

**WELD COUNTY  
CODE ORDINANCE 2023-13**

**IN THE MATTER OF REPEALING AND REENACTING, WITH AMENDMENTS, CHAPTER 21  
AREAS AND ACTIVITIES OF STATE INTEREST, CHAPTER 23 ZONING, AND CHAPTER 29  
BUILDING REGULATIONS, OF THE WELD COUNTY CODE**

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF  
WELD, STATE OF COLORADO:**

**WHEREAS**, the Board of County Commissioners of the County of Weld, State of Colorado, pursuant to Colorado statute and the Weld County Home Rule Charter, is vested with the authority of administering the affairs of Weld County, Colorado, and

**WHEREAS**, the Board of County Commissioners, on December 28, 2000, adopted Weld County Code Ordinance 2000-1, enacting a comprehensive Code for the County of Weld, including the codification of all previously adopted ordinances of a general and permanent nature enacted on or before said date of adoption, and

**WHEREAS**, prior to the date of First Reading of this Code Ordinance 2023-13, the activity of permitting and inspecting equipment or improvements on an Oil and Gas Facility and the installation of Telecommunication Antenna Towers used solely for site security and monitoring purposes at an Oil and Gas Facility was performed by the Weld County Department of Planning Services, and

**WHEREAS**, the Board of County Commissioners desires to consolidate such permitting and inspection function in the Weld County Oil and Gas Energy Department and, therefore, the Weld County Code is in need of revision and clarification with regard to procedures, terms, and requirements therein.

**NOW, THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of the County of Weld, State of Colorado, that Chapter 21, Article V; Chapter 23, Article IV, Division 10; and Chapter 29, Article III of the Weld County Code be, and hereby are, repealed and re-enacted, with amendments, to read as follows.

**CHAPTER 21  
AREAS AND ACTIVITIES OF STATE INTEREST**

**ARTICLE V – Guidelines and Regulations for Oil and Gas Exploration and Production in the Unincorporated Area of Weld County (Designated as Mineral Resource Area of State Interest)**

**Division 1 – General and Introductory Provisions**

PAGE 1

CC:CTB(EG/CH), FI(RR/CP/SO),  
CA(ALL), ACT(CD), OG(SH),  
PL(TP/MW/KR/JF), CM(TP)

2023-2511  
ORD2023-13

09/18/23

**Amend Sec. 21-5-20. Definitions.**

In addition to the terms defined in Section 21-1-90 of this Code, the following terms specific to the designation of site selection and construction of Oil and Gas Locations and Oil and Gas Facilities shall be construed to have the meanings set forth as follows:

*Oil and Gas Facility*: means equipment or improvements used or installed at an Oil and Gas Location for the exploration, production, withdrawal, treatment, or processing of crude oil, condensate, E&P Waste, or gas; excluding Pipeline - Petroleum Products, as defined in Article VI of this Chapter 21, and all other Pipelines and Flowlines used or installed at the Oil and Gas Facility. Examples of equipment or improvements may include, but are not limited to, tanks, separators, combustion devices, LACT units, and telecommunication antenna towers as defined in Section 23-1-90, which are used solely for site security and monitoring purposes of the Oil and Gas Facility. Oil and Gas Facility may also be referred to herein in certain circumstances synonymously as "Facility".

Remainder of section – No change.

**CHAPTER 23  
ZONING**

**ARTICLE IV – Supplementary District Regulations and Zoning Permits**

**Division 10 – Antennas and Towers**

**Amend Sec. 23-4-830. Standards for Telecommunication Antenna Towers.**

A. – No change.

**Amend Table 23.4  
TELECOMMUNICATIONS ANTENNA TOWERS**

**Table 23.4  
TELECOMMUNICATIONS ANTENNA TOWERS**

Use by Right or Accessory Use	Zoning Permit for TELECOMMUNICATIONS ANTENNA TOWER	Use by Special Review Permit approval required
Up to 35 feet in height *	35 feet to 70 feet in height *	Greater than 70 feet in height

\* TELECOMMUNICATION ANTENNA TOWERS located within an OIL AND GAS FACILITY shall be exempt from the requirement for a Zoning Permit for TELECOMMUNICATIONS ANTENNA TOWER. They will, however, need to be included either within a 1041 WOGLA permit, or submitted via a Sundry Form to the Oil and Gas Energy Department.

Remainder of section – No change.

**CHAPTER 29  
BUILDING REGULATIONS**

**ARTICLE III – Building Permits**

**Amend Sec. 29-3-20. Exemptions.**

A. – No change.

B. A building permit shall not be required for:

1. thru 3. – No change.

4. Oil and Gas Equipment (including, but not limited to, tanks, separators, combustion devices, LACT units, etc.) located on an Oil and Gas Facility as defined under Chapter 21, Article V of the Weld County Code.

Remainder of section – No change.

**BE IT FURTHER ORDAINED** by the Board that the Clerk to the Board be, and hereby is, directed to arrange for Municode to supplement the Weld County Code with the amendments contained herein, to coincide with chapters, articles, divisions, sections, and subsections as they currently exist within said Code; and to resolve any inconsistencies regarding capitalization, grammar, and numbering or placement of chapters, articles, divisions, sections, and subsections in said Code.

**BE IT FURTHER ORDAINED** by the Board, if any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is for any reason held or decided to be unconstitutional, such decision shall not affect the validity of the remaining portions hereof. The Board of County Commissioners hereby declares that it would have enacted this Ordinance in each and every section, subsection, paragraph, sentence, clause, and phrase thereof irrespective of the fact that any one or more sections, subsections, paragraphs, sentences, clauses, or phrases might be declared to be unconstitutional or invalid.

**BE IT FURTHER ORDAINED** by the Board that the Weld County Code provisions set forth herein, with the amendments as stated herein, shall be enforce beginning the date of First Reading of this Code Ordinance 2023-13 on July 26, 2023.

The above and foregoing Ordinance Number 2023-13 was, on motion duly made and seconded, adopted by the following vote on the 28th day of August, A.D., 2023.

BOARD OF COUNTY COMMISSIONERS  
WELD COUNTY, COLORADO

ATTEST: Arthur G. Meade  
Weld County Clerk to the Board

Mike Freeman  
Mike Freeman, Chair

BY: Janet M. Warwick  
Deputy Clerk to the Board

Perry L. Buck  
Perry L. Buck, Pro-Tem

APPROVED AS TO FORM:

[Signature]  
County Attorney



[Signature]  
Don K. James

[Signature]  
Kevin D. Ross

[Signature]  
Don Saine

Date of signature: 09/05/23

Publication: July 22, 2023

First Reading: July 26, 2023

Publication: July 30, 2023, in the Greeley Tribune

Second Reading: August 14, 2023

Publication: August 18, 2023, in the Greeley Tribune

Final Reading: August 28, 2023

Publication: September 1, 2023, in the Greeley Tribune

Effective: September 6, 2023