

**WELD COUNTY
CODE ORDINANCE 2015-21**

IN THE MATTER OF REPEALING AND REENACTING, WITH AMENDMENTS, CHAPTER 23 ZONING AND CHAPTER 24 SUBDIVISIONS, 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, 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of the County of Weld, State of Colorado, that certain existing Chapters of the Weld County Code be, and hereby are, repealed and re-enacted, with amendments, and the various Chapters are revised to read as follows.

**CHAPTER 23
ZONING**

Amend Sec. 23-1-90. Definitions.

For the purposes of this Chapter, certain terms or words used herein shall be interpreted as defined in this Section. The following specific words and phrases, when appearing in this Chapter in uppercase letters, shall have the meanings stated in this Section:

ACCESSORY BUILDING or USE through CAMPGROUND – No change.

CARGO CONTAINER: A receptacle with all of the following characteristics:

- a. Of a permanent character and accordingly strong enough to be suitable for repeated use, constructed of metal and being airtight and water-resistant.
- b. Specially designed to facilitate the carriage of goods, by one (1) or more modes of transport, one (1) of which shall be by vessels, without intermediate reloading.
- c. Fitted with devices permitting its ready handling, particularly its transfer from one (1) mode of transport to another.
- d. So designed to be easy to fill and empty.



- e. A railroad car of any type shall not be considered a CARGO CONTAINER.

Remainder of Section – No change.

Amend Sec. 23-2-160. Application requirements for site plan review.

Any person wanting to apply for a Site Plan Review shall arrange for a preapplication conference with the Department of Planning Services. The purpose of the application is to give the applicant an opportunity to demonstrate, through written and graphic information, how the proposal complies with the standards of this Chapter. The following supporting documents shall be submitted as a part of the application:

A. through L. – No change.

M. Statements describing that the LANDSCAPE requirements listed below have been met:

1. The lot shall adhere to the Maximum Lot Coverage requirements of the zone district in which it is located in, as shown in the Bulk Requirements in this Chapter, or Chapter 26 or 27, if applicable. Land shall not be deemed covered if it is used for growing grass, shrubs, trees, plants or flowers or if it is otherwise suitably LANDSCAPED.
2. That portion of a LOT in the zone district which abuts a public or private street right-of-way shall have a minimum ten-foot wide LANDSCAPE SETBACK, unless the LOT is governed by a more restrictive LANDSCAPE SETBACK contained in an overlay district, Chapter 26 of this Code or any other applicable County ordinance. The LANDSCAPE SETBACK is measured at a right angle from the existing or planned future right-of-way to any PARKING LOT, fencing, storage area or STRUCTURE. Sidewalks and driveways may pass through the required LANDSCAPE SETBACK.

Remainder of Section – No change.

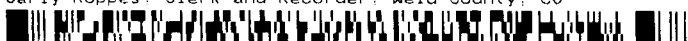
Amend Sec. 23-2-240. Design Standards.

- A. An applicant for a Use by Special Review shall demonstrate compliance with the following design standards in the application and shall continue to meet these standards if approved for DEVELOPMENT.

1 through 11 - No change.

12. The placement of signs on the site shall comply with the requirements of Article IV, Division 2 and Appendixes 23-C, 23-D, and 23-E of this Chapter, unless a waiver therefrom is requested in the application and granted by the Board of County Commissioners as part of the Use by Special Review Permit. Offsite signs shall not be permitted through the USR permit process.

Remainder of Section - No change.



CHAPTER 24 SUBDIVISIONS

Amend Sec. 24-8-30. Subdivision exemption.

A.1. through A.3. – No change.

4. For the non-permanent use of a parcel for public utility facilities.
5. For the non-permanent use of a parcel for oil and gas production facilities, oil and gas storage facility or oil and gas support and service facilities. Upon termination of the leasehold arrangement, the lot and access shall cease to exist.
6. For the non-permanent use of a parcel for Telecommunication Antenna Tower facilities.

Add 7. For the non-permanent use of a parcel for a mining operation.

BE IT FURTHER ORDAINED by the Board that the Clerk to the Board be, and hereby is, directed to arrange for Colorado Code Publishing 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.



The above and foregoing Ordinance Number 2015-21 was, on motion duly made and seconded, adopted by the following vote on the 9th day of November, A.D., 2015.

BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO

ATTEST: Esther G. Mesick

Weld County Clerk to the Board

BY: Rosalea A. Fortine
Deputy Clerk to the Board

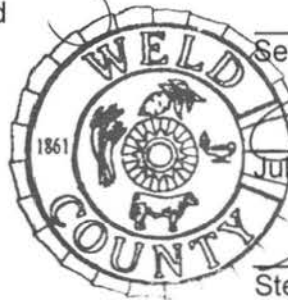
Barbara Kirkmeyer
Barbara Kirkmeyer/Chair

Mike Freeman
Mike Freeman, Pro-Tem

Sean P. Conway
Sean P. Conway

Julie A. Cozad
Julie A. Cozad

Steve Moreno
Steve Moreno



Publication: September 4, 2015

First Reading: September 28, 2015
Publication: October 7, 2015, in the Greeley Tribune

Second Reading: October 19, 2015
Publication: October 28, 2015, in the Greeley Tribune

Final Reading: November 9, 2015
Publication: November 18, 2015, in the Greeley Tribune

Effective: November 23, 2015

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*Final Reading
w/ Staff
Changes
11/9/15*

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ATTEST:

Weld County Clerk to the Board

BY: _____
Deputy Clerk to the Board

Barbara Kirkmeyer, Chair

Mike Freeman, Pro-Tem

Sean P. Conway

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