity which changes the basic character or the use of the land on which the construction or activity occurs.

C. Application:

1. These regulations shall apply to development within appropriate airport height zones around airports in unincorporated Logan County. This includes, but is not limited to Crosson Field as graphically displayed in the approved Airport Layout Plan (A.L.P.).

D. Airport Height Zones:

1. These are hereby established imaginary surfaces for the purposes of limiting height within the airport height zones around unincorporated Logan County airports. Such height limitations are established according to the provisions of F.A.A. (as displayed for Crosson Field in the A.L.P, Exhibit 2).

2. An area located in more than one of the following zones is limited by the more restrictive zone.

3. No development shall occur and no structure shall be erected, altered or maintained and no tree shall be allowed to grow or be maintained above the following imaginary surfaces:

   a. Utility Runway Visual Approach Zones - Slopes upward twenty (20) feet horizontally for each foot vertically, beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline, with a lateral width of 1,250 feet.

   b. Utility Runway Non-Precision Instrument Approach Zone - Slopes upward twenty (20) feet horizontally for each foot vertically beginning at the end of and at the same elevation as the primary surface and extending a horizontal distance of 5,000 feet along the extended runway centerline, with a lateral width of 1,500 feet.

   c. Runway Larger Than Utility Visual Approach Zone - Slopes upward twenty (20) feet horizontally for each foot vertically beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline, with a lateral width of 3,500 feet.

   d. Runway Larger Than Utility With a Visibility Minimum Greater than 3/4 Miles Non-Precision Instrument Approach Zone - Slopes upward thirty-four (34) feet horizontally for each foot vertically beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline, with a lateral width of 3,500 feet.

   e. Runway Larger Than Utility With a Visibility Minimum As Low As 3/4 Mile Non-Precision Instrument Approach Zone - Slopes upward thirty-four (34) feet horizontally for each foot vertically beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline, with a lateral width of 4,000 feet.

7.9 REGULATIONS FOR PREEXISTING LOTS

Where an individual lot was platted prior to the adoption date (October 10, 1973) of this Resolution, in a recorded subdivision approved by the Board of County Commissioners, or in a recorded plat of an unincorporated town, or in the area known as Desert Village (located in the Northeast Quarter (NE¼) of Section 33, Township 8 North, Range 53 West), and has less area and/or width than is required by Section 3, 2.1, "Minimum Lot Size " and Section 3, 2.4, "Minimum Lot Width" of this Resolution, such lots may be occupied according to the permitted uses provided for the district in which the lot is located, if building setback requirements of Front - 30 feet, Back - 20 feet, and Side - 10 feet are met, or if setback requirements contained in recorded deed covenants for the lot are met. In addition, the owner and developer of any lot in Logan County must comply with the applicable regulations of the State of Colorado concerning sewer and water requirements.

Section 8 - repealed April 4, 1979
See page 17-36

SECTION 8

USES NOT ITEMIZED

8.1 Upon application or on its own initiative, the Board of County Commissioners may, by resolution, add to the uses listed for a zoning district any other similar use which conforms to the conditions set forth in the following special findings:

A. Such use is appropriate to the physiographic and general environmental character of the District to which it is added.

B. Such use does not create any more hazard to or alteration of the natural environment than the minimum amount normally resulting from the other uses permitted in the District to which it is added.

C. Such use does not create any more offensive noise, vibration, dust, heat, smoke, odor, glare, or other objectionable influences or more traffic hazards than the minimum amount normally resulting from the other uses permitted in the District to which it is added.

D. Such use is compatible to the uses existing and permitted in the District to which it is added.

8.2 When any use has been added to the list of permitted uses in any District in accordance with this Section, such use shall be deemed to be listed in the appropriate section of those District regulations, and shall be added thereto in the published text of this Resolution at the first convenient opportunity, with a notation indicating that the addition was made in accordance with this Section.

SECTION 9

ADMINISTRATION

9.1 Enforcement:

This Resolution hereby establishes and shall be enforced by an officer appointed by the County to be known as the "Zoning Administrator".

ADOPTED 12/29/98 RESOLUTION NO. 98-64

9.15 Junk and Weed Control

To control the open air accumulation of junk, rubbish, garbage, weeds, brush and abandoned vehicles, equipment and structures on individual properties and adjacent alleys or rights-or-way in Logan County by the authority of Title 30, Article 15, Section 401(1)(a)(I) of the C.R.S.

A. Applicability - These Regulations apply to all zone districts in unincorporated Logan County except industrial tracts of ten (10) or more acres in the Industrial (I) zone district and agricultural land in the Agricultural (A) Zone District, which is currently in agricultural use, as defined in 11 Colorado Revised Statutes (1998) 39-1-102 as amended. Land lying idle for more than twelve (12) consecutive months is not considered "agricultural land currently in agricultural use" for purposes of these Regulations. These Regulations do not apply to operating junkyards with a valid special use permit.

B. Accumulation of Junk - Prohibition - It is unlawful for any person, firm or corporation to cause or permit junk, scrap metal, scrap lumber, weeds, brush, waste paper products, discarded building materials, furniture or furnishings, or any unused, abandoned vehicle, vehicles, abandoned or derelict mobile homes or trailers, or abandoned parts, machinery or machinery parts, or other waste material, to be left or accumulated in or upon any yard, garden, lawn, outbuilding or premises in the County, unless in connection with an agriculture or business enterprise lawfully situated and licensed for the business of collecting waste material. It is unlawful to permit any accumulation of any waste material in or upon any yard, lawn, garden, outbuilding or premises in the County if the waste material constitutes a fire hazard or hazard to the safety of persons or property or an unsanitary condition unless otherwise specified herein. Composting is an exception and not prohibited.

C. Time of Accumulation - Garbage, junk and abandoned vehicles or equipment of any kind will not be allowed to accumulate on private property or on adjacent alleys or rights-of-way in Logan County for a period of time longer than thirty (30) days unless provided otherwise herein. This time may be reduced to three days if the accumulation presents an immediate danger to health or safety of the public.

D. Time to Correct - Any person, firm or corporation with accumulations of garbage, junk and abandoned vehicles or equipment of any kind existing at the time of passage of these Regulations will have a total of thirty (30) days to remove and properly dispose of these articles from the property unless provided otherwise herein. This time may be reduced to three days if the accumulation presents an immediate danger to health or safety of the public.

E. Rubbish and Garbage Containers - Rubbish and garbage containers shall be provided by the owner, tenant, lessee, or occupant of the premises. Rubbish containers shall be of a kind suitable to contain all trash and garbage collected and shall have a tight-fitting lid. Collection of garbage in plastic garbage bags of twenty (20) gallon capacity or larger is allowed, provided it is kept in a secure area, during the thirty-day accumulation period prior to collection by a licensed waste hauler for disposal at the County landfill.

F. Abandoned Structures - Abandoned structures are to be boarded up or otherwise secured from entry for public health and safety reasons. Abandoned and unused structures that are deteriorating to the extent that they constitute a safety hazard are to be torn down and all component materials disposed of in accordance with all applicable state and/or federal regulations. A structure becomes a safety hazard when structurally it is no longer sound and economically infeasible to rehabilitate for reuse of any kind allowed in a particular zone district.

G. Cutting of Weeds - It shall be the duty of each and every person, corporation or association owning any lot(s), parcel(s) and tract(s) of real property, one acre or less, within the County, to cut to a height not to exceed six inches (6") from the ground level to the point where cut, all weeds, weed brush and rubbish, and to remove same, together with all rubbish of any kind, from his, its or their said lot(s), parcel(s) and tract(s) of real property; and also from any adjacent alley behind and from the sidewalk right-of-way area in front of the lot(s), parcel(s) and tract(s) of real property. Right-of-ways along state highways and county roads are not included except for traditional adjacent mowing distances. Composting by definition is specifically exempt from this regulation.

H. Inoperable Vehicles - A maximum of one (1) expired license, unregistered or inoperative vehicle or parts thereof are allowed in RE, RS and RM zone districts for personal use. A maximum of three (3) expired license, unregistered or inoperative vehicles or parts thereof are allowed in the AG, EP, I, CH, and CC districts unless otherwise allowed by special permit. Vehicles in excess of these numbers are not allowed unless they are stored in a private garage or storage shed. A vehicle shall be deemed inoperative if it is missing any major operating component such as tires, wheels, engine, or transmission.

I. Screening of Inoperable Vehicles - In all districts where inoperative vehicles or parts thereof may be allowed in excess of the above requirements, they shall be fully screened to prevent such vehicles from being viewed from a public road or area. Vehicles having been repaired at gasoline stations or auto repair shops shall not remain unattended longer than thirty (30) days after repairs are completed unless vehicles are fully screened.

J. Auto Salvage - Junkyards desiring to locate adjacent to a state highway or interstate highway must obtain a state permit as per 43-1-501, 502 and 503 of the C.R.S. in addition to a Special Use permit as described in 7.3 F.

K. Inspections and Notice - Authorized County personnel are empowered to examine or cause to be examined every premise suspected to contain an unlawful accumulation of

such junk, waste material and weeds and if it is found to give the person responsible for the junk waste material and weeds, or the owner or occupant of the premises upon which found, a written notice stating that an unlawful accumulation of junk, waste material, or weeds has been found upon the premises and directing the person to whom the notice is addressed to eliminate the violation within a reasonable time specified in the notice, generally thirty (30) days. The time provided should be commensurate with the work required to be done to correct the unlawful condition. Proper service of this notice shall be personal service upon the person responsible for the unlawful accumulation, or the owner, authorized property management agent, or the occupant of the premises. Alternatively, the service may be made to the person by registered or certified mail and return receipt requested.

L. Process - Junk and weed control complaints shall be investigated based on a written, signed complaint only. The only exception is if there is an emergency, which poses an immediate danger to public safety. It is anticipated that these situations will be very rare. A form for filing these complaints will be provided to the complaining party by the Planning Department. The person filing the written complaint will be informed that this form is likely to become part of the public record if the violation is not corrected by the owner of the property and County or District Court becomes the remedy.

M. Violations - Failure of any person to carry out the work required to be done by this notice within the time specified by the notice shall constitute a misdemeanor, and any person, firm or corporation who violates the provisions of this section shall, upon the conviction thereof, be fined. The fine shall be not more than one hundred dollars ($100.00) or imprisonment for a period of not more than ten (10) days or both. Each day that a violation continues to exist shall be considered a separate offense.

N. Depositing Junk or Waste on Another's Property - It is unlawful for any person to discard or abandon any of the waste material, garbage, brush, abandoned vehicles, or equipment upon the premises owned or occupied by another person without the consent of the owner and the waste material so deposited without consent shall be deemed to have been discarded and abandoned if it remains upon the premises for a period exceeding ten (10) days. Discarding and abandonment of any waste material shall be deemed to be permission by the owner thereof to the County to remove and dispose of the waste material as provided by law for discarded, abandoned and unclaimed property, and the County and its officers and agents may summarily remove the waste material and dispose of the waste material.

O. County Abatement - In the event of failure of any owner of a lot(s), parcel(s) and tract(s) of real property to dispose of garbage, junk, abandoned vehicles, farm and heavy equipment of any kind or to remove abandoned structures or weeds, brush or rubbish as set forth, herein, at any time and in any manner prescribed herein, the proper officials of the County are given power and authority to notify the owner that if the owner fails to comply with these Regulations on or before thirty (30) days from the date of the notice that the proper officials of the County shall forthwith remove or cut

any such junk, rubbish, abandoned vehicles, structures, weeds or brush and the entire cost thereof, plus five percent (5%) for inspection and expense will be assessed against said lot(s), parcel(s), and tract(s) of real property as are in violation of these Regulations. The proper officials of the County, after such removal, shall forthwith file with the County Treasurer a statement showing the amount to be assessed against any such lot(s), parcel(s) and tract(s) of real property in payment of said inspection, removal and related expense.

P. Notice of Assessment - The County Treasurer shall send by registered mail a notice to the owner of any such lot(s), parcel(s) and tract(s) of real property that assessment has been made against the lot(s), parcel(s) and tract(s), for the cost of inspection, removal and related expense for failure to comply with these Regulations. The owner may file objections to these assessments within ten (10) days from the date the notice is received; objections shall be filed with the County Treasurer. The County Treasurer shall cause the objections to be presented to the Board of County Commissioners for review at their next regular meeting following the date the objections are filed with the Clerk. The Planning Administrator shall issue notice to the owner of the date of the review hearing by certified mail. Failure of the owner to file objections shall result in the assessments to become a permanent lien on the lot(s), parcel(s), and tract(s) of real property. In the event the Board of Logan County Commissioners determines the assessments to be proper, the County Clerk, on or before thirty (30) days after the assessment hearing, shall certify to the Logan County Treasurer the assessment which is to be levied on the lot(s), parcel(s) and tract(s) and shall collect the same as general taxes, and that five percent (5%) will be added to all costs of collection.

Q. Hearing on Assessment - At the time designated in the notice, the Board of County Commissioners shall hear objections to the amount assessed to be levied against any lot(s), parcel(s) and tract(s) of real property and shall determine the assessment against the real property as shall be deemed just and proper. If the owner of any such lot(s), parcel(s) and tract(s) fails to pay the amount so assessed within thirty (30) days, said assessment, together with ten percent (10%) added for the cost of collection, shall be certified by the County Clerk to the Logan County Treasurer, who shall collect all the assessments in the same manner that general taxes are collected, and the assessment shall be a lien in the several amounts assessed against the lot(s) or real property until paid, and shall have priority over all other liens except general taxes and prior special assessments. All moneys received by the County Clerk under these Regulations shall be placed in the general fund of the County.

R. Nonexclusivity of Assessments - The fact that assessments have been made against the real property as provided in these Regulations for cutting and removing garbage, weeds, brush, junk, abandoned vehicles, farm and heavy equipment, structures, and the like shall not prevent the owner from being fined as provided in Section L, but the fine may be imposed on those being found guilty under the provisions of these Regulations, whether an assessment has or has not been made in accordance with the provisions of these Regulations.

9.2 Permits:

A. Zoning Permits:

No building shall be erected, occupied, moved, or structurally altered until a permit therefor has been issued by the Zoning Administrator, and no permit shall be issued unless the proposal is in full accordance with this Resolution, except in those instances where a variance has been granted by the Board of Adjustment. However, no zoning permits shall be required for accessory structures which are erected, occupied, moved, or structurally altered when the value of the building or cost of the alteration is less than five hundred ($500) dollars. All applications for permits shall be accompanied by a drawing showing the location of all improvements in relation to the lot and indicating the height of all structures.

No utility of any type shall be constructed in any location in Logan County; nor shall any utility be installed, "hooked up", or provide service to any structure until a permit has been issued by the Zoning Administrator; and no permit shall be issued unless the proposal is in full accordance with this Resolution, except in those instances where a variance has been granted by the Board of Adjustment. All applications for permits shall be accompanied by a map or drawing as may be applicable showing the location of the proposed utility or utility installation.

No oil and gas drilling and/or production facilities shall be constructed, erected, occupied or operated until a zoning permit has been issued by the Zoning Administrator, and no permit shall be issued unless the proposal is in full accordance with this Resolution, except in those instances where a variance has been granted by the Board of Adjustment. All applications for permits shall be accompanied by a map or drawing showing the location of all structures and drilling and/or production sites in relation to the lot. All applications for permits shall also be accompanied by evidence that the surface owner and/or surface tenant of the proposed drilling and/or production lease has been notified of the exact location(s) of the proposed drilling and/or production activity by the drilling and/or production firm.

9.3 Certificate of Occupancy:

No new building except accessory structures shall hereinafter be occupied or used without a Certificate of Occupance which has been issued by the Zoning Administrator. Such Certificate shall be issued within five (5) days after the Zoning Administrator has been notified of the building's completion and after a final inspection has been made to determine conformance with the provisions of this Resolution.

9.4 Fees:

The schedule of fees for zoning permits is available at the office of the Zoning Administrator.

9.5 Records:

All zoning permits, application records, records of inspection, and certificate-of-occupancy records shall be kept on file in the office of the Zoning Administrator and shall be available for inspection by the public.

9.6 Board of Adjustment:

A. Establishment:

A Board of Adjustment is hereby established, which shall consist of members and associate members, all of whom shall be appointed by the County Commissioners. All further reference to the Board of Adjustment in this Section shall hereafter be made to "the Board".

B. Membership:

The Board shall consist of five members who shall be appointed according to appropriate State statutes.

C. Officers:

The Board shall operate according to appropriate State statutes.

D. Appeals to the Board of Adjustment:

Appeals to the Board of Adjustment may be taken by any person aggrieved by his inability to obtain a zoning permit, or by the decision of any administrative officer or agency based upon or made in the course of the administration or enforcement of the provisions of the Zoning Resolution. Appeals to the Board of Adjustment may also be taken by any officer, department, board or bureau of the County affected by the granting or refusal of a zoning permit or by other decision of an administrative officer or agency based on or made in the course of the administration or enforcement of the provisions of the Zoning Resolution. Such appeal must be made within sixty (60) days after the occurrence of such grievance or decision which is the subject of the appeal.

E. General Duties of the Board:

1. To meet at the call of the Chairman, by his request, or by the request of the Zoning Administrator, or by any party wishing to appeal the decision of the same.

2. To adopt any rules necessary to transact the Board's business or to expedite its functions or powers so long as they are not inconsistent with the provisions of this Resolution.

3. To keep minutes of the proceedings of each meeting, which shall be filed in the office of the Board, who may designate the Zoning Administrator to keep such files, and which shall be of public record.

4. To permit the public to attend and to be heard at all of its meetings.

5. To notify in writing the Zoning Administrator, the owner involved, and the Planning Commission of all decisions made, resolutions passed, hearings scheduled, or permits authorized.

6. To publish notice of, or cause to be published, (or to cause the property to be posted at least fifteen (15) days prior to) the date of public hearings for variances to this Resolution as provided by law.

F. Procedure:

The Board shall act in strict accordance with all of the other applicable laws of the State of Colorado and applicable Zoning Regulations of the County of Logan.

1. All appeals to the Board shall be in writing. Every appeal shall indicate what provisions of this Resolution are involved, what relief from these provisions is being sought, and the grounds upon which such an appeal is being sought, as required above.

2. The fee for the petition for a variance shall be as established in the Logan County Fee Schedule. This fee, plus any supporting materials requested by the Board for evaluation of the petition for a variance, shall be submitted before a date for a hearing on the petition shall be set. A minimum of twenty-eight (28) days shall have elapsed between the petition submission date and the scheduled date of the hearing.

3. Notice of the hearing date shall be published at the expense of the applicant, in a newspaper of general circulation in the County at least fifteen (15) days prior to the scheduled hearing date. In addition, written notice of the public hearing shall be delivered or mailed, first-class postage prepaid, at least fifteen (15) days prior to the public hearing to landowners within three hundred (300) feet of the subject property as well as to the property owner(s). Failure to mail such notice to every property owner shall not affect the validity of any proceeding before the said Board of Adjustment. The above notices shall state the name of the petitioner(s), the description of the property involved, a statement of the nature of the request, and the time and place of the meeting.

4. At least fifteen (15) days prior to any public hearing at which a variance to this Resolution is to be considered, the property owner shall post a sign upon the premises where such variance is requested stating the time, place and nature of the variance requested. Prior to the public meeting, a copy of the requested appeal shall be transmitted to the Planning Commission for an opinion, which opinion shall be returned to the Board prior to the public hearing date of the requested variance.

G. Appeals from the Board:

Any further appeal from the decision of the Board may be made to the courts, as provided by law, provided, however, that such appeal is made prior to twenty (20) days following the date of the notification of the Board's decision.

SECTION 10

VIOLATIONS AND PENALTIES

10.1 Violation and Penalty:

Failure to comply with all of the provisions of this Resolution, unless a variance has been authorized by the Board of Adjustment, shall constitute a misdemeanor and upon conviction is punishable by a fine of not more than one hundred dollars ($100.00) or imprisonment for a period of not more than ten (10) days or both. Each day that such a violation continues to exist shall be considered a separate offense.

In case any building or structure is, or is proposed to be, erected, constructed, reconstructed, altered, maintained or used, or any land is proposed to be used, in violation of any provision of this Resolution, or any amendment thereof, the County Commissioners of Logan County, the District Attorney in and for Logan County, or any owner of real estate within Logan County, in addition to other remedies provided by law, may institute injunction, mandamus, abatement or any other appropriate action or proceeding to prevent, enjoin, abate or remove such unlawful erection, construction, reconstruction, alteration, maintenance or use.

10.2 Notification:

Whenever the County Zoning Administrator shall find a violation of any of the provisions of this Resolution, he shall notify the person responsible for the violation in writing and shall order the necessary correction within a period of ten (10) days, or within a reasonable time, at the discretion of the County Zoning Administrator.

If, in the judgment of the County Zoning Administrator, irreparable harm may be caused or the public health, safety and welfare is endangered by a violation of any of the provisions of this Resolution, notice shall not be required.

10.3 Complaints:

Any person aggrieved by a violation or apparent violation of the provisions of this Resolution may file a written complaint with the County Zoning Administrator who shall investigate such complaint and if such violation is found to exist, the County Zoning Administrator shall proceed under Section 10.1 and 10.2 herein.

SECTION 11

AMENDMENTS

11.1 Amendments to this Resolution:

The Board of County Commissioners, from time to time, may amend 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 Logan County Planning Commission. 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 Logan County.

11.2 Amendments to Change the Zoning Classification of an Area:

Amendments to this Resolution may be adopted whereby the Zoning classification of an area is changed only if the following condition exists:

A. That the petitioner has shown substantial evidence that the area in question possesses geological, physiological or other environmental conditions compatible with, and warranting similar district requirements as, the environmental conditions characteristic of the district for which application is being made.

11.3 Amendments to the Official Zoning Map:

A. A complete petition for amendment shall be officially submitted and received at a County Planning Commission meeting. A hearing on the petition shall be placed on the agenda of the next County Planning Commission meeting, provided that a minimum of thirty-five (35) days has elapsed between the petition submission date and the scheduled date of the hearing.

B. The submission for the petition shall be considered to be complete when the necessary application fees have been paid and the data to be used in support of the petition have been submitted. Until the submission is complete no action shall be taken on the petition.

C. Notice of the hearing date shall be published at the expense of the applicant, in a newspaper of general circulation in the County at least fifteen (15) days prior to the scheduled hearing date. In addition, written notice of the public hearing shall be delivered or mailed, first-class postage prepaid, at least fifteen (15) days prior to the public hearing to landowners within three hundred (300) feet of the subject property as well as to the property owner(s). Failure to mail such notice to every property owner shall not affect the validity of any proceeding before the said Planning Commission. The above notices shall state the name of the petitioner(s), the description of the property involved, a statement of the nature of the request, and the time and place of the meeting.

D. The County Planning Commission shall only recommend for approval those amendments which the Commission finds to be developed in accordance with the intent, standards and criteria specified in these regulations.

E. Within five (5) days after review of the petition for an amendment at a public meeting, the County Planning Commission shall send written notification to the Board of County Commissioners of its action. The County Planning Commission may retain the petitioner's supporting materials for an additional thirty (30) days when substantial revisions or additional materials are required.

F. The Board of County Commissioners shall act on the petition for amendment referred to them by the County Planning Commission within thirty-five (35) days of receipt of the transmittal from the County Planning Commission.

11.4 Amendment Fee for Map Amendments:

For proposed amendments to the Official Zoning Map a fee of twenty-five (25) dollars shall be charged to the petitioner to cover the costs of processing.

11.5 Data to be submitted:

Prior to any consideration for amendment to the Official Zoning Map, the petitioner shall file the following data with the Planning Commission at least ten (10) days prior to the scheduled date of Planning Commission review.

A. A legal description of the property.

B. Proposed method of water supply and sewage disposal.

C. Other such site plans or drawings to show a demonstrated need for zoning change.

D. A list of all property owners within three hundred (300) feet of the subject property.

E. The following additional data may be required to accompany the petition for any zone change.

1. A site plan showing location of structures, number of dwelling units per structure, existing contours at intervals of two (2) feet, location of wooded areas to be retained, location of off-street parking spaces, location of common areas and their proposed usage.

2. Evidence of availability of public water and sewer facilities. Such evidence shall be in the form of a written commitment by a municipal or quasi-municipal agency stating that such service will be available to the property.

3. In the event of a private water and sewer system, a written engineering report shall be submitted assuring availability of water and sewer service and written approval by the Colorado Department of Health and the local health authority.

4. When a private water and sewer system is proposed a surety bond in the amount of one hundred twenty-five percent (125%) of the estimated cost of such system shall be made in favor of the Board of County Commissioners and presented at the public hearing concerning the zoning change. Such bond will be held until construction of said systems are complete and approved by the Colorado Department of Health and the local health authority. In lieu of a surety bond, the Board of County Commissioners may authorize other such proof of financing or security which will satisfy construction guarantees.

5. A certified survey by a registered land surveyor or professional engineer.

SECTION 12

DEFINITIONS

12.1 Rules of Language Construction:

For the purpose of this Resolution and when not inconsistent with the context:

A. Words used in the present tense include the future.

B. Words in the singular include the plural.

C. Words in the plural include the singular.

D. The masculine includes the feminine.

E. The word "shall" is mandatory and not directory.

F. The word "may" is permissive.

G. The particular controls the general.

12.2 Interpretation:

Certain words and phrases are defined; and certain provisions shall be interpreted as herein set out, when not inconsistent with the context. The word "building" includes the word "structure"; the word "person" includes a "firm", "associates", "corporation", "partnership", and "natural person"; the word "used" includes the words "occupied", "arranged", "designed", or "intended to be used"; the word "construct" includes the word "erect", "reconstruct", "alter", "move in", and "move upon".

12.3 Definitions:

1. Accessory Buildings and Uses: A use naturally and normally incidental to a use by right, and complying with all of the following conditions:

   A. Is clearly incidental and customary to and commonly associated with the operation of the use by right;

   B. Is operated and maintained under the same ownership as the use by right;

   C. Includes only those structures or structural features consistent with the use by right;

D. Includes residential occupancy only by owners and employees employed on the premises and the immediate families of such owners or employees;

E. The gross land area utilized by all accessory uses of all uses by right on the same property shall not exceed ten percent (10%) of the gross land area utilized by all the uses by right;

F. May include home occupations, as defined.

2. Alley - A minor way which is used primarily for vehicular service access to the rear or side of properties otherwise abutting on a street.

3. Area, Minimum Lot - The total area within the property lines of the lot, excluding adjacent streets.

4. Auto Salvage and Wrecking - An open or enclosed area on which inoperative vehicles, machinery or related materials of any type are stored or dismantled. Auto salvage and wrecking areas shall for purposes of this Resolution, be considered industrial uses.

5. Basements - A story having part, but not more than one-half (1/2) of its height below grade. A basement is counted as a story for the purpose of height regulations if subdivided and used for dwelling purposes other than by a janitor employed on the premises.

6. Boarding and Rooming House - A building other than a hotel, where, for compensation and by pre-arrangement for definite periods, meals or lodging and meals, are provided for three or more persons, but not exceeding twenty persons, provided such persons are not members of the owner or operator's immediate family.

7. Building - Any permanent structure built for the shelter or enclosure of persons, animals, chattels or property of any kind and not including advertising sign boards or fences.

8. Building Height - The vertical distance as measured from the average finished grade at the building to the highest point of the roof surface exclusive of ventilators, pipes, spires, cupolas, or other appurtenances.

9. Building Inspector - The Building Inspector of Logan County, Colorado.

10. Commission - Shall mean the Logan County Planning Commission.

11. County - By County is meant Logan County, Colorado.

12. County Commissioners - Shall mean the Board of County Commissioners of Logan County, Colorado.

13. Conditional Use - A use allowed in the indicated zoning district only with permission by the County Commissioners. Permission for a conditional use shall be granted upon satisfactory demonstration that all pertinent conditions and requirements in this Resolution regarding that particular use will be observed.

14. Disinfection - A method of treating sewage in compliance with at least the following minimum standards:

    A. That chlorine is used for a minimum contact time of fifteen minutes, and

    B. That the chlorine residual remaining after the contact period is not less than 0.5 mg/liter.

    C. Any method or combination of methods reducing the organisms pathogenic to man.

15. District - A section or sections of Logan County for which regulations governing the use of buildings and premises, the height of buildings, the size of yards, and the intensity of use are uniform.

16. Domestic Animals - Animals confined primarily for the purpose of pleasure rather than monetary gain.

17. Dwelling Unit - Any structure or part thereof, designed to be occupied as the living quarters of a single family or housekeeping unit.

18. Dwelling, Single Family - A building having accommodations for and occupied exclusively by one family.

19. Dwelling, Two Family - A building having accomodations for and occupied exclusively by two families.

20. Dwelling, Multiple-Family - A building occupied by two or more families living independently of each other, but not including motels or hotels.

21. Extractive Resources - Extractive resources include surface and sub-surface minerals and non minerals. This definition includes but is not limited to sand, gravel, coal, oil, and natural gas.

22. Family - A family is any number of persons living and cooking together on the premises as a single dwelling unit, but it shall not include a group of more than three individuals not related by blood or marriage.

23. Feed Lot (Livestock Confinement Area) - A place where cattle, calves, sheep, swine, horses, mules, goats, fowl, and other animals are corralled, penned, tethered, or otherwise caused to remain in pens or corrals and where feeding is other than grazing.

24. Grade - Grade (ground level) is the average of the finished ground level at the center of all walls of a building. In case walls are within twenty-five (25) feet of a sidewalk, said grade shall be measured at the side-walk.

25. Gross Leasable Area - The total floor area designed for tenant occupancy and exclusive use, including basements, mezzanines, and upper floors, if any, expressed in square feet and measured from the center line of joint partitions and from outside wall faces.

26. Home Occupation - Any use conducted principally within a dwelling and carried on by the inhabitants thereof, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof, provided that no article is sold or offered for sale except such as may be produced by members of the immediate family residing on the premises, and provided such use does not occupy more than twenty-five (25) percent of the total floor space of the dwelling unit.

27. Hospital - Any building or portion thereof used for the accomodation and medical care of sick, injured, or infirm persons, but not including sanitariums, clinics, rest homes and convalescent homes.

28. Hotels and Motels - Any building or portion thereof containing six or more guest rooms used, designed to be used, let or hired out for occupancy by persons on more or less a temporary basis.

29. Irrigation Ditch or Canal - A channel providing at least twenty (20) cubic feet per second of flow.

30. Kennel - Any lot or premises on which four or more animals at least four months of age, are harbored, and for which economic gain is expected.

31. Lodge - A hotel designed primarily to be used and occupied on a seasonal basis.

32. Mobile Home - Any vehicle or similar portable structure originally constructed to have no foundation other than wheels, jacks, or skirtings and so designed or constructed to permit occupancy as living or sleeping quarters and shall have been issued a manufacturers statement of origin.

33. Mobile Home Park - A mobile home park shall be defined as follows:

    A. Any tract of land on which three (3) or more mobile homes are parked.

    B. Any tract of land used commercially for parking space for one or more transient mobile homes.

    C. Trailer sales areas shall not be considered mobile home parks.

    D. The use or occupancy of three (3) or fewer mobile homes on a farm or ranch by persons employed on or owning the farm or ranch shall not be considered a mobile home park.

34. Mobile Home Space - A plot of ground within a mobile home park designed for the accommodation of one mobile home.

35. Modular or Manufactured Home - Any portable structure originally constructed to have no foundation other than facilities for placement or erection of the structure on site so designed or constructed to permit permanent occupancy as living quarters. (Also see "dwelling unit").

36. Nonconforming Building - A building or portion thereof, legally built prior to the effective date of this Resolution or any amendment thereto, which does not conform with the regulations of the district in which it is located.

37. Nonconforming Use - Land or a building lawfully occupied prior to the effective date of this Resolution or any amendment thereto, by a use which does not conform with the regulations of the district in which it is located.

38. Off-Street Parking Space - The space required to park one passenger vehicle which space shall be not less than two hundred (200) square feet in area, exclusive of access drives.

39. Permit - A document issued by Logan County, Colorado, granting permission to perform an act or service which is regulated by the County.

40. Planned Unit Development (PUD) - Development of land in a manner which allows, in conformance with Section 6 of this Resolution, the following: variety of uses, in addition to those ordinarily allowed by right or by condition in the designated district, for which land may be developed in order to allow for uniqueness and overall flexibility of development in special instances as may be approved by the County Commissioners.

41. Planning Commission - Shall mean the Logan County Planning Commission.

42. Plat, Preliminary - The preliminary map or maps of a proposed subdivision, drawn and submitted in accordance with the requirements of these regulations.

43. Plat - A "plat" as used in these regulations shall be a map of certain described land prepared as an instrument for recording of real estate interests with the Logan County Clerk and Recorder.

44. Primary Sewage Treatment - Removal of solids through a sedimentation process.

45. Property Line - Also lot line, the boundaries of a legally described land parcel.

46. Public Hearing - A legally advertised meeting held by the Planning Commission or County Commissioners at which time citizens' opinions may be voiced concerning the subject of the hearing.

47. Road - See Street.

48. Resolution - Shall mean the Logan County Zoning Resolution.

49. Resort Mobile Home and/or Tent Camping Park - Any plot of ground which has been planned, improved, or used for the placement of three (3) or more mobile homes for human habitation; and which furthermore meets all of the following conditions:

    A. The principal business of the park is to supply parking spaces for mobile homes and/or tent camping whose occupants are engaged in recreational activities such as fishing, hunting, boating or camping.

    B. Mobile homes accommodated do not exceed forty (40) feet in length.

    C. Mobile Homes may be accommodated for no longer than three (3) consecutive months.

50. Right-of-Way - The entire dedicated tract or strip of land that is to be used by the public for circulation and service.

51. Sign Face - One-half (1/2) the potential or actual display surface of an outdoor advertising structure and the whole display surface of advertising structures mounted parallel with a building.

52. Secondary Sewage Treatment - A method of sewage treatment in which a minimum of 85 percent of the biochemical oxygen-consuming material is removed. (Also see disinfection).

53. Set-Back - The distance extending across the full width or depth of the lot between the designated lot line and the nearest line or point of the building.

54. Special Use - A use allowed in the indicated zoning district only with permission by the County Commissioners. Permission for a special use may be granted or denied in accordance with the basic purposes and intent of this Resolution.

55. Street - Any street, avenue, boulevard, road, lane, parkway, viaduct, alley, or other way for the movement of vehicular traffic which is an existing state, county or municipal roadway, or a street or way shown upon a plat, heretofore approved, pursuant to law or approved by official action; and includes the land between street lines, whether improved or unimproved, and may comprise pavement, shoulders, gutters, sidewalks, parking areas and other areas within the right-of-way.

56. Use by Right - A use which is listed as a use permitted by right in any given zone district in this Resolution. Uses permitted by right are not required to show need for their location.

57. Useable Open Space - (public or quasi-public). Open area designed and developed for uses including, but not limited to, recreation, courts, gardens, parks, and walk-ways. The term shall not include space devoted to streets and parking and loading areas.

58. Width of Lot - The distance parallel to the front lot line measured between side lot lines through that part of the building or structure where the lot is narrowest.

59. Wildlife Preserves - A property where sanctuary is provided for non-domesticated animals through protective restrictions.

60. Yard - An open space on the same lot with a building, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided herein. In measuring a yard for the purpose of determining the width of side yard, the depth of a front yard or the depth of a rear yard, the minimum horizontal distance between the lot line and the main building shall be used.

61. Yard, Front - A yard extending across the front of a lot between the side yard lines and being the minimum horizontal distance between the front lot line and the front of the main building or any projections thereof other than the projection of the usual steps, unenclosed balconies, or open porch.

62. Yard, Rear - A yard extending across the rear of a lot, measured between the side lot lines, and being the minimum horizontal distance between the rear lot line and the rear of the main building including any projections other than steps, unenclosed balconies or unenclosed porches. On corner lots the rear yard shall be considered as parallel to the street upon which the lot has its least dimension. On both corner lots and interior lots the rear yard shall in all cases be at the opposite end of the lot from the front yard.

63. Yard, Side - A yard between the main building and the sideline of the lot being the minimum horizontal distance between the building and the side yard line and extending from the front lot line to the rear yard line.

SECTION 13

SEPARABILITY CLAUSE

Should any section, clause, or provision of this Resolution be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Resolution as a whole, or any part thereof other than the part declared to be invalid.

SECTION 14

INTERPRETATION

14.1 Interpretation:

In their interpretation and application, the provisions of this resolution shall be held to be minimum requirements adopted for the promotion of the public health, safety, and welfare.

14.2 Conflict:

Whenever the requirements of this Resolution are in conflict with the requirements of any other ordinance, rule, regulation, private covenant, or deed restriction, the more restrictive or that imposing the higher standards shall govern.

SECTION 15

REPEALS

All Zoning Resolutions of Logan County are hereby repealed. The repeal of any of the above-mentioned Resolutions does not revive any other Resolution or portion thereof repealed by said Resolution. Such repeals shall not affect or prevent the prosecution or punishment of any person for the violation of any Resolution repealed hereby for an offense committed prior to the repeal.

SECTION 16

ENACTMENT CLAUSE

Upon approval and adoption by the Board of County Commissioners of Logan County, a certified copy of this Resolution and of the Offical Zoning Map shall be filed, according to law, in the office of the County Clerk and Recorder of the County of Logan. This Resolution shall become of full force and effect as of the date of its adoption, this being the 10th day of October, 1973.

Attest:

/s/ Mary Graves
County Clerk and Recorder

Board of County Commissioners
of Logan County:

/s/ George H. Moore
Chairman

/s/ C. N. "Bill" Williams

/s/ James R. Leh

AMENDMENTS TO THE TEXT
of the
LOGAN COUNTY
ZONING RESOLUTION

The following pages consist of amendments to the LOGAN COUNTY ZONING RESOLUTION which was originally adopted on October 10, 1973. The amendments are dated from April 7, 1976, to date.

AMENDMENTS TO THE TEXT
LOGAN COUNTY
ZONING RESOLUTION

ZONING RESOLUTION CHANGES

ADOPTED

1976

April 7, 1976	Regulation of development within floodplains.
April 7, 1976	Regulation of removal of extractive resources. Delete wording of "Oil drilling facilities", substitute with "Oil and gas drilling and production facilities".

1977

February 9, 1977	Reduce the minimum agricultural zone lot size (without public water or sewer) from 35 acres to 5 acres.
June 7, 1977	Repeal the requirement that a Conditional Use Permit be issued to build a greenhouse or nursery in the Commercial Highway zone.
August 3, 1977	Repeal requirement that a Conditional Use Permit be issued in order to construct water and/or sewerage distribution lines in an approved subdivision.
October 5, 1977	Delete the words "building inspector" and "building permit" and replace with "zoning administrator" and "zoning permit".
October 19, 1977	Standard setback for all feedlot or livestock confinement areas shall be 300 feet; however, that setback requirement may be altered by the County Planning Commission and County Commissioners.
November 30, 1977	Repeal requirement that a Mobile Home Park license be obtained to operate a mobile home park, replacing with the requirement of a Special Use Permit, renewable annually, to operate a mobile home park.

1978

June 6, 1978	Regulation of development within areas around airport zones.
November 15, 1978	Revision of Section 5, "Fees for Special Use Permits".
November 15, 1978	Add to Section 3, Zoning District Regulations, "Use Schedules for Zoning Districts: The use "Movie Production Site and/or Tourist Attraction Site", requiring a Conditional Use Permit. These uses will be allowed in the Agricultural, Commercial Highway, Commercial Center, Industrial, and Environmental Protection Zoning Districts.

AMENDMENTS TO THE TEXT
LOGAN COUNTY
ZONING RESOLUTION

ZONING RESOLUTION CHANGES

ADOPTED

1979

January 10, 1979	Add to Section 3, Zoning District Regulations, "Use Schedules for Zoning Districts" the use "Mobile Home Parks" to the Agricultural and Commercial Highway Zoning Districts.
April 4, 1979	Add to Section 3, Zoning District Regulations, "Use Schedules for Zoning Districts" the use "Tourise Information Center" as a Use by Right in the Commercial Highway Zoning District.
April 4, 1979	Add to Section 3, Zoning District Regulations, "Use Schedules for Zoning Districts" the use "Well Drilling Service Center" as a Use by Right in the Commercial Highway and Industrial Zoning Districts.
April 4, 1979	Revise registration of Section 4, Nonconformance.
April 4, 1979	Repeal entire Section 8, Uses Not Itemized.
May 2, 1979	Amend Section 7, 7.7 - Floodplain Regulations, Part 4 - Definitions, Letter f - Low Hazard Zone, to state that "that area of the floodplain in which waters of an intermediate regional flood (100 year flood) will not attain a maximum depth greater than two (2) feet."
June 6, 1979	Add to Section 7 - Subsection 7.8 "Regulations for Preexisting Lots" - Platted lots before 10/10/73 in a recorded subdiv., or recorded plat of an unincorporated town, or Desert Village, will have setback requirements of 30' from front - 20' from back - 10' from sides of building to property lines.
June 6, 1979	Repeal Section 4, 4.6 "Nonconforming Lots".

1980

November 12, 1980	Amend Section 7 - Supplementary Regulations - 7.5, Additional Height and Area Regulations, #C, Radio and Television Towers.

AMENDMENTS TO THE TEXT
LOGAN COUNTY
ZONING RESOLUTION

ZONING RESOLUTION CHANGES

ADOPTED

1981

July 13, 1981	Amend Section 3, Zoning District Requirements, 3.2 Bulk Requirements, 3.2.3 Minimum Setbacks from Lot Lines, reducing the 100 foot setback in "Agriculture" Zoning District to 70 feet.
July 13, 1981	Add to Section 7, Supplementary Regulations, 7.5 Additional Height and Area Regulations, (T) to determine where measurement should begin when complying with the setback requirements.
July 13, 1981	Add to Section 7, Supplementary Regulations, 7.5 Additional Height and Area Regulations, (U) the requirements governing the depth of utility line installations.
November 3, 1982	Replace Sign Regulations, Section 7.1 in its entirety with new Section 7.1, Pages 7-1, 7-2, and 7-3. (Nov.1982) Page 7-4 is retyped to retain Section 7.2 "Off-Street Parking".
August 31, 1983	Pages numbered 5-3; 5-4; 7-3; and 7-22 (Rev. 7/83) are to replace the pages with the same numbers now in the Logan County Zoning Resolutions and page 8-2 of the Logan County Subdivision Regulations replaced with a new page 8-2. "Logan County Fee Schedule".
November 3, 1983	Add pages 3-5; 5-1.1; 5-5 and 5-6 (5.11, subparagraphs C, D, and E). Special Use Permits and Performance bonds required for Oil and Gas activities.

R E S O L U T I O N

Upon the approval and adoption by the Board of County Commissioners of Logan County, Colorado, a certified copy of this amendment to the Logan County Zoning Resolution regulating development within floodplains shall be filed, according to law, in the office of the County Clerk and Recorder of the County of Logan. This amendment to the Logan County Zoning Resolution has been adopted at a regular meeting of the Board of County Commissioners of Logan County, Colorado, this 7th day of April, 1976, and shall become of full force and effect as of this adoption date.

THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF LOGAN,
STATE OF COLORADO

By: _____
C.N. "Bill" Williams

_____
James R. Leh

_____
John E. Gazdik

I, Mary Graves, County Clerk and Recorder in and for the County of Logan, State of Colorado, do hereby certify that the foregoing Resolution was adopted by the Board of County Commissioners of the County of Logan, State of Colorado, in regular session assembled, this 7th day of April, 1976.

_____
County Clerk and Recorder

7.7 Floodplain Regulations:

A. Statutory authorization, findings of fact, statement of purpose and definitions.

1. Statutory authorization. This Resolution for flood prevention and control is adopted pursuant to the authority contained in Title 30, Article 28, Colorado Revised Statutes 1973, as amended.

2. Findings of fact. The Board of County Commissioners finds that there are within the County of Logan various floodplains constituting natural hazards of state and local interest, the occupation of which has already resulted in or is likely to cause the loss of human life and the destruction of property, and that the imprudent occupation of these floodplains will pose a continuing and greater future danger to life and property, unless proper regulations are adopted concerning their use and occupation.

3. Statement of purpose. It is the purpose of this Resolution to promote the public health, safety and general welfare by provisions designed to:

a. Permit only such uses within the designated floodplains as will notendanger life, health, public safety or property in times of flood.

b. Prohibit the placement of fill, materials and structures which would significantly obstruct flood flows to the potential damage of others or cause potentially damaging debris to be carried downstream.

c. Protect the public from the burden of avoidable financial expenditures for flood control projects and flood relief measures.

d. Prevent avoidable business and commerce interruptions.

e. Minimize damages to public utilities, streets and bridges

f. Minimize victimization of unwary home and land purchasers

g. Minimize the pollution of water by prohibiting the disposal of garbage and other solid waste materials in floodplains.

4. Definitions. As used in this Resolution the following words or phrases are defined as follows:

a. "Designated floodplain" means the area designated as a floodplain by official action of the Board of County Commissioners with the prior concurrence of the Colorado Water Conservation Board.

b. "Floodplain" means an area in and adjacent to a stream, which area is subject to flooding as the result of the occurrence of an intermediate regional flood and which area thus is so adverse to past, current, or foreseeable construction or land use as to constitute a significant hazard to public health and safety or to property.

c. "Floodproofing" means a combination of structural provisions, changes, or adjustments to lands, properties and structures subject to flooding primarily for the reduction or elimination of flood damages to lands, properties, structures, and contents of buildings in

a flood hazard area.

d. "Floodway zone" is the channel of a stream and those portions of the adjoining floodplain which are reasonably required to carry and discharge the floodwaters of an intermediate regional flood. In the context of this Resolution, it is the designated floodplain less the low hazard zone, if any such low hazard has been identified. If no low hazard zone has been has been identified, then the terms "designated floodplain" and "floodway zone" shall be considered as being synonymous.

e. "Intermediate regional flood" means a type of flood, including the water surface elevation and territorial occupation thereof, which can be expected to occur at any time in a given area based upon recorded historical precipitation and other valid data,but with an average statistical one percent chance of being equalled or exceeded during any one year. The term is used interchangeably with a one percent flood or one hundred year flood.

f. "Low hazard zone" means that area of the floodplain in which the waters of an intermediate regional flood will not attain a maximum depth greater than one foot.

g. "Stream" means any natural channel or depression through which water flows either continuously, intermittently or periodically, including any artificial modification of the natural channel or depression.

B. Designation of floodplains - subdivisions thereof - identification.

1. Designation. The floodplains of the County of Logan are hereby defined as encompassing all those land areas of the County in and adjacent to a stream which lies within the area which would be inundated by an intermediate regional flood which land area is heretofore or hereafter approved by the Colorado Water Conservation Board, and is heretofore or hereafter designated by the Board of County Commissioners of Logan County in the manner prescribed by this Resolution.

2. Floodplain subdivisions. Where sufficient data are available to determine the effect thereof on existing or foreseeable land uses, the designated floodplain may be subdivided into a floodway zone and a low hazard zone as defined in subsections A.4.d. and f. of this Resolution.

3. Identification. True and official copies of maps of floodplains so designated by the Board of County Commissioners shall be kept and maintained for public inspection in the offices of the County Commissioners and the County Building Inspector. Such maps shall be in sufficient detail and scale so as to permit ready identification of the flood hazard area, including the low hazard zone, if any, by ground inspection or survey. Copies of such maps shall be available for public sale.

4. Interpretation. Where interpretation is needed as to the exact location of the boundaries of designated floodplains or subdivisions thereof, the designated County Building

Inspector shall make the necessary interpretation. The intermediate regional flood elevation for the point or points in question shall be the governing factor in determining the actual boundaries.

5. Official zoning map. Any official zoning map or maps of the County shall incorporate the floodplains designated by the Board of County Commissioners, including the low hazard zone, if such has been identified.

6. Unmapped Identification. Where the intermediate flood area has not yet been officially identified and incorporated as a part of the official zoning map, it shall be the responsibility of the County Building Inspector to determine whether a proposed development site is probably located within or outside of the intermediate flood area. If the County Building Inspector determines that a proposed development site is probably located within the intermediate flood area, and upon written notice to the applicant it shall be the responsibility of the applicant to conduct the engineering and hydrological studies necessary to determine whether a proposed development site is located within or outside of the intermediate flood area. If said studies indicate the said development site is within the intermediate flood area then the applicable provisions of these regulations shall apply.

C. Use of designated floodplains.

1. General. No development, use, fill, construction or alteration on or over any portion of a designated floodplain shall be permitted which alone, or cumulatively with other such activities, would cause or result in any of the following:

   a. The storage or processing of materials that in times of flooding are buoyant, flammable, explosive or otherwise potentially injurious to human, animal or plant life.

   b. The disposal of garbage or other solid waste materials.

   c. The erection of structures, either fixed or mobile, for residential, commercial or industrial purposes, either permanent or temporary.

   d. Substantial solid debris being carried downstream by floodwaters.

   e. Any obstruction which would adversely affect the efficiency of or restrict the flow capacity of a designated floodplain so as to cause foreseeable damage to others, wherever located.

2. Exceptions permitted in low hazard zones. Except as prohibited by subsections c.1.a and c.1.b the low hazard zone of a designated floodplain, if any such low hazard zone has been identified, may be used for any lawful purpose; provided that:

   a. Such use shall not cause a measurable enlargement of

the floodplain so as to cause damages to [redacted] or on land[redacted]s other than those owned by the user.

b. Any building or structure, whether fixed [redacted] or mobile, designed for human occupancy or the stora[redacted]ge of prop[redacted]erty, and occupying a space greater than one hu[redacted]ndred squ[redacted]re feet, shall be constructed or located so that any external wall shall be not les[redacted]s than fift[redacted]een fect f[redacted]rom the stream side of the low hazard zone.

c. The lowest floor of any such building or structure shall be not less than one foot above the maxim[redacted]um water elevation of the computed intermediate re[redacted]gional fl[redacted]od, unless such building or structure has bee[redacted]n adequate[redacted]ly floodproofed to or over one foot above sa[redacted]id maximum water elevation.

d. The proposed construction in a floodplain[redacted] be anchor[redacted]ed to prevent flotation, collapse, or latera[redacted]l movement[redacted] of the structure.

e. The designs for new or replacement water supply sy[redacted]stems and sanitary sewage systems minimize or [redacted]liminate infiltration of flood-waters and provide for on-sit[redacted]e waste disposal systems to be located so [redacted]s to avoi[redacted] impairment of them, or contamination fro[redacted] them, du[redacted]ing or subsequent to flooding, if applicable[redacted]

3. Non-conforming uses. The provisions of this sect[redacted]ion shall not apply to or affect:

a. Any fixed building or structure already [redacted]awfully i[redacted] place or the terms or conditions of any [redacted]awful per[redacted]mit

already granted at the time of the enactment of this Resolution; provided that, in the event of the discontinuance of use or destruction or damage in major part of a non-conforming building or structure, its reconstruction or replacement shall be considered a new use and be governed by the other applicable provisions of this section.

b. Any device or structure reasonably necessary for the deversion or storage of water or for flood control or prevention.

D. Administration.

1. Permits. It shall be unlawful to develop, fill or occupy, or to construct, reconstruct or alter, any building or structure, within a designated floodplain without the property owner or his authorized representative first obtaining a building permit from the Logan County Building Inspector, in accordance with the Logan County Zoning Resolution, and subject to said Resolution's procedures.

2. Inspection.

a. The Logan County Building Inspector or his authorized representatives are hereby empowered and directed to inspect and examine the use, occupation or development of designated floodplains within the County of Logan for the purpose of determining from time to time whether or not such use, occupation or development is in violation of any of the provisions of section C of this Resolution or of any permit issued or required pursuant to this section D.

b. If a violation shall be found to exist, section 10 of this Resolution shall apply.

E. Interpretation, disclaimer or liability and severability.

1. Interpretation.

a. It is not intended by this Resolution to repeal, abrogate or impair any existing easements, convenants, or deed restrictions. However, where this Resolution imposes greater restrictions, the provisions of this Resolution shall prevail. All other Resolution's inconsistent with this Resolution are hereby repealed to the extent of the inconsistency only.

b. In their interpretation and application, the provisions of this Resolution shall be held to be minimum requirements and shall not be deemed a limitation or repeal of any other powers granted by the state constitution or statutes.

2. Disclaimer of liability. The degree of flood protection required by this Resolution is considered reasonable for the protection of life and property and is based on engineering and scientific methods of study. Larger floods may occur on rare occasions or the flood height may be increased by man-made or natural causes, such as ice jams and bridge or culvert openings being restricted by debris. This Resolution does not imply that areas outside the designated floodplains or land uses permitted within such floodplain will be free from flooding or flood damages. This Resolution shall not create liability on the part of the County of Logan or any officer or employee thereof for any flood damages that result from reliance on

this Resolution or any administrative decision lawfully made thereunder.

3. Severability. If any section, clause, provision or portion of this Resolution is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Resolutio shall not be affected thereby.

R E S O L U T I O N

Upon the approval and adoption by the Board of County Commissioners of Logan County, Colorado, a certified copy of this amendment to the Logan County Zoning Resolution regulating the removal of extractive resources shall be filed, according to law, in the office of the County Clerk and Recorder of the County of Logan . This amendment to the Logan County Zoning Resolution has been adopted at a regular meeting of the Board of County Commissioners of Logan County, Colorado, this 7th day of April, 1976, and shall become of full force and effect as of this adoption date.

THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF LOGAN,
STATE OF COLORADO

By: _____
C.N. "Bill" Williams

_____
James R. Leh

_____
John E. Gazdik

I, Mary Graves, County Clerk and Recorder in and for the County of Logan, State of Colorado, do hereby certify that the foregoing Resolution was adopted by the Board of County Commissioners of the County of Logan, State of Colorado, in regular session assembled, this 7th day of April, 1976

_____
County Clerk and Recorder

As a result of the March 9, 1976, public hearing regarding the regulation of oil and gas facilities, the following proposed amendments to the Logan County Zoning Resolution have been developed.

1) Page 3-5 (Schedule of Regulations)

Delete: "Oil drilling facilities"

Substitute: "Oil and gas drilling and production facilities"

2) Page 9-1 (Administration)

Add a third paragraph to 9.2:

"No oil and gas drilling and/or production facilities shall be constructed, erected, occupied or operated until a building permit has been issued by the Building Inspector, and no permit shall be issued unless the proposal is in full accordance with this Resolution, except in those instances where a variance has been granted by the Board of Adjustment. All applications for permits shall be accompanied by a map or drawing showing the location of all structures and drilling and/or production sites in relation to the lot. All applications for permits shall also be accompanied by evidence that the surface owner and/or surface tenant of the proposed drilling and/or production lease has been notified of the exact location(s) of the proposed drilling and/or production activity by the drilling and/or production firm.

3) Page 7-17 (Industrial Performance Standards)

Reword to read:

"All industrial, commercial and extractive resource businesses whether established as a use by right ...."

4) Page 12-4 (Definitions)

Insert a definition for "Extractive Resources" between "Dwelling, Multiple-Family" and "Family", and re-number all following definitions accordingly.

Proposed definition:

21. Extractive Resources - Extractive resources include surface and sub-surface minerals and non minerals. This definition includes but is not limited to sand, gravel, coal, oil, and natural gas.

R E S O L U T I O N

IT IS HEREBY RESOLVED by the Board of County Commissioners of Logan County, Colorado, that the Logan County Zoning Resolution be amended to reduce the minimum Agricultural Zone lot size (without public sewer or water) from thirty-five (35) acres to five (5) acres (Section 3.2.1.D). This amendment to the Logan County Zoning Resolution has been adopted at a regular meeting of the Board of County Commissioners of Logan County, Colorado, this 2nd day of February, 1977, and shall become of full force and effect as of this adoption date.

THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF LOGAN,
STATE OF COLORADO

BY: _____
C.N. "Bill" Williams

_____
James R. Leh

_____
John E. Gazdik

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of Logan County, Colorado this ___ day of February, 1977.

_____
County Clerk

R E S O L U T I O N

IT IS HEREBY RESOLVED by the Board of County Commissioners of Logan County, Colorado, that the Logan County Zoning Resolution be amended to repeal the requirement that a Conditional Use Permit be issued to build a nursery or greenhouse in the Commercial Highway Zone. This amendment to the Logan County Zoning Resolution has been adopted at a regular meeting of the Board of County Commissioners of Logan County, Colorado, this 7th day of June, 1977, and shall become of full force and effect as of this adoption date.

THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF LOGAN,
STATE OF COLORADO

BY: _____
C. N. "Bill" Williams

_____
James R. Leh

_____
John E. Gazdik

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of Logan County, Colorado this 7 day of June, 1977.

_____
County Clerk

R E S O L U T I O N

IT IS HEREBY RESOLVED by the Board of County Commissioners of Logan County, Colorado, that the Logan County Zoning Resolution be amended to repeal the requirement that a Conditional Use Permit be issued in order to construct water and/or sewerage distribution lines in an approved subdivision. This amendment to the Logan County Zoning Resolution has been adopted at a regular meeting of the Board of County Commissioners of Logan County, Colorado, this 3rd day of August, 1977, and shall become of full force and effect as of this adoption date.

THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF LOGAN,
STATE OF COLORADO

BY: _____
C. N. "Bill" Williams

_____
James R. Leh

_____
John E. Gazdik

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of Logan County, Colorado this____ day of August, 1977

_____
County Clerk

RESOLUTION

It is hereby resolved by the Board of County Commissioners of Logan County, Colorado, that the Logan County Zoning Resolution be amended to delete the words of "building inspector" and "building permit" from the resolution and replace them with the words of "zoning administrator" and "zoning permit", respectively. This amendment to the Logan County Zoning Resolution has been adopted at a regular meeting of the Board of County Commissioners of Logan County, Colorado, this 5th day of October, 1977, and shall become of full force and effect as of this adoption date.

Dated at Sterling, Colorado this 5th day of October, 1977.

BOARD OF COUNTY COMMISSIONERS
OF LOGAN COUNTY, COLORADO

By: _____

I, Mary Graves, County Clerk and Recorder in and for the County of Logan and State of Colorado, do hereby certify that the foregoing Resolution was adopted by the Board of County Commissioners of the County of Logan and State of Colorado, in regular session, on the 5th day of October, 1977.

_____
County Clerk and Recorder

RESOLUTION

IT IS HEREBY RESOLVED by the Board of County Commissioners of Logan County, Colorado, that the Logan County Zoning Resolution be amended to revise the wording of the Setback Requirements for Feedlot or Livestock Confinement areas to read as follows:

> "The standard setback for all feedlot or livestock confinement areas shall be 300 feet. However, that setback requirement may be altered by the County Planning Commission and County Commissioners. That determination will be based on any relevant factors, including, but not limited to: the size of the proposed operation; the number of animals to be confined; future expansion plans of the operation, drainage characteristics and problems; method of waste disposal; odor potential, and proximity to an incorporated unit of government, platted subdivision or surrounding residential units."

This amendment to the Logan County Zoning Resolution has been adopted at a regular meeting of the Board of County Commissioners of Logan County, Colorado, this 19th day of October, 1977, and shall become of full force and effects as of this adoption date.

Dated at Sterling, Colorado this 21st day of October, 1977.

BOARD OF COUNTY COMMISSIONERS
OF LOGAN COUNTY, COLORADO

By: _____
C. N. "Bill" Williams

_____
James R. Leh

_____
John E. Gazdik

I, Mary Graves, County Clerk and Recorder in and for the County of Logan and State of Colorado, do hereby certify that the foregoing Resolution was adopted by the Board of County Commissioners of the County of Logan and State of Colorado, in a regular session, on the 21 day of October, 1977.

_____
County Clerk and Recorder

RESOLUTION

This amendment to the Logan County Zoning Resolution has been adopted at a regular meeting of the Board of County Commissioners of Logan County, Colorado, this 30th day of November, 1977, and shall become of full force and effect as of this adoption date.

The Board of County Commissioners
of the County of Logan
State of Colorado

By: C. N. "Bill" Williams

James R. Leh

John E. Gazdik

I, Mary Graves, County Clerk and Recorder in and for the County of Logan, State of Colorado, do hereby certify that the foregoing Resolution was adopted by the Board of County Commissioners of the County of Logan, State of Colorado, in regular session assembled, this 28th day of November, 1977.

Mary Graves
County Clerk and Recorder

As a result of the October 10, 1977, public hearing regarding the regulation of mobile home park permits, the following proposed amendments to the Logan County Zoning Resolution have been adopted:

7.6 Mobile Home Park Regulations

Pages 17-22 thru 17-26 of these amendments are in Section 7.- 7.6 in the front of the book.

C. All applications for a Special Use Permit to operate a Mobile Home Park shall be filed by the owner or his agent with the Board of County Commissioners and all Special Use Permits shall be issued by the Board of County Commissioners. The following data shall accompany all applications for Special Use Permits filed with the Board of County Commissioners:

1. The name and address of the applicant;
2. The location and legal description of the Mobile Home Park;
3. A complete plan of the park in conformity with the requirements of this Section;
4. Plans and specifications of all buildings, improvements and facilities constructed or to be constructed within the Mobile Home Park;
5. A topographic map showing two (2) foot contour intervals;
6. Such further information as may be requested by the Board of County Commissioners to enable it to determine if the proposed park will comply with legal requirements.

D. The application for a Special Use Permit to operate a Mobile Home Park shall be filed in triplicate. The Board of County Commissioners, in the acceptance or rejection of such Special Use Permit application, shall be guided by the findings and recommendations of the Logan County Planning Commission, the Colorado Department of Health, and the local health authority. It shall be the duty of the Planning Commission to review the application for a Special Use Permit, the proposed plans and specifications in accord with the requirements in Paragraph G below. The Planning Commission shall submit its findings and recommendations to the Board of County Commissioners within 60 days after the application for a Special Use Permit. Failure to submit such findings and recommendations within the allotted time shall constitute Planning Commission approval of the plans. The local health authority shall also submit his findings within said 60 day period. If the proposed Mobile Home Park will, when constructed or altered in accordance with such plan and specifications, be in compliance with all provisions of this Resolution and all other applicable resolutions and statutes, the Board of County Commissioners shall approve the application, and upon completion of the park according to the plans shall issue the Special Use Permit.

E. Application for renewal or transfer of an annual Special Use Permit to operate a Mobile Home Park shall be made in writing by the owner or his agent to the Board of County Commissioners, and the Board of County Commissioners shall issue a certificate renewing or transferring such Special Use Permit for a period not to exceed one year provided; however, that payment of the annual Special Use Permit fee is made at the time of issuance

and it is the opinion of the Colorado Department of Health and the local health authority that no health hazard exists.

F. The Planning Commission, in its review of the application for a Special Use Permit to operate a Mobile Home Park not previously permitted and including any application for transfer of a Special Use Permit shall base its review on the following design requirements:

1. The Mobile Home Park shall have access to a public street or highway.

2. The Mobile Home Park shall be located on a well-drained site, graded for rapid drainage and free from stagnant pools of water.

3. The plan shall show entrances and exits to the park, driveways and walkways, and the design and arrangement of all mobile home spaces.

4. All mobile home spaces shall abut upon a driveway of not less than 30 feet in width which shall have unobstructed access to a public street or highway or private roadway.

5. All driveways shall be graveled or hard surfaces.

6. All roads or streets, whether public or private, shall be hard surfaced and constructed to County specifications.

7. Each mobile home space shall be provided with an electrical outlet supplying at least 110 volts and shall comply with the State Electrical Code.

8. An adequate supply of pure water shall be supplied by pipes to all buildings and to each mobile home space. Each mobile home space shall be provided with a cold water tap at least four inches above the ground provided that the tap may be below ground level for prevention of freezing if in the opinion of the Colorado Department of Health and the local health authority that no health hazard exists.

9. In Mobile Home Parks, waste from showers, bath tubs, flush toilets, urinals, lavortories, slop sinks and laundries in service and other buildings shall be discharged into a public sewer system in compliance with applicable regulations or into other such system as may be approved by the Colorado Department of Health and the local health authority.

10. In Mobile Home Parks each mobile home space shall be provided with a sewer at least four inches in diameter, which shall be connected to receive the waste from the

shower, bath tub, flush toilet, lavatory and kitchen sink of the mobile home harbored in such space and having any or all of such facilities. The sewer in each space shall be connected to discharge the waste into a public sewer system in compliance with applicable regulations or into other such system as may be approved by the Colorado Department of Health and the local health authority.

11. There shall be a minimum distance of fifty (50) feet from any mobile home space to the boundary of the park. This yard area shall be landscaped so as to create a buffer zone.

12. A complete landscaping plan shall be submitted which shall show existing trees and shrubs which are to be maintained and new trees and shrubs which are to be planted. The plan shall include the size and type of planting proposed and their spacing.

13. The Planning Commission shall recommend to the County Commissioners requirements on distances between mobile home spaces. In general the design of the Mobile Home Park shall be subject to the review procedures of a Planned Unit Development as set forth in Section 6 of this Resolution. The Planning Commission and the County Commissioners may aid their decisions on design by criteria set forth in the "Mobile Home Court Developers Guide", a U.S. Department of Housing and Development (HUD) guide.

G. In all Mobile Home Parks metal or plastic garbage cans in good condition with tight-fitting covers shall be provided in quantities adequate to permit disposal of all garbage and rubbish. Garbage cans shall be located not farther than three hundred (300) feet from any mobile home space. The cans shall be kept in sanitary condition at all times. Garbage and rubbish shall be collected and disposed of as frequently as may be necessary to insure that the garbage cans shall not overflow. Garbage and trash collection stations shall be screened from other activities by visual barriers such as fences, walls, or natural growth.

H. Each Mobile Home Park shall be equipped at all times with fire extinguishing equipment in good working order, of such type, size and number or so located within the park as to satisfy applicable reasonable regulations of the County Sheriff. No open fires shall be permitted at any place which may endanger life or property. No fires shall be left unattended at any time.

I. In Mobile Home Parks it shall be the duty of the owner or operator to keep a register containing a record of all mobile home owners and occupants located within the park. The register shall contain the following information:

1. The name and address of each mobile home occupant, and age of minor occupants;

2. The name and address of the owner of each mobile home and motor vehicle by which it is towed;

3. The make, model, year and license number of each mobile home and motor vehicle;

4. The state, territory or county issuing such licenses;

5. The date of arrival and of departure of each mobile home;

6. The register shall be available for inspection at all times by law enforcement officers, public health officials and other officials whose duties necessitate acquisition of the information contained in the register. The register record for each occupant registered shall not be destroyed for a period of three years following the date of departure of the registrant from the park.

J. The owner, operator, or a duly authorized attendant or caretaker, shall be in charge at all times to keep the Mobile Home Park, its facilities and equipment in a clean, orderly and sanitary condition. The attendant or caretaker shall be answerable, with the permittee, for the violation of any provision of this Resolution to which the permittee is subject.

K. The Board of County Commissioners may revoke any Special Use Permit to maintain and operate a Mobile Home Park, when the owner or operator has been found guilty by a court of competent jurisdiction of violating any provision of this Resolution.

L. The Special Use Permit or temporary permit to operate a Mobile Home Park shall be posted in a conspicuous place on the premises at all times.

As a result of the June 6, 1978 public hearing regarding the regulation of Areas Around Airports Regulations, the following proposed amendments have been adopted to the Logan County Zoning Resolutions, Section 7 - 7.8, Supplementary Regulations.

7.8 AREAS AROUND AIRPORTS REGULATIONS

A. Purpose and Intent - The purpose and intent of these regulations shall be to:

1. Minimize the danger to public health and safety or to property in areas around airports.

2. Avoid danger to public safety and health or to property due to aircraft crashes, traffic congestion, air pollution, water pollution, and noise.

3. Facilitate the orderly development of areas around airports by establishing requirements that must be met before such development will be permitted.

4. Bring the Logan County Zoning Resolution into conformance with Federal Aviation Regulations, Part 77, entitled "Objects Affecting Navigable Airspace."

B. Definitions.

1. "Airport" means any proposed or existing municipal or county airport or airport under the jurisdiction of an airport authority.

2. "Airport Height Zones" are imaginary surfaces designed by the Federal Aviation Administration to control the height of objects, both natural and man-made, which may affect navigable airspace around an airport (as defined in F.A.R. Part 77, Subsections 77.23 and 77.25).

3. "Development" means any construction or activity which changes the basic character or the use of the land on which the construction or activity occurs.

C. Application.

1. These regulations shall apply to development within appropriate airport height zones around airports in unincorporated Logan County. This includes, but is not limited to Crosson Field as graphically displayed in the approved Airport Layout Plan (A.L.P.).

D. Airport Height Zones.

1. There are hereby established imaginary surfaces for the purposes of limiting height within the airport height zones around unincorporated Logan County airports. Such height limitations are established according to the provisions of F.A.A. (as displayed for Crosson Field in the A.L.P. Exhibit 2).

2. An area located in more than one of the following zones is limited by the more restrictive zone.

3. No development shall occur and no structure shall be erected, altered, or maintained and no tree shall be allowed to grow or be maintained above the following imaginary surfaces:

   a. Utility Runway Visual Approach Zones - Slopes upward twenty (20) feet horizontally for each foot vertically, beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline, with a lateral width of 1,250 feet.

   b. Utility Runway Non-Precision Instrument Approach Zone - Slopes upward twenty (20) feet horizontally for each foot vertically beginning at the end of and at the same elevation as the primary surface and extending a horizontal distance of 5,000 feet along the extended runway centerline, with a lateral width of 1,500 feet.

   c. Runway Larger Than Utility Visual Approach Zone - Slopes upward twenty (20) feet horizontally for each foot vertically beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline, with a lateral width of 1,500 feet.

   d. Runway Larger Than Utility With a Visibility Minimum Greater Than 3/4 Miles Non-Precision Instrument Approach Zone - Slopes upward thirty-four (34) feet horizontally for each foot vertically beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline, with a lateral width of 3,500 feet.

   e. Runway Larger Than Utility With a Visibility Minimum As Low As 3/4 Mile Non-Precision Instrument Approach Zone - Slopes upward thirty-four (34) feet horizontally for each foot vertically beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline, with a lateral width of 4,000 feet.

Dated at Sterling, Colorado this 7th day of June, 19 78 :

BOARD OF COUNTY COMMISSIONERS
OF LOGAN COUNTY, COLORADO

By: _____
C. N. "Bill" Williams

By: _____
Elda Lousberg

By: _____
John E. Gazdik

I, Mary Graves, County Clerk and Recorder in and for the County of Logan and State of Colorado, do hereby certify that the foregoing Resolution was adopted by the Board of County Commissioners of the County of Logan and State of Colorado, in regular session, on the 7th day of June, 19 78.

_____
County Clerk and Recorder

RESOLUTION

IT IS HEREBY RESOLVED by the Board of County Commissioners of Logan County, Colorado, that the Logan County Zoning Resolution be amended to revise Section 5, 5.7, "Fees for Special Use Permits" to read as follows:

"Permit fees shall be paid at the time of the granting of the permit. The initial fee shall be in the amount of forty dollars ($40.00), and the permit shall be in force for five (5) years. At one (1) year intervals, beginning one (1) year from the date of issuance, there will be inspections to insure compliance with permit conditions. A letter, indicating compliance or non-compliance, will be sent to the permittee after each inspection. If the permittee is found not to be in compliance, then the inspection letter will outline the problem(s), and suggest possible mitigation measures. The permit may be renewed without further notice, hearing, or posting of the property involved provided that the operation of the special use has complied with the terms and conditions of the original permit. Renewal will require a fee of twenty-five dollars ($25.00), and the renewed permits will be in force for five (5) years.

Special Use Permits issued prior to the adoption of this amendment will come into compliance with this amendment at their current renewal date."

Dated at Sterling, Colorado this 15 day of November, 19 78.

BOARD OF COUNTY COMMISSIONERS
OF LOGAN COUNTY, COLORADO

By: C. N. Williams
C. N. Williams

By: Elda Lousberg
Elda Lousberg

By: John E. Gazdik
John E. Gazdik

I, Mary Graves, County Clerk and Recorder in and for the County of Logan and State of Colorado, do hereby certify that the foregoing Resolution was adopted by the Board of County Commissioners of the County of Logan and State of Colorado, in regular session, on the 15 day of November, 19 78.

Mary Graves
County Clerk and Recorder

RESOLUTION

IT IS HEREBY RESOLVED by the Board of County Commissioners of Logan County, Colorado, that the Logan County Zoning Resolution be amended to add to Zoning District Regulations, Section 3, 3.1, "Use Schedules for Zoning Districts" the use "Movie Production Site and/or Tourist Attraction Site." This use will require a Conditional Use Permit, and will be allowed in the Agriculture, Commercial Center, Industrial, Environmental Protection, and Commercial Highway Zoning Districts.

Dated at Sterling, Colorado this 15 day of November, 19 78.

BOARD OF COUNTY COMMISSIONERS
OF LOGAN COUNTY, COLORADO

By: C. N. Williams
C. N. Williams

By: Elda Lousberg
Elda Lousberg

By: John E. Gazdik
John E. Gazdik

I, Mary Graves, County Clerk and Recorder in and for the County of Logan and State of Colorado, do hereby certify that the foregoing Resolution was adopted by the Board of County Commissioners of the County of Logan and State of Colorado, in regular session, on the 15 day of November, 19 78.

Mary Graves
County Clerk and Recorder

R E S O L U T I O N

(Logan County Zoning Resolution)

(Section 3, 3.1)

IT IS HEREBY RESOLVED by the Board of County Commissioners of Logan County, Colorado, that the Logan County Zoning Resolution be amended to add to Zoning District Regulations, Section 3, 3.1 - Use Schedules for Zoning Districts, the use "Tourist Information Center." This is a Use by Right in the Commercial Highway Zoning District.

Dated at Sterling, Colorado this 4th day of April, 1979.

BOARD OF COUNTY COMMISSIONERS
OF LOGAN COUNTY, COLORADO

By: Elda M. Lousberg
Elda M. Lousberg

By: C. N. "Bill" Williams
C. N. "Bill" Williams

By: Tyson W. Phillips
Tyson W. Phillips

I, Mary Graves, County Clerk and Recorder in and for the County of Logan and State of Colorado, do hereby certify that the foregoing Resolution was adopted by the Board of County Commissioners of the County of Logan and State of Colorado, in regular session, on the 4th day of April, 1979.

Mary Graves
County Clerk and Recorder

R E S O L U T I O N

(Logan County Zoning Resolution)

(Section 3, 3.1)

IT IS HEREBY RESOLVED by the Board of County Commissioners of Logan County, Colorado, that the Logan County Zoning Resolution be amended to add to Zoning District Regulations, Section 3, 3.1 - Use Schedules for Zoning Districts, the use "Well Drilling Service Center." This is a Use by Right in the Commercial Highway and Industrial Zoning Districts.

Dated at Sterling, Colorado this 4th day of April, 1979.

BOARD OF COUNTY COMMISSIONERS
OF LOGAN COUNTY, COLORADO

By: Elda M. Lousberg
Elda M. Lousberg

By: C. N. Bill Williams
C. N. "Bill" Williams

By: Tyson W Phillips
Tyson W. Phillips

I, Mary Graves, County Clerk and Recorder, in and for the County of Logan and State of Colorado, do hereby certify that the foregoing Resolution was adopted by the Board of County Commissioners of the County of Logan and State of Colorado, in regular session on the 4th day of April, 1979.

Mary Graves
County Clerk and Recorder

R E S O L U T I O N

(Logan County Zoning Resolution)

(Section 4, 4.1)

IT IS HEREBY RESOLVED by the Board of Logan County Commissioners of Logan County, Colorado, that the Logan County Zoning Resolution be amended to revise Section 4, 4.1 Nonconformance, to read as follows:

"Certain uses of land and buildings may be found to be in existance at the time of the passage of this Resolution, which do not meet the requirements of the Resolution. It is the intent of this Resolution to allow the continuance of such nonconforming use. However, the owner of each nonconforming use must register the use of such property at the Logan County Department of Planning and Zoning. The burden of proof as to whether the use existed prior to the adoption of this Resolution, is the responsibility of the applicant. Every five years, after registration of the nonconforming use, a questionnaire from the Board of County Commissioners will be sent to the nonconforming use registrant for the purpose of verifying that the use is still operating and in existance on the property. Failure to register or to reply to the questionnaire may be used as prima facie evidence of abandonment."

Dated at Sterling, Colorado this 4th day of April, 1979.

BOARD OF COUNTY COMMISSIONERS
OF LOGAN COUNTY, COLORADO

By: Elda M. Lousberg
Elda M. Lousberg

By: C. N. Bill Williams
C. N. "Bill" Williams

By: Tyson W. Phillips
Tyson W. Phillips

I, Mary Graves, County Clerk and Recorder in and for the County of Logan and State of Colorado, do hereby certify that the foregoing Resolution was adopted by the Board of County Commissioners of the County of Logan and State of Colorado, in regular session on the 4th day of April, 1979.

Mary Graves
County Clerk and Recorder

R E S O L U T I O N

(Logan County Zoning Resolution)

(Section 8)

IT IS HEREBY RESOLVED by the Board of County Commissioners of Logan County, Colorado, that the Logan County Zoning Resolution be amended to repeal Section 8, Uses Not Itemized.

Dated at Sterling, Colorado this 4th day of April, 1979.

BOARD OF COUNTY COMMISSIONERS
OF LOGAN COUNTY, COLORADO

By: Elda M. Lousberg
Elda M. Lousberg

By: C.N. Bill Williams
C. N. "Bill" Williams

By: Tyson W. Phillips
Tyson W. Phillips

I, Mary Graves, County Clerk and Recorder, in and for the County of Logan and State of Colorado, do hereby certify that the foregoing Resolution was adopted by the Board of County Commissioners of the County of Logan and State of Colorado, in regular session, on the 4th day of April, 1979.

Mary Graves
County Clerk and Recorder

R E S O L U T I O N

(Logan County Zoning Resolution)

(Section 7)

(Floodplain Regulations)

IT IS HEREBY RESOLVED by the Board of County Commissioners of Logan County, Colorado, that the Logan County Zoning Resolution, Section 7, 7.7 - Floodplain Regulations, Part 4 - Definitions, Letter f - Low Hazard Zone, be amended to read as follows:

f. "Low Hazard Zone" means that area of the floodplain in which waters of an intermediate regional flood (100 year flood) will not attain a maximum depth greater than two (2) feet."

Dated at Sterling, Colorado this 2nd day of May, 19 79.

BOARD OF COUNTY COMMISSIONERS
OF LOGAN COUNTY, COLORADO

By: Elda M. Lousberg
Elda M. Lousberg

By: C. N. "Bill" Williams
C. N. "Bill" Williams

By: Tyson W. Phillips
Tyson W. Phillips

I, Mary Graves, County Clerk and Recorder, in and for the County of Logan and State of Colorado, do hereby certify that the foregoing Resolution was adopted by the Board of County Commissioners of the County of Logan and State of Colorado, in regular session, on the 2nd day of May, 19 79.

Mary Graves
County Clerk and Recorder

R E S O L U T I O N

(Logan County Zoning Resolution)

(Section 7)

(Supplementary Regulations)

IT IS HEREBY RESOLVED by the Board of County Commissioners of Logan County, Colorado, that the Logan County Zoning Resolution be amended to add to Section 7, "Supplementary Regulations" the subsection 7.8, entitled "Regulations for Preexisting Lots", to be stated as follows:

"Where an individual lot was platted prior to the adoption date (October 10, 1973) of this resolution, in a recorded subdivision approved by the Board of County Commissioners, or in a recorded plat of an unincorporated town, or in the area known as Desert Village (located in the Northeast Quarter (NE¼) of Section 33, Township 8 North, Range 53 West), and has less area and/or width than is required by Sections "3, 2.1 - Minimum Lot Size" and "3, 2.4 - Minimum Lot Width" of this resolution, such lots may be occupied according to the permitted uses provided for the district in which the lot is located, if building setback requirements of Front - 30 feet, Back - 20 feet, and Side - 10 feet are met, or if setback requirements contained in recorded deed covenants for the lot are met. In addition, the owner and developer of any lot in Logan County must comply with the applicable regulations of the State of Colorado concerning sewer and water requirements."

Dated at Sterling, Colorado this 6th day of June, 1979.

BOARD OF COUNTY COMMISSIONERS
OF LOGAN COUNTY, COLORADO

By: Elda M. Lousberg
Elda M. Lousberg

By: C. N. "Bill" Williams
C. N. "Bill" Williams

By: Tyson W. Phillips
Tyson W. Phillips

I, Mary Graves, County Clerk and Recorder, in and for the County of Logan and State of Colorado, do hereby certify that the foregoing Resolution was adopted by the Board of County Commissioners of the County of Logan and State of Colorado, in regular session, on the 6th day of June, 1979.

Mary Graves
County Clerk and Recorder

RESOLUTION

(Logan County Zoning Resolution)

(Section 4, 4.6)

(Nonconforming Lots)

IT IS HEREBY RESOLVED by the Board of County Commissioners of Logan County, Colorado, that the Logan County Zoning Resolution be amended to repeal Section 4, 4.6, Nonconforming Lots.

Dated at Sterling, Colorado this 6th day of June, 1979.

BOARD OF COUNTY COMMISSIONERS
OF LOGAN COUNTY, COLORADO

By: Elda M Lousberg
Elda M. Lousberg

By: C. N. "Bill" Williams
C. N. "Bill" Williams

By: Tyson W Phillips
Tyson W. Phillips

I, Mary Graves, County Clerk and Recorder, in and for the County of Logan and State of Colorado, do hereby certify that the foregoing Resolution was adopted by the Board of County Commissioners of the County of Logan and State of Colorado, in regular session, on the 6th day of June, 1979.

Mary Graves
County Clerk and Recorder

R E S O L U T I O N

(Logan County Zoning Resolution)

(Section 7)

(Supplementary Regulations)

IT IS HEREBY RESOLVED by the Board of County Commissioners of Logan County, Colorado, that the Logan County Zoning Resolution be amended to revise the wording of Section 7, Supplementary Regulations, 7.5 Additional Height and Area Regulations, #C - Radio and television towers, to be stated as follows:

C. Radio, television and all other towers, except for those towers otherwise described in the Regulations, may exceed the height regulations of the district in which they are located, provided they are so situated on a lot so that the distance from the tower to the property lines, in all directions, is at least equal to the height of the tower.

Dated at Sterling, Colorado this 12 day of November, 1980.

BOARD OF COUNTY COMMISSIONERS
OF LOGAN COUNTY, COLORADO

By: Tyson W. Phillips
Tyson W. Phillips

By: C.N. "Bill" Williams
C. N. "Bill" Williams

By: Elda M. Lousberg
Elda M. Lousberg

I, Phyllis Dollerschell, County Clerk and Recorder, in and for the County of Logan and State of Colorado, do hereby certify that the foregoing Resolution was adopted by the Board of County Commissioners, of the County of Logan and State of Colorado, in regular session on the 12th day of November, 1980.

Phyllis Dollerschell
County Clerk and Recorder

R E S O L U T I O N

(Logan County Zoning Resolution)

(Section 3)

(Zoning District Requirements)

IT IS HEREBY RESOLVED by the Board of County Commissioners of Logan County, Colorado, that the Logan County Zoning Resolution, Section 3, Zoning District Requirements, 3.2 Bulk Requirements, 3.2.3 Minimum Setbacks from Lot Lines, by amended to reduce the front setback requirement in the "Agricultural" Zoning District from 100 feet to 70 feet.

Dated at Sterling, Colorado this 13th day of July, 1981.

BOARD OF COUNTY COMMISSIONERS
OF LOGAN COUNTY, COLORADO

By: Tyson W. Phillips
Tyson W. Phillips

By: Elda M. Lousberg
Elda M. Lousberg

By: Donald D. Langdon
Donald D. Langdon

I, Phyllis Dollerschell, County Clerk and Recorder, in and for the County of Logan and State of Colorado, do hereby certify that the foregoing Resolution was adopted by the Board of County Commissioners of the County of Logan and State of Colorado, in regular session on the 13th day of July, 1981.

Phyllis Dollerschell
County Clerk and Recorder

R E S O L U T I O N

(Logan County Zoning Resolution)

(Section 7)

Supplementary Regulations

IT IS HEREBY RESOLVED by the Board of County Commissioners of Logan County, Colorado that the Logan County Zoning Resolution be amended to add to Section 7, Supplementary Regulations, 7.5 Additional Height and Area Regulations, the following requirement clarifying where measurement should begin when determining compliance with the County Setback Requirements:

(T.) Measurements made to determine the location of proposed construction of buildings or structures for compliance with the County setback requirements will be made from the edge of the roadway or the edge of the roadway right-of-way (easements, property lines, road dedications, etc.). This requirement will be implemented for all construction of buildings or structures, not otherwise provided for in the Logan County Zoning Resolution.

Dated at Sterling, Colorado this 13th day of July, 1981.

BOARD OF COUNTY COMMISSIONERS
OF LOGAN COUNTY, COLORADO

BY: Tyson W. Phillips
Tyson W. Phillips

BY: Elda M. Lousberg
Elda M. Lousberg

BY: Donald D. Langdon
Donald D. Langdon

I. Phyllis Dollerschell, County Clerk and Recorder, in and for the County of Logan and State of Colorado, do hereby certify that the foregoing Resolution was adopted by the Board of County Commissioners of the County of Logan and State of Colorado, in regular session on the 13th day of July, 1981.

Phyllis Dollerschell
County Clerk and Recorder

R E S O L U T I O N

(Logan County Zoning Resolution)

(Section 7)

(Supplementary Regulations)

(7.5 Additional Height and Area Regulations)

IT IS HEREBY RESOLVED by the Board of County Commissioners of Logan County, Colorado, that the Logan County Zoning Resolution be amended to add to Section 7, Supplementary Regulations, 7.5 Additional Height and Area Regulations, the following requirement governing the depth of utility line installations;

(U.) The minimum depth for the installation of all utility lines shall be thirty-six (36) inches unless otherwise approved by the Board of County Commissioners.

Dated at Sterling, Colorado this 13th day of July, 1981.

BOARD OF COUNTY COMMISSIONERS

OF LOGAN COUNTY, COLORADO

BY: Tyson W. Phillips
Tyson W. Phillips

BY: Elda M. Lousberg
Elda M. Lousberg

BY: Donald D. Langdon
Donald D. Langdon

I, Phyllis Dollerschell, County Clerk and Recorder, in and for the County of Logan and State of Colorado, do hereby certify that the foregoing Resolution was adopted by the Board of County Commissioners of the County of Logan and State of Colorado, in regular session on the 13th day of July, 1981.

Phyllis Dollerschell
County Clerk and Recorder

RESOLUTION
(LOGAN COUNTY ZONING RESOLUTION)
(Section 7.1)
Sign Regulations

IT IS HEREBY RESOLVED by the Board of County Commissioners of Logan County, Colorado, that the Logan County Zoning Resolution be amended to replace Sign Regulations, Section 7.1 in its entirety with new Section 7.1, Pages 7-1, 7-2, and 7-3. (November, 1982) Page 7-4 is retyped to retain Section 7.2 "Off-Street Parking."

Dated at Sterling, Colorado, this 3rd day of November, 1982.

BOARD OF COUNTY COMMISSIONERS
OF LOGAN COUNTY, COLORADO

By: Donald D. Langdon
Donald D. Langdon

By: Elda M. Lousberg
Elda M. Lousberg

By: Tyson W. Phillips
Tyson W. Phillips

I, Phyllis Dollerschell, County Clerk and Recorder, in and for the County of Logan and State of Colorado, do hereby certify that the foregoing Resolution was adopted by the Board of County Commissioners of the County of Logan and State of Colorado, in regular session on the 3rd day of November, 1982.

Phyllis Dollerschell
County Clerk and Recorder

7.1 SIGN REGULATIONS

A. Application:

These rules are applicable to all areas of Logan County, Colorado. Construction and placement of signs adjacent to County Roads shall not be visable from the main traveled ways of the Colorado State Highway System. Permits for off-premise advertising devices adjacent to State, Federal, or Interstate Highway Systems are administered by the State of Colorado Department of Highways.

B. General Sign Requirements:

1. Signs to be located on public property require specific approval of the governing body. Temporary signs or banners on or over public property will be authorized for a period not to exceed ten (10) days.

2. Signs shall be located so as not to conflict with the clear and obvious appearance of public devices controlling public traffic, or obstruct a driver's vision at intersections.

3. Illumination of a sign shall be allowed when the lighting is of low intensity or brilliance and does not cause glare or impair the vision of the driver of any motor vehicle or to otherwise interfere with any driver's operation of a motor vehicle. Signs with flashing lights, beacons, or other distracting devices that cause glare, are a visual hazard, or a public nuisance are prohibited.

4. All signs shall observe the setbacks in the district in which it is displayed.

5. Signs and sign structures shall be maintained at all times in a state of good repair, with all braces, bolts, clips, supporting frame and fastenings free from deterioration, insect infestation, rot, rust, or loosening. Signs shall be able to safely withstand the maximum wind pressure for the area in which they are located. The County will have the authority to order the repair, alteration or removal of a sign or structure which constitutes a hazard to life or property. In the event that such a sign has not been removed, altered, or repaired within thirty (30) days after written notification from the County, the County shall have the authority to remove said sign or structure at the expense of the owner of the premises on which the sign is located.

6. Advertising devices, whether on-premise or off-premise, will not be allowed over or on State Highway right-of-way.

7. The owner of any advertising device in Logan County, Colorado, shall save and hold harmless the County from any and all liability, direct or indirect, arising from damages or injuries caused by the erection or maintenance of any advertising device within this County and further shall indemnify the County from all expenses resulting therefrom.

C. Uses by Right - All Districts:

1. Signs for the identification of public buildings;

2. One sign of a temporary nature located on a property for the purpose of advertising said property for sale, lease, or rent. Such signs shall be no larger than six (6) square feet each in size, shall be no higher than eight (8) feet above natural grade, and shall not be lighted at night;

3. Signs located on a property, posting said property for warnings or prohibitions on hunting, fishing, or trespassing. Such signs shall be no larger than one (1) square foot each in size, and shall be no higher than eight (8) feet above natural grade, and shall be spaced a minimum of three hundred (300) feet apart;

4. Signs located on a property for the purpose of identifying the occupants, the address and its use. Such signs shall be no larger than two (2) square feet in size, shall be no higher than eight (8) feet, and shall be spaced a minimum of three hundred (300) feet apart; and

5. Roadside market signs advertising produce grown and sold on the property on which they are located. Such signs shall not remain continuously erected more than six (6) months of every calendar year, shall be a maximum of six (6) square feet in size, shall have a maximum height of eight (8) feet above natural grade, and shall be limited to two (2) to a property.

D. On-Premise Identification Signs:

On-premise identification signs may be permitted along streets, and highways in the commercial and business districts provided that such signs are in accordance with the following standards, and further provided that any such signs which, in the opinion of the County Zoning Administrator, might create a hazard are only allowed after special approval of the County Planning Commission:

1. Wall mounted signs shall be a maximum of one hundred (100) square feet in size, shall not be attached to the roof of the structure, shall be lighted by an indirect light source, and shall be limited to a maximum of two (2) such signs per use advertised.

2. Pedestal mounted signs shall be a maximum of fifty (50) square feet in size for one face not to exceed one hundred (100) square feet for the total sign and shall be a maximum of twenty-five (25) feet in height. Said signs shall be limited to two per use on a property.

3. Hanging signs shall be a maximum of ten (10) square feet on a face, not to exceed a maximum of twenty (20) square feet for the total sign, and shall be limited to one per use on a property. Hanging signs shall project a maximum of five (5) feet from the building into a street, alley, or other public space provided that such signs do not come closer than two (2) feet from the plumbline of the curbline; clearance below such signs shall be a minimum of nine (9) feet. Refer to paragraph B.6.

E. Off-Premise Signs:

Off-premise advertising devices in areas zoned Commercial or Industrial adjacent to the State Highway System must obtain a state sign permit. Applications for a State Sign Permit may be obtained from the Division of Highways, P.O. Box 850, Greeley, CO 80631; or the local office of the Department of Highways.

F. Sign Permits:

Prior to the construction of any sign over two (2) square feet in size that is not of a temporary nature, an Outdoor Advertising Structure Permit shall be obtained from the County Zoning Administrator. Said permit shall be for a one (1) year term. Permit for all or any portion of a year shall be considered a permit for a full year. Said permit shall be renewed annually on or before June 30, provided that such renewal would not be adverse to the public health, safety or welfare. If the Zoning Administrator judges any sign to be in poor repair, not properly located, obstructing public right-of-way, or in any way adjudged to constitute a public hazard or nuisance, said sign may be removed by the Zoning Administrator. The costs of the removal shall be borne by the owner of the premises on which the sign is located. Permits shall be clearly visible and firmly attached to the lower one-fourth of the sign, and located four (4) feet above ground level. The fee for said Outdoor Advertising Structure Permit shall be $25.00, plus 10¢ per square foot for each sign having a total face advertising area of thirty-two (32) square feet or more. The fee for each renewal of an Outdoor Advertising Structure Permit shall be $25.00.

Along with the application for an Outdoor Advertising Structure Permit, the applicant shall include a legal description of the location of the sign and construction drawings for the placement of the sign.

Any sign over two (2) square feet in area which does not have a current Outdoor Advertising Structure Permit, is located so as to constitute a hazard or public nuisance,or is structurally unsound or detrimental to the general public health or welfare may be removed at any time by the Zoning Administrator. All signs existing at the time of adoption of this Resolution must be issued permits for the first year (or part of) only, unless they are, upon inspection, declared structurally unsound. Thereafter, all applications for permits shall be made annually.

Logan Co. Colo. Book 557613 Page 9-1-83
11:15 o'clock A. Charlene Craddock Recorder
Deputy

RESOLUTION BOOK 778 PAGE 531

AMENDMENT
TO
LOGAN COUNTY ZONING RESOLUTIONS
&
LOGAN COUNTY SUBDIVISION REGULATIONS

IT IS HEREBY RESOLVED by the Board of County Commissioners of Logan County, Colorado, that the Logan County Zoning Resolutions and the Logan County Subdivision Regulations be amended to delete references to the various application and renewal fees.

WHEREAS, the Board of County Commissioners of Logan County, Colorado, by resolution dated June 15, 1983, established the "Logan County Fee Schedule".

THEREFORE, this amendment to the Logan County Zoning Resolution and the Logan County Subdivision Regulations is adopted at a regular meeting of the Board of County Commissioners of Logan County, Colorado, this 31st day of August, 1983. The attached pages numbered 5-3; 5-4; 7-3; and 7-22 (Rev. 7/83) are to replace the pages with the same numbers now in the Logan County Zoning Resolutions and page 8-2 of the Logan County Subdivision Regulations replaced with a new page 8-2.

THE BOARD OF COUNTY COMMISSIONERS OF
LOGAN COUNTY, COLORADO

Elda M. Lousberg
Elda M. Lousberg

Donald D. Langdon
Donald D. Langdon

C. Bordon Dickinson
C. Bordon Dickinson

I, Charlene Craddock, County Clerk and Recorder, in and for the County of Logan and State of Colorado, do hereby certify that the foregoing Resolution was adopted by the Board of County Commissioners of the County of Logan and State of Colorado, in regular session, on the 31st day of August, 1983.

Charlene Craddock
County Clerk and Recorder

feet by four (4) feet, posted four (4) feet above natural grade, with lettering not less than two (2) inches in size. Said sign shall be placed in conspicuous location visible from the public right-of-way.

5.4 Public Notice and Hearing:

Before granting a conditional use or special use permit, the Board of County Commissioners shall hold a public hearing on the matter, and notice of such hearing shall be published at the expense of the applicant in a newspaper of general circulation within Logan County at least thirty (30) days prior to the hearing date. In addition, written notice of the hearing shall be mailed at least fifteen (15) days prior to the hearing date to the applicant and to owners of properties adjacent to the property in question. Failure to mail such a notice shall not affect the validity of any hearing or determination of the Board of County Commissioners. The applicant shall furnish at least thirty (30) days prior to the anticipated date of the public hearing a list of the owners of properties adjacent to the property in question. The applicant shall also pay an application fee which will serve to help defray the costs of processing and administering this section. The fee shall be as established in the Logan County Fee Schedule. Payment of the fee shall be made to Logan County at the time of filing of application for conditional or special use permits.

5.5 Regulation of Conditional Uses:

A. Planned Unit Development (PUD):

All Planned Unit Developments shall conform to the regulations set forth in Section 6 of this Resolution.

B. All other conditional uses allowed by permit only shall conform to the regulations as set forth in Section 3, for the District in which they have been permitted. In addition, such uses shall conform to any supplementary regulations such as those designed for particular uses under Section 7 of this Resolution.

5.6 Regulations of Special Uses:

All special uses allowed by permit only shall conform to the regulations as set forth in Section 3 for the District in which they have been permitted. In addition, such uses shall conform to any supplementary regulations such as those designated for particular uses under Section 7 of this Resolution.

(Rev. 7/83)

5.7 Fees for Conditional Use Permits:

Permit fees shall be paid at the time of the granting of the permit and prior to its receipt by the permittee. The fee shall be as established in the Logan County Fee Schedule. The permit shall be in force for five (5) years. Permits may be renewed for the same period of time or less, without further notice, hearing, or posting of the property involved provided, however, that the operation of the conditional use has complied with all the terms and conditions of the original permit. A renewal of the permit shall be considered to be a new permit with respect to fees.

5.8 Fees for Special Use Permits:

Permit fees shall be paid at the time of the granting of the permit. The initial fee shall be as established in the Logan County Fee Schedule, and the permit shall be in force for five (5) years. At one (1) year intervals, beginning one (1) year from the date of issuance, there will be inspections to insure compliance with permit conditions. A letter, indicating compliance or non-compliance, will be sent to ther permittee after each inspection. If the permittee is found not to be in compliance, then the inspection letter will outline the problem(s), and suggest possible mitigation measures. The permit may be renewed without further notice, hearing, or posting of the property involved provided that the operation of the special use has complied with the terms and conditions of the original permit. Renewal fee is as established in the Logan County Fee Schedule. Renewed permits will be in force for five (5) years.

Special Use Permits issued prior to the adoption of this amendment will come into compliance with this amendment at their current renewal date.

5.9 Periodic Review of Conditional and Special Use Permit Conditions:

The County Commissioners or their designated representative shall review the compliance of the permittee with the conditions set up for each conditional or special use permit prior to its renewal. However, this shall not preclude the County Commissioners or their designated representative from reviewing at any time the compliance of the permittee with the conditions set up for each conditional or special use permit. Noncompliance with the permit conditions shall constitute grounds for the revocation of the permit by the County Commissioners.

5.10 Period of Permit Adjustment:

The period of time for which a permit can be issued may be adjusted by the County Commissioners when a specific completion time for the use can be established. A relative adjustment in the fees for the permit may also be determined by the County Commissioners.

5.11 Performance Bonds Required:

A. Mining, Sand and Gravel, and Other Extractive Operations.

(Rev. 7/83)

E. Off-Premise Signs:

Off-premise advertising devices in areas zoned Commercial or Industrial adjacent to the State High System must obtain a state sign permit. Applications for a State Sign Permit may be obtained from the Division of Highways, P.O. Box 850, Greeley, CO 80631; or the local office of the Department of Highways.

F. Sign Permits:

Prior to the construction of any sign over two (2) square feet in size that is not of a temporary nature, and Outdoor Advertising Structure Permit shall be obtained from the County Zoning Administrator. Said permit shall be for a one (1) year term. Permit for all or any portion of a year shall be considered a permit for a full year. Said permit shall be renewed annually on or before June 30, provided that such renewal would not be adverse to the public health, safety or welfare. If the Zoning Administrator judges any sign to be in poor repair, not properly located, obstructing public right-of-way, or in any way adjudged to constitute a public hazard or nuisance, said sign may be removed by the Zoning Administrator. The costs of the removal shall be borne by the owner of the premises on which the sign is located. Permits shall be clearly visible and firmly attached to the lower one-fourth of the sign, and located four (4) feet above ground level. The fee for said Outdoor Advertising Structure Permit shall be as established in the Logan County Fee Schedule. The renewal fee for each Outdoor Advertising Structure Permit shall be as established in the Logan County Fee Schedule.

Along with the application for an Outdoor Advertising Structure Permit, the applicant shall include a legal description of the location of the sign and construction drawings for the placement of the sign.

Any sign over two (2) square feet in area which does not have a current Outdoor Advertising Structure Permit, and is located so as to constitute a hazard or public nuisance, or is structurally unsound or detrimental to the general public health or welfare, may be removed at any time by the Zoning Administrator. All signs existing at the time of adoption of this Resolution must be issued permits for the first year (or part of) only, unless they are, upon inspection, declared structurally unsound. Thereafter, all applications for permits shall be made annually.

(Rev. 7/83)

the County Commissioners may impose additional conditions in order to insure that the cost of any necessary property improvements that result from the subdivision exemption are incurred by the applicant, and not by the public.

Before granting a subdivision exemption, the Board of County Commissioners shall hold a public hearing on the matter, and notice of such hearing shall be published at the expense of the applicant in a newspaper of general curculation within Logan County at least fifteen (15) days prior to the hearing date. In addition, written notice of the hearing shall be mailed at least fifteen (15) days prior to the hearing date to the applicant and to owners of properties adjacent to the property in question. Failure to mail such a notice shall not affect the validity of any hearing or determination of the Board of County Commissioners. The applicant shall furnish at least thirty (30) days prior to the anticipated date of the public hearing a list of the owners of properties adjacent to the property in questior

The applicant shall also pay an application fee which will serve to help defray the costs of processing and administering this section. The fee shall be as established in the Logan County Fee Schedule. Payment of the fee shall be made to Logan County at the time of filing of application for subdivision exemption. Where a subdivision exemptic application is also accompanied by a rezoning petition or a variance petition, the Logan County Department of Planning and Zoning may waive or combine any or all of the duplicate submittal or review requirements in order to prevent the duplication of said submittal or review requirements.

A statement from the County Treasurer stating that all ad valorem taxes applicable to such subdivided land for years prior to that year in which approval is granted have been paid shall be submitted with the subdivision exemption application. No real property shall be exempted from the Logan County Land Subdivision Regulations unless accompanied by said statements indicating that these provisions have been complied with.

The applicant shall furnish the County with a survey plat and lega description prepared by a Certified Surveyor of the property being requested for a subdivision exemption at least fifteen (15) days prior to a scheduled hearing. The survey plat will be recorded in the Logan County Clerk and Recorder's Office, together with the resolution for the subdivision exemption, if approved.

(Logan County Subdivision Reg
Rev. 7/83)

As a result of the October 10, 1977, public hearing regarding the regulation of mobile home park permits, the following proposed amendments to the Logan County Zoning Resolution have been adopted.

7.6 Mobile Home Park Regulations:

A. It shall be unlawful for any person to maintain or operate a Mobile Home Park without having first obtained a Special Use Permit therefor, except that the maintenance or operation of a Mobile Home Park which is in existence on the effective date of this Resolution may be continued under a temporary permit for such period of time and under such conditions as are specified in Section B.

1. Although these regulations require that both a Special Use Permit hearing and review and a Mobile Home Park hearing and review be conducted for the approval of a Mobile Home Park, the two hearing and review meetings may be conducted simultaneously or one immediately preceding the other.

2. The fee for transfer of a Special Use Permit to operate a Mobile Home Park shall be as established in the Logan County Fee Schedule.

B. A temporary permit, upon written request, shall be issued by the Board of County Commissioners for each Mobile Home Park in existence upon the effective date of this Resolution which will permit said park to be maintained and operated for a period of not longer than one year following the effective date of this Resolution without being subject to the health and sanitation provisions of this Section; except, however, that operation of said park may continue longer than one year if, in the opinion of the Colorado Department of Health and the local health authority, no health hazard exists and said continued operation is approved by the Board of County Commissioners.

1. If the continued operation of a nonconforming Mobile Home Park is not so approved, the person maintaining or operating a Mobile Home Park shall have filed an application for a Special Use Permit with the Board of County Commissioners in conformity with this Section within 30 days following expiration of the first one year period.

2. That plans and specifications accompanying the application for a Special Use Permit comply with all provisions of this Resolution and all other applicable resolutions and statutes.

3. The annual fee for a Mobile Home Park temporary permit shall be as established in the Logan County Fee Schedule.

(Rev. 7/83)

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BOOK 780 PAGE 282

Logan Co. Colo. Doc. # 558637 Recorded 11/4/83
1:45 o'clock P M. Charlene Craddock Recorder
Deputy

RESOLUTION

AMENDMENT
to the
LOGAN COUNTY ZONING RESOLUTIONS

IT IS HEREBY RESOLVED by the Board of County Commissioners of Logan County that the Logan County Zoning Resolutions be amended to require Special Use Permits and Performance Bonds for Oil and Gas activities in Logan County, Colorado.

THEREFORE, this amendment to the Logan County Zoning Resolutions is adopted at a regular meeting of the Board of County Commissioners of Logan County, Colorado, this 3 day of November, 1983. The attached pages, numbered 3-5; 5-1.1; 5-5 and 5-6 (5.11, subparagraphs C, D, and E) are to be added to the Logan County Zoning Resolutions.

BOARD OF COUNTY COMMISSIONERS OF
LOGAN COUNTY, COLORADO

Elda M. Lousberg
Elda M. Lousberg

Donald D. Langdon
Donald D. Langdon

C. Gordon Dickinson
C. Gordon Dickinson

I, Charlene Craddock, County Clerk and Recorder, in and for the County of Logan and State of Colorado, do hereby certify that the foregoing Resolution was adopted by the Board of County Commissioners of the County of Logan and State of Colorado, in regular session, on the 3rd day of November, 1983.

Charlene Craddock
County Clerk and Recorder

C. OIL & GAS SPECIAL USE. No oil or gas drilling or production facilities shall be constructed, erected, occupied or operated until a Special Use Permit has been issued by the Logan County Board of County Commissioners or a designated officer of the County. No permit shall be issued unless the proposed application is in full accordance with this resolution, except in those instances where a Variance has been granted by the Logan County Board of Adjustment.

An approved State of Colorado Oil and Gas Conservation Commission Permit is required before Logan County will issue an Oil and Gas Special Use Permit. The approved OGCC form 2 will serve as the application for Logan County's Oil and Gas Special Use Permit. The applicant shall furnish evidence that the surface owner or surface tenant has been notified of the location(s) of the proposed drilling or production activity.

17-55-
17-57

Before any Conditional or Special Use Permit shall be issued for a mining, sand and gravel, or other extractive operation, the applicant shall furnish evidence of a bank commitment of credit in favor of Logan County, or bond or a certified check, in an amount calculated by the County Commissioners to secure the site restorations (as required in Section 7.3 of the Resolutions) in a workmanlike manner, and in accordance with specifications and construction schedule established or approved by the appropriate engineer. Such commitment, bond or check shall be payable to and held by the County Commissioners of Logan County.

B. The County Commissioners may require a performance bond for any Conditional or Special Use Permit if, in their opinion, such bond would be required to insure compliance with conditions of the Permit.

C. The County shall require two separate performance bonds to be in effect before issuing any Special Use Permit for oil and/or gas drilling operations within the County. One bond shall be a "drilling site" performance bond, the purpose of which is to minimize soil erosion and restoration of the surface at the drilling site, including all access routes from public roads to the drilling site. Said bond will be issued to require that upon cessation of drilling a well that is not producing, the surface will be restored to its original condition, to include removal of all drilling equipment, materials, pits, excavations, drilling mud, plugging of holes and reseeding of vegetation if necessary.

The other performance bond is for the benefit of Logan County and its taxpayers, and the purpose of which is to protect the County from damages to its roads, bridges, culverts, signs and other County property caused by drilling rigs or other oil and gas field equipment.

D. Both the "drilling site" performance bond and the performance bond required for protection of the County shall be obtained by the lessee of the drilling site. Insofar as the "drilling site" bond is concerned, the lessee shall have in effect a $10,000.00 performance bond for each drill site. The lessee needs to have only one performance bond in effect for the protection of the County regardless of the number of drill sites. The amount of this bond shall be in the sum of $50,000.00. All bonds must be issued by a bonding company authorized to do business in the State of Colorado. No Special Use Permit and no drilling rigs or other heavy equipment shall be moved on County roads until both of such bonds, in proper form, have been delivered to the Office of Planning and Zoning for the County.

E. The "drilling site" bond shall remain in force and effect for each site until all drilling operations have ceased at such site, and the drilling equipment removed, and the surface owner(s), and the duly authorized representative of the Soil Conservation District in which the drill site is located execute a release, in which event the County shall authorize the bonding company to terminate and release such bond.

No overweight or oversized vehicle, such as a drilling rig, shall be moved on any County road until a performance bond for the protection of

(Rev.10/83)

the County has been delivered to the County Office of Planning and Zoning. At the time of delivery of such bond, the County shall be informed of the route to be used by the drilling rig and other equipment. After completion or withdrawal from further drilling activities, the County shall be informed of the route intended to be used for the removal of such equipment. The County shall have a reasonable time after such notification, not to exceed fifteen days, however, in which to inspect the County roads, bridges and other property. If there are no damages to County property, the County shall release the bond, unless the lessee intends to undertake additional drilling activity within the County, in which event the lessee may choose to continue such bond in effect. No bond shall be released in the event of damage to County property until the repairs have been made, or the County, in its sole discretion, determines that adequate arrangements for repairs have been made.

5.12 Detailed Findings of Fact:

The Board shall make detailed findings of fact and shall state its reasons in acting upon an application for a Special or Conditional Use Permit.

5.13 Disclaimer:

Approval by the Board of a Conditional or Special Use Permit shall not be construed as an endorsement of the manner of operation but simply as a finding that the use, if performed in the manner described by the applicant, would be in conformity with this Resolution.

RESOLUTION

No. 98-64

Re: Resolution Concerning the Addition of Junk and Weed Control Section - 9.15 to the Logan County Zoning Resolution.

WHEREAS, the Logan County Planning Commission and the Board of County Commissioners legally advertized this proposed addition to the Zoning Regulations and conducted two Public Hearings on October 13 and November 10, 1998, at which public comment and input was given; and

WHEREAS, public comment and input were incorporated into the proposed addition and reviewed by those who made these comments; and

WHEREAS, the Logan County Attorney reviewed the document for content and legal sufficiency on October 30, 1998 and the County Attorney's concerns were incorporated into the proposed addition to the Zoning Regulation.

NOW, THEREFORE, BE IT RESOLVED by the County Commissioners of Logan County that:

The Logan County Zoning Resolution be amended to add to the Zoning Regulations Section 9.15 Junk and Weed Control.

Passed and adopted this 29th of December 1998.

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF LOGAN AND
STATE OF COLORADO

Lyle Schumacher (Aye) (Nay)
Lyle Schumacher, Chairman

Roy A. Wheeler (Aye) (Nay)
Roy A. Wheeler

Jerry A. Montague (Aye) (Nay)
Jerry A. Montague

I, Roberta J. Perry, the County Clerk and Recorder in and for the County of Logan, State of Colorado do hereby certify that the foregoing resolution was adopted by the Board of County Commissioners of the County of Logan, State of Colorado, in its regular session assembled this 29th day of December 1998.

Roberta J. Perry
County Clerk and Recorder
by Marla Davis, Chief Deputy

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Pamela M. Schneider Clerk & Recorder, Logan County, Co

RESOLUTION
NO. 2007-45

A RESOLUTION AMENDING THE LOGAN COUNTY, COLORADO, ZONING RESOLUTION ADOPTED BY RESOLUTION ON OCTOBER 10, 1973, AND ADOPTING THE ADDITION OF SECTION 3.3 - THE ATWOOD ZONING PLAN AND THE ATWOOD ZONING USE DIAGRAM PURSUANT TO C.R.S. 30-28-112.

WHEREAS, the Board of Commissioners is empowered to regulate land use in Logan County outside the jurisdictional limits of any incorporated city, and

WHEREAS, a Public Hearing required by §30-28-112, Colorado Revised Statutes, was held to review the Logan County, Colorado, Zoning Resolution, the addition of Section 3.3 and by the review, an amendment for the 1990 Logan County Zoning Resolution on October 9, 2007, at the Logan County Courthouse, Sterling, Colorado. Such change would amend the 1990 Zoning Resolution by adding SECTION 3.3 - ATWOOD ZONING PLAN AND THE ATWOOD ZONING USE DIAGRAM, for ATWOOD, COLORADO. The Planning Commission has reviewed and studied the proposed Atwood Zoning Plan and its associated Zoning Use Diagram as an addition to the 1990 Logan County Zoning Resolution; and

WHEREAS, the Logan County Planning Commission and the Board of County Commissioners legally advertised this proposed addition to the Zoning Regulations and conducted a Public Hearing on October 9, 2007, at which public comment and input was given; and

WHEREAS, the Logan County Planning Commission, pursuant to §30-28-112, Colorado Revised Statutes, has certified a copy of said zoning plan and associated zoning map, an amendment to the zoning resolution, known as Section 3.3; and

WHEREAS, the Logan County Attorney reviewed the document for content and legal sufficiency and the County Attorney's concerns were incorporated into the proposed addition to the Zoning Resolution.

NOW, THEREFORE, BE IT RESOLVED by the County Commissioners of Logan County that the Logan County Zoning Resolution adopted on October 10, 1973, is hereby amended to add Section 3.3 – ATWOOD ZONING PLAN, and its associated Zoning Use Diagram as certified to this Board by the Logan County Planning Commission on the 9th day of October, 2007, is hereby adopted as the revised zoning resolution for Logan County, Colorado.

DONE on Tuesday, this 16th day of October, 2007.

LOGAN COUNTY BOARD OF COMMISSIONERS
LOGAN COUNTY, COLORADO

Jack H McLavey (Aye)(Nay)
Jack H. McLavey, Chairman

Gene Meisner (Aye)(Nay)
Gene A. Meisner

ABSENT (Aye)(Nay)
Debra L. Zwirn

I, Pamela M. Schneider, County Clerk and Recorder in and for the County of Logan, State of Colorado, do hereby certify that the foregoing Resolution was adopted by the Board of County Commissioners of the Logan and State of Colorado, in regular session on the 16th day of October, 2007.

Pamela M Schneider
County Clerk and Recorder

EXHIBIT: **ATWOOD ZONING PLAN – SECTION 3.3**
ATWOOD ZONING USE DIAGRAM

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Pamela M. Schneider Clerk & Recorder, Logan County, Co

ATWOOD ZONING PLAN

SECTION 3.3

PURPOSE

This Zoning Plan for the Outlying Community of Atwood constitutes specific codes for decision-makers. It follows the Atwood Area Plan which is a statement of community values, ideals and aspirations about the best management of the natural and built environments. It recognizes that the town site of Atwood was platted and recorded on July 29, 1885. The Zoning Plan and its associated Zoning Map establishes policies and programs to address the many issues facing the Outlying Community of Atwood, Colorado. The Zoning Plan is the tool for managing community change to achieve the desired quality of life as defined by the citizens of this Outlying Community.

"AA" ATWOOD AGRICULTURAL DISTRICT

Sections:

3.301 Purpose and Intent
3.302 Permitted Uses
3.303 Conditional Uses
3.304 Zoning Use Permit
3.305 Lot Size Requirements
3.306 Yard Requirements
3.307 Parking Requirements
3.308 Sign Regulations
3.309 Supplemental Development Standards

3.301 PURPOSE AND INTENT. *Atwood Agricultural (AA).* The purpose of this land use category is to provide for a full range of agricultural activities on land used for agricultural purposes, including processing and sale of agricultural products, and at the same time offer protection to land used for agricultural purposes from the depreciating effect of objectionable, hazardous, incompatible and unsightly uses. This land use category is also intended to protect watersheds and water supplies; to protect forest and scenic areas; to conserve fish and wildlife habitat; to promote forestry; and to prevent and/or discourage untimely scattering of rural residential, suburban residential and/or denser urban development.

3.302 PERMITTED USES. The following uses and structures, *and no others*, are permitted in the "AA" District.

1. All agricultural uses including farm dwellings and accessory buildings.
2. Agricultural Machine Shop/ Repair Services.
3. Cemeteries
4. Churches
5. Custom Meat Cutters' offices and equipment.
6. Farm Supply Sales.

7. Gas and Oil exploration and operations, wellhead stations, well separators, tank batteries or other similar above ground facilities used for distribution, transmission or temporary storage of oil or natural gas. Temporary on-site storage of oil and gas field-related equipment and supplies, but not a junk yard.
8. Irrigation/Pump/Well Repair Service. Temporary on-site storage of piping and pump field-related equipment and supplies, but not a junk yard.
9. Public Parks and Recreation Areas subject to the supervision or regulation by any agency of the State or County.
10. Seed and Fertilizer Sales.
11. Utility substations, pumping stations.
12. Water Reservoirs.
13. Grain Elevators, Equipment and Storage
14. Schools, public or private, primary, intermediate, and secondary.
15. Public facilities operated by a public agency.
16. Towers for wind powered generators are authorized provided they are situated on a lot/property so that the distance from the tower to the property lines, in all directions, is at least equal to the height of the tower.

3.303 CONDITIONAL USES.

1. Water and sewage treatment plants.
2. Riding Stables keeping more than two (2) horses per acre used exclusively for the care and keeping thereof and Horse workout facilities/arenas.
3. Dog Kennels in excess of four (4) dogs.
4. State approved clay, sand and gravel quarries.
5. A commercial or retail business, including a cereal malt beverage establishment or private club.
6. Feed lots as licensed by the State.

3.304 ZONING USE PERMIT (ZUP). The intent of the ZUP is to provide an administrative permitting process that assures notification to the local government in areas where there is a need to know and monitor the proposed land use at the site but not necessarily require more in depth planning approvals such as those involved with a Conditional or Special Use Permit. The Zoning Use Permit shall not be construed to create a property right use and is not transferable to other persons or entities. A Zoning Use Permit shall be required for the following:

1. Riding stables for horses limited to no more than two (2) horses per acre and used exclusively for the care and keeping thereof.
2. Kennel, Boarding: Any place, area, building or structure where dogs are boarded, housed, cared for, fed or trained by other than the owner, up to a maximum of four (4) dogs.
3. Manufactured home for a family member(s) [immediate family with no more than five dwelling units per well or twenty-four people per well] or employee located on land having a principle use as a farm of thirty-five (35) or more acres in size, with no space offered for rent to other persons.
4. Site plan approval is required to assure proper siting of development in relation to adjacent on and off site developments.
5. Manufactured home for an Atwood Agricultural family as temporary living quarters for the family while a home is being constructed under the review of the building

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official and a building permit issued. The manufactured home may be "park set" for a foundation. The temporarily placed manufactured home must be removed within thirty (30) days of the issuance of a Certificate of Occupancy by the building official for the newly constructed home. The ZUP permit expires 365 days after issuance in all cases, but may be renewed in exceptional circumstances. If expired and not renewed, the temporarily placed manufactured home must be removed from the property.

6. Temporary Ready Mix Concrete and Asphalt Plants [one year or less] with no more than two (2) permits granted for the same site on property within the boundaries of Atwood, Colorado.

3.305 LOT SIZE REQUIREMENTS.

1. Minimum area:
   (A) 35 Acre Minimum Lot Size
   (B) Other Permitted Uses: Residential Uses

3.306 YARD REQUIREMENTS.

1. Front Yard:
   (A) Farm related buildings: 45 feet from the edge of public road easements for buildings.
   (B) Other permitted uses: 20 feet from the edge of public road easements. Twenty (20') feet front yard setback (corner lots shall have two (2) front yard setbacks). The vision clearance area as defined herein shall be free of buildings and all other obstructions.
2. Side Yard:
   (A) Farm related buildings 30 feet.
   (B) All other permitted uses: 10 feet.
3. Rear Yard:
   (A) Farm related buildings: 30 feet.
   (B) All other permitted uses: Twenty (20') feet rear yard setbacks for garages where vehicle access to the garage is straight off of the alleyway. In the absence of an alley or direct vehicle access to an accessory structure or garage, the rear yard setback shall be at least ten (10') feet.
4. Separation of Structures: There shall be ten (10') feet of separation between structures on the lot. Structures include primary and accessory structures.

Note: All setbacks are to the exterior wall of the structure.

3.307 PARKING REQUIREMENTS.

1. Farm related buildings: None.
2. All other uses shall conform to the requirements of Section 7.2.

3.308 SIGN REGULATIONS. See Section 7.1.

3.309 SUPPLEMENTAL DEVELOPMENT STANDARDS. See Section 7

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"RRA" RURAL RESIDENTIAL ATWOOD DISTRICT

Sections:

3.310 Purpose and Intent
3.311 Permitted Uses
3.312 Conditional Uses
3.313 Zoning Use Permit
3.314 Lot Size Requirements
3.315 Yard Requirements
3.316 Parking Requirements
3.317 Sign Regulations
3.318 Supplemental Development Standards

3.310 PURPOSE AND INTENT. ***Rural Residential Atwood (RRA).*** The category of Rural Residential Atwood permits single family development on lots of two (2) units per acre. Larger lot sizes may be appropriate to address environmental concerns (such as flood plain, high water or poor soil quality). Residents in these areas are able to keep their own domestic animals (animal husbandry) with certain limitations and keeping of pets (but not a kennel operation). Development will be served by septic systems, wells, and other services planned and approved by Logan County, the State, the Northeast Colorado Environmental Department or their representatives.

3.311 PERMITTED USES. The following uses and structures, and *no others* are permitted in the "RRA" Districts.

1. Single family dwellings - detached.
2. Separate living accommodations for family members to include a kitchen are authorized within the primary dwelling. Accessory buildings constructed on the same lot to accommodate immediate family as defined, is authorized for living accommodations. Such living accommodations shall comply with residential building codes, require permits, and shall be inspected and certified by the Building Official as meeting the minimum residential standards.
3. Vegetable and flower gardens, trees, shrubs and lawns, and non-commercial orchards and other landscaping as it relates to residential use.
4. Public Parks and Recreation Areas.
5. Churches and Cemeteries
6. Schools, public or private, primary, intermediate and secondary
7. Non-commercial animal husbandry provided such activities are accessory to the residential use and no persons are employed on the premises. Limitations on animal husbandry are:
   (A) Horses: There shall be no more than two (2) horses per acre used exclusively for the care and keeping thereof; or
   (B) Beef Cattle and Cows: There shall be no more than two (2) such animals per acre of land used exclusively for the care and keeping thereof; or
   (C) Swine, Sheep or Goats: There shall be no more than four (4) such animals per acre of land used exclusively for the care and keeping thereof; or

(D) 4-H Market Animal Project: There shall be no more than two (2) such animals per lot for the care and keeping thereof in the category of beef, goats, sheep or swine; or

(E) Poultry, Rabbits, and other small animals: There shall be no more than twenty-five (25) such animals on the premises.

(F) Nothing herein shall be construed as authorizing the keeping of animals capable of inflicting harm or endangering the health or safety of any person or property.

(G) Permitted animals and fowl other than household pets shall not be kept within a dwelling or within one hundred (100) feet of any dwelling.

(H) Permitted animals and fowl shall be kept in properly maintained housing, caging, or corrals.

(I) The slaughter of any permitted animal or fowl is permitted only where intended for consumption by the resident family.

8. Accessory buildings customarily incident to the above permitted uses.
9. Home Occupations as defined herein.
10. Towers for wind powered generators are authorized provided they are so situated on a lot/property so that the distance from the tower to the property lines, in all directions, is at least equal to the height of the tower.

3.312 CONDITIONAL USES: The following uses and structures may be permitted only after they have been reviewed and approved as required by Section 5.1.

1. Licensed Group Home or Licensed Day Care Centers licensed by the State, and preschools.

3.313 ZONING USE PERMIT(ZUP). The intent of the ZUP is to provide an administrative permitting process that assures notification to the local government in areas where there is a need to know and monitor the proposed land use at the site but not necessarily require more in depth planning approvals such as those involved with a Conditional or Special Use Permit. The Zoning Use Permit shall not be construed to create a property right use and is not transferable to other persons or entities. A Zoning Use Permit shall be required for the following:

1. Manufactured home for a Rural Residential Atwood family as temporary living quarters for the family while a home is being constructed under the review of the building official and a building permit issued. The manufactured home may be "park set" for a foundation. The temporarily placed manufactured home must be removed within thirty (30) days of the issuance of a Certificate of Occupancy by the building official for the newly constructed home. The ZUP permit expires 365 days after issuance in all cases, but may be renewed in exceptional circumstances. If expired and not renewed, the temporarily placed manufactured home must be removed from the property.

2. Public utility uses, as follows, provided that the location is approved by the Planning Commission and provided that there is a landscape or screen plan.

(A) Electric and telephone substations
(B) Gas regulator stations
(C) Police and Fire Stations
(D) Water Towers

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Pamela M. Schneider Clerk & Recorder, Logan County, Co

3.314 LOT SIZE REQUIREMENTS: Subject to the Environmental Code and FEMA Flood Regulations, and Subdivision Regulations for Rural Residential Atwood, the minimum lot size shall be one-half (1/2) acre. This requirement applies to new "RRA" development on or after the date of adoption of this Section. Developed residential lots existing before the adoption of this Section which do not meet the minimum lot size may continue unabated, and lot size will not trigger the legal non-conforming use requirement of review. Any use and its associated improvements existing prior to adoption of this zoning category that is not allowed in the "RRA" is considered legal non-conforming and may not be expanded without approval of the Board of Adjustment.

No lot or parcel of land shall be divided or reduced in area or dimensions so as to cause any required yard or required open space of 40% to be reduced below the amount existing at the time of the adoption of this resolution.

3.315 YARD REQUIREMENTS: The following minimum yard requirements shall apply in all "RRA": Districts.

1. Front Yard:
   (A) Twenty (20') foot front yard setback.
   (B) Corner lots shall have two (2) front yard setbacks. The vision clearance area as defined herein shall be free of buildings and all other obstructions.
   (C) The following structures may project into a minimum front or rear yard, but not more than four (4') feet.
      1. Chimneys and fireplace structures, provided they are not wider than ten (10') feet.
      2. Eaves, sills, cornices, and similar architectural features.
      3. Stairways, balconies, and awnings.
2. Side Yard:
   (A) Ten (10') foot side yard setback.
   (B) All other permitted uses: 10 feet.
   (C) The following structures may project into a minimum side yard, but not more than two (2') feet.
      1. Chimneys and fireplace structures provided they are not wider than ten (10') feet.
      2. Eaves, sills, cornices and similar architectural features.
      3. Balconies, and awnings.
3. Rear Yard:
   (A) Ten (10') foot rear yard setbacks.
   (B) Twenty (20') rear yard setbacks for garages where vehicle access to the garage is directly off of the alleyway. In the absence of an alley or direct vehicle access to an accessory structure or garage, the rear yard setback shall be ten (10') feet.
4. Separation of Structures: There shall be at least ten (10') feet of separation from structures on the lot, including primary and accessory structures.

Note: All setbacks are to the exterior wall of the structure.

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3.316 PARKING REQUIREMENTS: All uses shall conform to the requirements of Section 7.2.

3.317 SIGN REQUIREMENTS: See Section 7.1.

3.318 SUPPLEMENTAL DEVELOPMENT STANDARDS: See Section 7.

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"RSA" RURAL SUBURBAN ATWOOD DISTRICT

Sections:

3.320 Purpose and Intent
3.321 Permitted Uses
3.322 Conditional Uses
3.323 Zoning Use Permits
3.324 Lot Requirements
3.325 Yard Requirements
3.327 Parking Requirements
3.328 Sign Regulations
3.329 Supplemental Development Standards

3.320 PURPOSE AND INTENT. ***Rural Suburban Atwood (RSA).*** The category of Rural Suburban Atwood permits single family development on lots of two (2) units per acre. Larger lot sizes may be appropriate to address environmental concerns (such as flood plain, high water or poor soil quality). This category of residential use is similar to "RRA" with the exception that the keeping of animals is limited to pets. Development will be served by septic systems, wells, and other services planned and approved by Logan County, the State, the Northeast Colorado Environmental Department or their representatives.

3.321 PERMITTED USES. The following uses and structures, *and no others*, are permitted in the "RSA" District.

1. Single Family Dwelling - Detached.
2. Separate living accommodations for family members to include a kitchen are authorized within the primary dwelling. Accessory buildings constructed on the same lot to accommodate immediate family, as defined, is authorized for living accommodations. Such living accommodations shall comply with residential building codes, require permits, and shall be inspected and certified by the Building Official as meeting the minimum residential standards.
3. Vegetable and flower gardens, trees, shrubs and lawns, and non-commercial orchards and other landscaping as it relates to residential use.
4. Church or similar place of worship.
5. Public parks, playgrounds and recreation areas and related buildings operated by a public agency.
6. Schools, public or private, primary, intermediate and secondary.
7. Customary accessory uses and structures located on the same lot with the principle use.
8. Home Occupations as defined herein.
9. Towers for wind powered generators are authorized provided they are so situated on a lot/property so that the distance from the tower to the property lines, in all directions, is at least equal to the height of the tower.

3.322 CONDITIONAL USES. The following uses and structures may be permitted only after they have been reviewed and approved as required by Section 5.1.

1. Public libraries, museums or similar public buildings.

2. Licensed Group Home or Licensed Day Care Centers licensed by the State, and preschools.
3. Nursing Homes and Homes for the Aged approved and licensed by the State of Colorado.

3.323 ZONING USE PERMIT (ZUP). The intent of the ZUP is to provide an administrative permitting process that assures notification to the local government in areas where there is a need to know and monitor the proposed land use at the site but not necessarily require more in depth planning approvals such as those involved with a Conditional or Special Use Permit. The Zoning Use Permit shall not be construed to create a property right use and is not transferable to other persons or entities. A Zoning Use Permit shall be required for the following:

1. Manufactured home for a Rural Suburban Atwood family as temporary living quarters for the family while a home is being constructed under the review of the building official and a building permit issued. The manufactured home may be "park set" for a foundation. The temporarily placed manufactured home must be removed within thirty (30) days of the issuance of a Certificate of Occupancy by the building official for the newly constructed home. The ZUP permit expires 365 days after issuance in all cases, but may be renewed in exceptional circumstances. If expired and not renewed, the temporarily placed manufactured home must be removed from the property.
2. Public utility uses, as follows, provided that the location is approved by the Planning Commission and provided that there is a landscape or screen plan.
   (A) Electric and telephone substations
   (B) Gas regulator stations
   (C) Police and Fire Stations
   (D) Water Towers

3.324 LOT SIZE REQUIREMENTS. Subject to the Environmental Code and FEMA Flood Regulations, and Subdivision Regulations for Rural Suburban Atwood, the minimum lot size shall be one-half (1/2) acre. This requirement applies to new "RSA" development on and after the date of adoption of this Section. Developed residential lots existing before the adoption of this Section which do not meet the minimum lot size may continue unabated, and lot size will not trigger the legal non-conforming use requirement of review. Any use and its associated improvements existing prior to adoption of this zoning category that is not allowed in the "RSA" is considered legal non-conforming and may not be expanded without approval of the Board of Adjustment.

No lot or parcel of land shall be divided or reduced in area or dimensions so as to cause any required yard or required open space of 40% to be reduced below the amount existing at the time of the adoption of this resolution.

3.325 YARD REQUIREMENTS. The following minimum yard requirements shall apply in all "RRA": Districts.

1. Front Yard:
   (A) Twenty (20') foot front yard setback.
   (B) Corner lots shall have two (2) front yard setbacks. The vision clearance area as defined herein shall be free of buildings and all other obstructions.

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(C) The following structures may project into a minimum front or rear yard, but not more than four (4') feet.
1. Chimneys and fireplace structures provided they are not wider than ten (10') feet.
2. Eaves, sills, cornices, and similar architectural features.
3. Stairways, balconies, and awnings.

2. Side Yard:
(A) Ten (10') foot side yard setback.
(B) All other permitted uses: 10 feet.
(C) The following structures may project into a minimum side yard, but not more than two (2') feet.
1. Chimneys and fireplace structures provided they are not wider than ten (10') feet.
2. Eaves, sills, cornices and similar architectural features.
3. Balconies, and awnings.

3. Rear Yard:
(A) Ten (10') foot rear yard setbacks.
(B) Twenty (20') rear yard setbacks for garages where vehicle access to the garage is directly off of the alleyway. In the absence of an alley or direct vehicle access to an accessory structure or garage the rear yard setback shall be ten (10') feet.

4. Separation of Structures: There shall be at least ten (10') feet of separation from structures on the lot, including primary and accessory structures.

Note: All setbacks are to the exterior wall of the structure.

3.326 PARKING REQUIREMENTS. See Section 7.2.

3.327 SIGN REGULATIONS. See Section 7.1.

3.338 SUPPLEMENTAL DEVELOPMENT STANDARDS. See Section 7.

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ACCESSORY USE-HOME OCCUPATION - ATWOOD

Sections:

3.330 Purpose and Intent
3.331 Application Procedures
3.332 Public Notice
3.333 Uses Requiring Accessory Use Permits
3.334 Transfer of Permits
3.335 Flammable Liquids and Gases, Storage Thereof
3.336 Home Occupation Code
3.337 Enforcement Procedures
3.338 Supplemental Development Standards

3.330 PURPOSE AND INTENT. The purpose of this section is to provide a method of control over certain types of land uses which, while not requiring the full review process of the conditional use permits, do require a review procedure which allows for determination of their appropriateness within the neighborhood for which they are proposed, and for public comment. The general purpose of this section is not intended to disrupt, change or otherwise modify the integrity of residential neighborhoods or residential zoning, but to allow, in certain circumstances and under specified conditions, the operation of home businesses when the operator is not opposed by the other residents or persons who may be affected.

3.331 APPLICATION PROCEDURE. The property owner or authorized agent shall apply for an Accessory Use Permit (AUP) under the guidelines provided by the Planning & Zoning Department. The application for an AUP will be reviewed, within ten (10) working days from the submittal of the application by the administration staff. The staff review shall consist of the County Planner, and County Code Enforcement Officer. Appeals from the administrative action of the staff by the applicant, by residents, or by any person aggrieved by their action, shall be filed with the Logan County Board of Adjustment. No activity which requires an AUP shall be conducted prior to issuance of the permit.

3.332 PUBLIC NOTICE. The applicant for a home business/occupation permit shall procure sign(s) announcing the pending application and proposed *Moderate Impact Home Business/Occupation*. Signs shall be obtained from the office of Planning & Zoning, and the applicant shall display said sign(s) in the following manner:

1. Sign(s) shall be posted upon the subject property for a period of seven (7) consecutive days. This seven (7) day period shall coincide with the ten (10) working day administrative review period.
2. Sign(s) shall be posted in a prominent manner and in full view of passing motorists and pedestrians.
3. Sign(s) shall be displayed along the front and side lot frontage abutting any street(s). (Interior lots shall display only one (1) sign; corner lots shall display two (2) signs.)
4. Sign(s) posted shall be maintained by the applicant to remain visible and readable until the conclusion of any appeal heard by the Logan County Board of Adjustment.
5. Failure to post and maintain the sign(s) as required above shall result in a postponement of the administrative review or withdrawal of the application until such time full compliance with the posting procedure is achieved.

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3.333 USES REQUIRING ACCESSORY USE PERMITS (AUP). Moderate impact home business/occupations shall require an AUP in all residential zoned districts.

3.334 TRANSFER OF PERMITS. AUP's shall not be transferable in any manner. A permit shall not be passed from owner to owner, location to location, or use to use, and shall not run with the land.

3.335 FLAMMABLE LIQUIDS AND GASES, STORAGE OF. The storage of flammable liquids and gases shall comply with the State of Colorado Fire Prevention Code.

3.336 HOME OCCUPATION CODE. The purpose of the home business/occupation provisions is to allow only home business/occupations that are compatible with the residential neighborhood in which they are located.

DEFINITIONS.

Home business/occupation: An accessory use of a dwelling unit or accessory building involving the manufacture, provision, or sale of goods and/or services, which is carried on by members of the immediate family residing on the premises or one employee as identified herein. Home business/occupations shall not include garage sales and yard sales or home parties, which are held for the purposes of sale or distribution of goods or services. However, if the collective total of all such sales and/or parties exceeds four at any one location in any calendar year such sales and/or parties shall be considered a home business/occupation.

1. This regulation separates home business/occupations into two different and distinct categories as follows:

   (A) *Low Impact Home Business/Occupation.*
   This type of home business/occupation has little, if any effect on the existing neighborhood. Typically, this type of home business/occupation is an office use where the resident occupant conducts no business other than by telephone, mail, facsimile, or computer modem; where customers are not typically received on the premises; where no deliveries are accepted on a regular basis; and where an office is needed for the purposes of sending and receiving mail, telephone calls, maintaining records, and other similar functions.

   A "low impact home business/occupation" is a home business/occupation operated in such a manner that the average neighbor would be unaware of its existence. *Examples of this type of home business/occupation include*, but are not limited to; artists, sculptors, authors, composers, house-cleaners, home made items for sale off-site, telecommuters, telephone solicitor, tutoring (five maximum), office facility for a minister, rabbis, priest, salesman, sales representative, internet or manufacturer's representative, provided that no direct sales are made in person on the premises. An AUP is not required for a "Low Impact Home Business/Occupation.

   (B) *Moderate Impact Home Business/Occupation.*
   This type of home business/occupation has some type of impact on the existing neighborhood. Typically, this type of home business/occupation is an office

use where the resident occupant conducts business with customers on-site; where equipment, other than office equipment, exist to conduct the home business/occupation; and where a company vehicle and/or trailer exist.

A "moderate impact home business/occupation" is a home business/occupation operated in such a manner that the average neighbor would be aware of its existence due to traffic, noise, or equipment. *Examples of this type of home business/occupation include,* but are not limited to, contractor's office, family care home (less than 24 hour care is given; for only one child or two or more children who are siblings from the same family household at any one time) financial planning, music instruction (limited to one student at a time except for occasional groups), pet grooming (five maximum – no kennel or stables), single chair barber/beauty salon, swimming pool cleaning, a small business involving the manufacture, provision, or sale of goods and/or services with limited personnel, etc.

PERMIT REQUIREMENTS. Home business/occupations complying with the criteria established in this regulation and defined as "low impact occupations" shall be permitted by right with no AUP required. "Moderate impact occupations" shall commence operation only after the receipt of an AUP from the Planning & Zoning Department of the County.

COMPLIANCE CRITERIA for MODERATE IMPACT HOME BUSINESS/OCCUPATIONS. The "Moderate Impact home business/occupation" permit shall be authorized only if all of the following criteria are complied with:

1. No storage or overnight parking of more than one service or company truck, bus or other vehicles with a manufacturer's rating of more than five (5) tons. The following types of vehicles are expressly prohibited at all times:
   (A) All commercial tow vehicles or vehicle carriers;
   (B) Dump or trash hauler trucks;
   (C) Flat bed or stake bed trucks;
   (D) Trucks or buses used in interstate or intrastate commerce;
   (E) Vans with a capacity greater than one ton, used for other than a private passenger vehicle/RV; and
   (F) School or church buses or vans greater than one ton in carrying capacity.
2. Not more than one trailer shall be allowed as long as the trailer is attached to the service or company vehicle and is used for the transportation of equipment. The trailer shall not be allowed if disconnected from the service or company vehicle unless it is stored in a garage or behind an approved fence enclosure. The trailer shall not be parked or stored in the street, and shall not be parked or stored with trash, rubbish, or other nuisance materials.
3. Temporary or permanent outside storage or equipment or materials shall not be allowed unless placed behind an approved fence enclosure.
4. Use of an accessory structure on this property for storage or any other purposes of conducting the business/occupation is allowed only if consistent with the business of the Home Business Occupation.
5. Only three employees or three independent contractor personnel is permitted to report to the premises for job assignment or to work at the premises. Only three

employees shall be allowed at the premises, while functioning as employees, other than immediate family members who reside on the premises.

6. There shall be no product display visible from the street or any the outside areas. A small sign mounted flush to the wall not exceeding five (5) square feet is authorized to advertise the home business/occupation.
7. Commodities shall not be sold upon the premises, except those prepared on the premises. Retail businesses are not allowed.
8. The home business/occupation shall not create a hazard to persons or property, or any offensive conditions such as excessive noise, vibrations, dust, electrical interference, odor, or any other form of pollution of any nature.
9. There shall be no mechanical, electrical, or chemical equipment or any form of apparatus utilized which interferes with or substantially disrupts the integrity or the character of the neighborhood.
10. Any delivery that pertains to the business shall not have an adverse impact on the neighborhood traffic. Carriers such as Federal Express, UPS or similar type carriers shall not be deemed to have an adverse impact.
11. Home Occupations-Added Parking Requirements - Three (3) spaces in addition to those required for dwelling purposes may be located behind the front building line in the side or rear yard.

RENEWAL OF HOME BUSINESS/OCCUPATION ACCESSORY USE PERMIT. Home business/occupations permits shall not require renewal provided that there have not been any violations of the provisions of this regulation. Should violations occur or continue to occur Logan County reserves the right to revoke the AUP as previously stated.

3.337 ENFORCEMENT PROCEDURES. Any home business/occupation permitted by the Logan County for Atwood, Colorado under the AUP provisions shall only be valid for the applicant, business/occupation and residence for which the permit is issued and is not transferable. A home business/occupation accessory use permit shall be revoked in the event of any non-compliance with or continued violation(s) of any provisions of this regulation.

1. Any person feeling aggrieved by a decision of the Code Enforcement Officer may appeal that decision to the Logan County Board of Adjustment.
2. The decision of the Logan County Board of Adjustment may be appealed to the courts, as provided by law, provided, however, that such appeal is made prior to twenty (20) days following the date of notification of the Board's decision.

3.338 VIOLATIONS. Any person operating or continuing to operate a home business/occupation in violation of the provisions of this Section shall be guilty of a misdemeanor and upon conviction, shall be punished by a fine of not more than One Hundred Dollars ($100.00). Each day in which a violation hereof occurs shall constitute a separate offense.

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3.34 SUPPLEMENTAL DEVELOPMENT STANDARDS ATWOOD.

Sections:

3.341 Accessory Use Permit (AUP) - The intent of the AUP is to provide an administrative permitting process that assures notification to the local government in areas where there is a need to know what is going on at the site but not so severe as to require a Conditional or Special Use Permit. The AUP shall not be considered a property right use and is not transferable to other persons or entities. The administrative cost shall be $15.00 for the permit to cover processing. An additional purchase fee will apply for the sign(s) to be posted as required.

3.342 Clarification Of Ambiguity. - If ambiguity or uncertainties exist concerning the appropriate classification of a particular use within the meaning and intent of this Zoning Regulation, or with respect to matters of height, yard requirements, area requirements, or district boundaries, as set forth herein and as they pertain to unforeseen circumstances, including technological changes and processing of materials, it shall be the duty of the Planning Commission to ascertain all pertinent facts and set forth its findings and its interpretations, and thereafter such findings and interpretations shall govern.

3.343 Zoning Use Permit (ZUP) - The intent of the ZUP is to provide an administrative permitting process that assures notification to the local government in areas where there is a need to know what is going on at the site but not so severe as to require a Conditional or Special Use Permit. The Zoning Use Permit shall not be considered a property right use and is not transferable to other persons or entities. The administrative cost shall be $15.00 for the permit, to cover processing and notification to affected agencies.

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DEFINITIONS – ATWOOD ZONING PLAN

Home Occupation - The term "Home Occupation" shall mean any occupation conducted entirely within the dwelling unit or accessory building and carried on only by persons residing in the dwelling unit, with up to three employees, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the residential character thereof, and in connection with which there is no display nor stocking trade or commodities sold except those which are produced on the premises.

Junk Yard - A parcel of land used for the storage, keeping for sale, or abandonment of junk, including used metal, wood, building materials, household appliances, vehicles, machinery, or parts thereof.

Park Set – Refers to a term of setting a "HUD" single-wide manufactured home on temporary blocks with approved tie-downs per the manufacture guidelines with skirting [§24-32-3104 Colorado Revised Standards].

Riding Stables - Structures in which saddle horses are kept, maintained and/or boarded, and in connection with which saddle horses may be rented to the general public or made available to members of a private club. Exercise rings shall be considered uses accessory to the use of the premises for a riding stable.

Usable Open Space - Land or water which is free of buildings, structures and/or other substantial improvements and which is readily accessible by the public or residents of a residential development. Usable open space does not include streets, alleys, off-street parking or loading areas, roofs, or slopes in excess of 50 percent.

Vision Clearance Area - A triangular area on a corner lot, which is formed by a line between the points eighty-five (85') feet from the intersection of the centerline of the road easements. The vision of clearance area shall contain no temporary or permanent obstructions in the excess of two (2') feet in height. Street trees may be permitted provided such trees are pruned at least eight (8') feet above the surrounding grade. At the intersections of major or arterial streets, or roads, the vision clearance area is created by points one hundred (100') feet from the intersection of the centerlines of the road easements.

APPROVAL. This is to certify that the Zoning Regulation and District Zoning Map referred to in Section I of this Zoning Regulation shall include Section 3.3, Atwood Zoning Plan and it was duly approved and certified by the Planning Commission on this 9th day of October, 2007

Dave Whitney (Chairman)

Jim Neblett (Secretary)

ZONING PLAN
ATWOOD, COLORADO

Zoning Use Diagram

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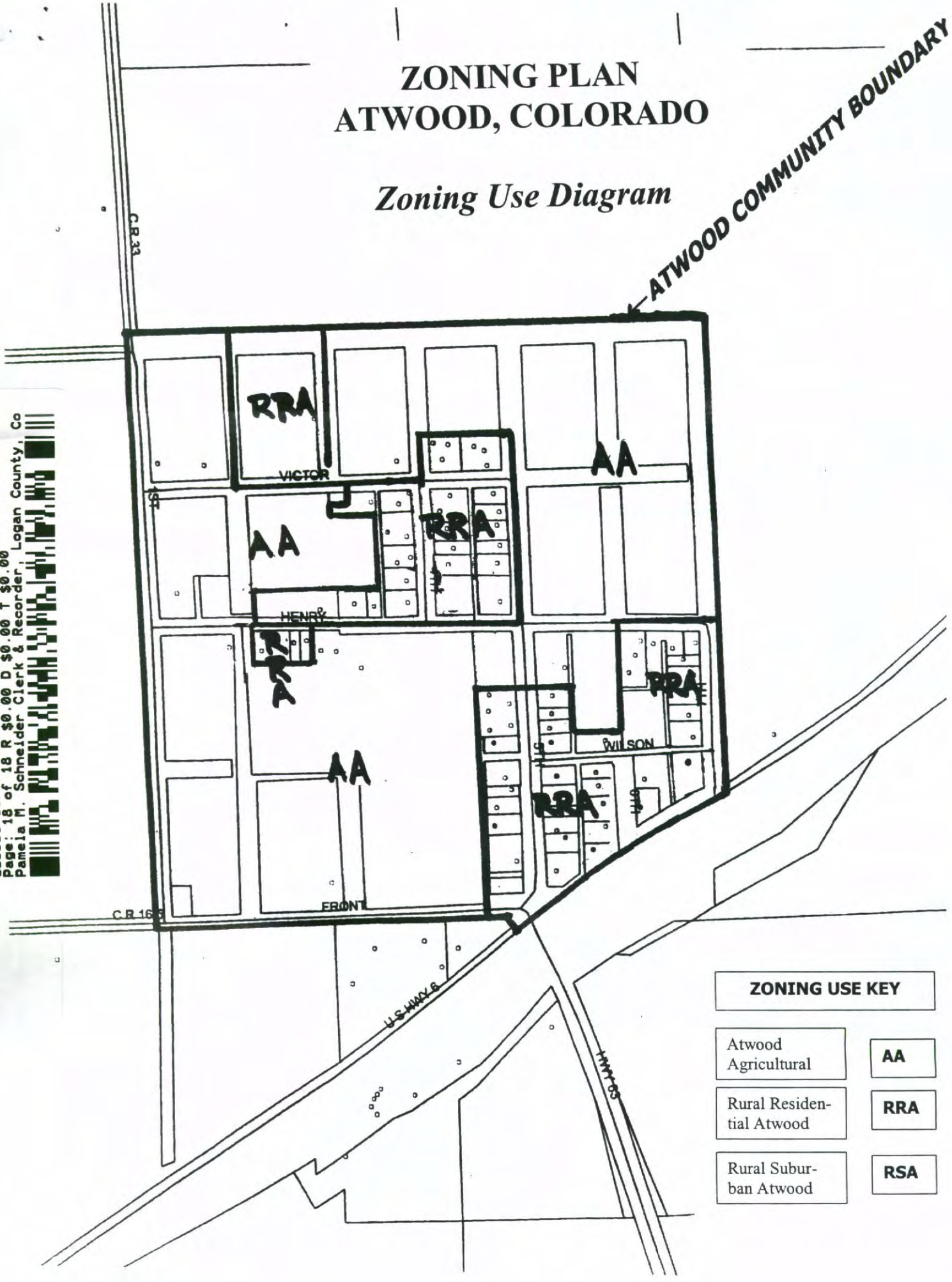

ZONING USE KEY	
Atwood Agricultural	AA
Rural Residential Atwood	RRA
Rural Suburban Atwood	RSA

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RESOLUTION
NO. 2010-23

A RESOLUTION AMENDING THE LOGAN COUNTY, COLORADO, ZONING RESOLUTION ADOPTED BY RESOLUTION ON OCTOBER 10, 1973, PURSUANT TO C.R.S. 30-28-112.

WHEREAS, the Board of Commissioners is empowered to regulate land use in Logan County outside the jurisdictional limits of any incorporated city, and

WHEREAS, a Public Hearing required by §30-28-112, Colorado Revised Statutes, was held to review the Logan County, Colorado, Zoning Resolution, an amendment for the 1990 Logan County Zoning Resolution on April 20, 2010, at the Logan County Courthouse, Sterling, Colorado and the Board of County Commissioners concurred with the Logan County Planning Commission approved and certified language of amendment on April 27, 2010. Such change would amend the 1990 Zoning Resolution by amending Section 3.1 – Use Schedules for Zoning District by adding the following use:

- Zoning Use Permit (ZUP). The intent of the ZUP is to provide an administrative permitting process that assures notification to the local government in areas where there is a need to know what is going on at the site but not so severe as to require a Conditional or Special Use Permit.
  - A ZUP shall be required for the following in an Agricultural District:
    1. Riding stables for horses limited to no more than two (2) horses per acre used exclusively for the care and keeping thereof.
    2. Kennel, Boarding: Any place, area, building or structure where dogs are boarded, housed, cared for, fed or trained by other than the owner to a maximum of four (4) dogs.
    3. Manufactured home for an employee and their family based upon the principle use as a farm at or above forty (40) acres in size with no space offered for rent.
    4. Manufactured home for a farm family as temporary living quarters while a site constructed home under the review of the building official with a building permit is constructed. The manufactured home must be removed within thirty (30) days of the issuance of a Certificate of Occupancy by the building official. In the case of a ZUP permit for temporary living quarters as established herein, the ZUP expires 365 days after issuance in all cases, but may be renewed under exceptional circumstances. If expired and not renewed, the temporarily placed manufactured home must be removed from the property.
    5. Temporary Ready Mix Concrete and Asphalt Plants [one year or less] with no more than two (2) permits for the same site.
    6. For the purpose of obtaining a Federal Alcohol, Tobacco and Firearms Permit authorizing commerce in firearms and ammunition within the scope of the Code of Federal Regulation 27 C.F.R. 478.47.

  - A ZUP shall be required for the following in an Commercial Highway District:
    1. For the purpose of obtaining a Federal Alcohol, Tobacco and Firearms Permit authorizing commerce in firearms and ammunition within the scope of the Code of Federal Regulation 27 C.F.R. 478.47.

NOW, THEREFORE, BE IT RESOLVED by the County Commissioners of Logan County that the Logan County Zoning Resolution adopted on October 10, 1973, is hereby amended through the addition of language in Section 3.1 – Use Schedules for Zoning District by adding the following use:

- Zoning Use Permit (ZUP). The intent of the ZUP is to provide an administrative permitting process that assures notification to the local government in areas where there

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is a need to know what is going on at the site but not so severe as to require a Conditional or Special Use Permit.

- A ZUP shall be required for the following in an Agricultural District:
  1. Riding stables for horses limited to no more than two (2) horses per acre used exclusively for the care and keeping thereof.
  2. Kennel, Boarding: Any place, area, building or structure where dogs are boarded, housed, cared for, fed or trained by other than the owner to a maximum of four (4) dogs.
  3. Manufactured home for an employee and their family based upon the principle use as a farm at or above forty (40) acres in size with no space offered for rent.
  4. Manufactured home for a farm family as temporary living quarters while a site constructed home under the review of the building official with a building permit is constructed. The manufactured home must be removed within thirty (30) days of the issuance of a Certificate of Occupancy by the building official. In the case of a ZUP permit for temporary living quarters as established herein, the ZUP expires 365 days after issuance in all cases, but may be renewed under exceptional circumstances. If expired and not renewed, the temporarily placed manufactured home must be removed from the property.
  5. Temporary Ready Mix Concrete and Asphalt Plants [one year or less] with no more than two (2) permits for the same site.
  6. For the purpose of obtaining a Federal Alcohol, Tobacco and Firearms Permit authorizing commerce in firearms and ammunition within the scope of the Code of Federal Regulation 27 C.F.R. 478.47.

- A ZUP shall be required for the following in an Commercial Highway District:
  1. For the purpose of obtaining a Federal Alcohol, Tobacco and Firearms Permit authorizing commerce in firearms and ammunition within the scope of the Code of Federal Regulation 27 C.F.R. 478.47.

as certified to this Board by the Logan County Planning Commission on the 20th day of April, 2010, is hereby adopted as the revised Logan County Zoning Resolution for Logan County, Colorado.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the County Commissioners of Logan County that the fee charged for the ZUP shall be $30.00.

DONE on Tuesday, this 4th day of May, 2010.

LOGAN COUNTY BOARD OF COMMISSIONERS
LOGAN COUNTY, COLORADO

Debra L. Zwirn (Aye)(Nay)
Debra L. Zwirn

James Edwards (Aye)(Nay)
James Edwards

Jack H McLavey (Aye)(Nay)
Jack H. McLavey

I, Pamela M. Schneider, County Clerk and Recorder in and for the County of Logan, State of Colorado, do hereby certify that the foregoing Resolution was adopted by the Board of County Commissioners of the Logan and State of Colorado, in regular session on the 4th day of May, 2010.

Pamela M. Schneider
County Clerk and Recorder