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GARFIELD COUNTY, COLORADO

Article 15: Definitions

ARTICLE 15 DEFINITIONS

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SECTION 15-101. ACRONYMS.

For the purposes of this Code, the following acronyms are defined as follows.

AAHE	Approved Affordable Housing Entity
AASHTO	American Association of State Highway and Transportation Officials
ADA	Americans with Disabilities Act
ADT	Average Daily Traffic
ADU	Accessory Dwelling Unit
AHU	Affordable Housing Unit
AMI	Area Median Income
ANSI	American National Standards Institute
APD	Application for Permit to Drill
ATV	All Terrain Vehicle
AWDP	Area Wide Development Plan
BFE	Base Flood Elevation
BOCC	Board of County Commissioners
CB	Commercial, Business
CCIOA	Colorado Common Interest Ownership Act
CCRs	Covenants, Conditions and Restrictions
CDOT	Colorado Department of Transportation
CDPHE	Colorado Department of Public Health and Environment
CG	Commercial, General
CL	Commercial, Limited
CLOMR	Conditional Letter of Map Revision
CPW	Colorado Parks and Wildlife
COGCC	Colorado Oil and Gas Conservation Commission
CPI-W	Consumer Price Index, Urban Wage Earners and Clerical Workers
CRS	Colorado Revised Statutes
CWCB	Colorado Water Conservation Board
db(A)	Decibel
dBA	A-Weighted Decibel
DNDP	Density Neutral Development Plan
EMF	Electromagnetic Field
EPA	Environmental Protection Agency
F	Fahrenheit
FAA	Federal Aviation Administration
FAR	Federal Aviation Regulations
FATO	Final Approach and Take-off Area
FCC	Federal Communications Commission
FEMA	Federal Emergency Management Agency
FHBM	Flood Hazard Boundary Map
FIRM	Flood Insurance Rate Map
GCHA	Garfield County Housing Authority
GPS	Global Positioning System
HOA	Homeowner's Association
HUD	U.S. Department of Housing and Urban Development
I	Industrial
IDDP	Increased Density Development Plan
IFC	International Fire Code
kW	Kilowatt

Ldn	Day Night Level
Leg(h)	Hourly Equivalent Noise Level
LOMR	Letter of Map Revision
LPG	Liquefied Petroleum Gas
MCL	Maximum Contaminant Level
MUTCD	Manual on Uniform Traffic Control Devices
NPDES	National Pollutant and Discharge Elimination System
NRCS	National Resource Conservation Service
OWTS	On-Site Wastewater Treatment System
OSHA	Occupational Safety and Health Administration
PA	Public Airport
PL	Public Lands
PSI	Pounds per Square Inch
PUD	Planned Unit Development
R	Rural
RL-E	Resource Lands, Escarpment
RL-GS	Resource Lands, Gentle Slope
RL-P	Resource Lands, Plateau
RL-T	Resource Lands, Talus
RLDE	Rural Land Development Exemption
RMHP	Residential, Manufactured Home Park
ROW	Right-of-Way
RPZ	Runway Protection Zone
RS	Residential, Suburban
RU	Residential, Urban
SFE	Single-Family Equivalent
SFHA	Special Flood Hazard Area
SPCC	Spill Prevention Counter Measure and Control Plan
TLOF	Touchdown and Lift-off Area
TOHWM	Typical and Ordinary High Water Mark
TPUD	Transportation Planned Unit Development
USACE	United States Army Corps of Engineers
USDA	United States Department of Agriculture
USDAAPHIS	United States Department of Agriculture Animal and Plant Health Inspection Services
USFWS	United States Fish and Wildlife Service

SECTION 15-102. DEFINITION OF WORDS AND PHRASES.

For the purposes of this Code, the following words and phrases are defined as follows:

Access Route. A way or means of approach to provide a safe, adequate, and usable physical entrance and exit to a property or use.

Accessory Building or Structure. See “Building, Accessory.”

Accessory Use. See “Use, Accessory.”

Adequate Water Supply. A water supply that will be sufficient for build-out of the proposed development in terms of quality, quantity, dependability, and availability to provide a supply of water for the type of development proposed, and may include reasonable conservation measures and water demand management measures to account for hydrologic variability.

Adjacent Property Owner. An owner of record of any estate, right, or interest in real property that is located within 200 feet of the subject parcel or only separated by a Federal, State or municipal right-of-way.

Adult Day Care. A facility, located in a place of residence, which provides less than 12-hour care for individuals 18 years old or older who are not related to the head of such home.

Aerobic Aeration Plant or Disposal Method. A small-scale sewage treatment system, with no connection to a central sewer system, that provides an aerobic bacterial environment in order to decompose or mineralize waste discharged into the chamber.

Affected land. The surface of an area within the County where a mining operation is being or will be conducted, which surface is disturbed as a result of such operation. Affected lands include but shall not be limited to private ways and roads, and railroad lines appurtenant to any such area; land excavations; prospecting sites; drill sites or workings; refuse banks or spoil piles; evaporation or settling ponds; leaching dumps; placer areas; tailings ponds or dumps; work, parking, storage or waste discharge areas; and areas in which structures, facilities, equipment, machines, tools or other materials or property which result from or are used in such operations are situated.

Affected Party. As it pertains to Article 14, any person with an interest in the outcome of the permit decision for the proposed project.

Agriculture. The use of land for production, cultivation, growing and harvesting of crops and plants; raising and breeding livestock, excluding commercial animal feed lot operations; harvesting, storage, grading, packaging, processing, and distribution of agricultural commodities; construction of internal roads, ponds, dams and ditches necessary to agricultural operations, excepting those regulated as Water Impoundment; dairying, aquaculture, horticulture, floriculture, viticulture, nursery, and animal and poultry husbandry; and the necessary Accessory Uses and Structures needed for harvesting, packing, treating, or storing, excluding forestry. Agriculture does not include the growing of marijuana for Medical Use, Personal Use, Caregiver, or Optional Premises Cultivation Operation (OPCO) purposes.

Agricultural Land. Any land used primarily for the production of crops or livestock, including irrigated meadows, irrigated and dry pasture, irrigation ditches, stock drive routes, lands used for barns, corrals, and storage of crops or agricultural products, but not including lands used primarily for the production of commercial timber.

Agricultural Products. Products grown or raised on a property intended for direct human or animal consumption or use, such as vegetables, fruits, dairy products, eggs, grains, meat, poultry, fish, honey, hay, bedding plants, and wool.

Agricultural Products Distribution. Any land used to receive, sort, and distribute agricultural products grown and processed on another property.

Agricultural Products Processing and Storage. The alteration of agricultural products brought to the site in its natural state including, but not limited to, cleaning, sorting, grading, packaging, milling, or storing of products which are intended for direct human or animal consumption or use.

Agricultural Products, Processing, Storage, Distribution, and Sale at Point of Production. Establishments performing a variety of operations on crops after harvest and livestock after slaughter, to prepare them for market or further processing and packaging or selling on site and off. At a minimum 20% of the product that is processed, stored, distributed, and/or sold must be produced onsite.

Agricultural Products, Processing, Storage, Distribution, and Sale Off-Site. Centralized establishments performing a variety of operations on crops after harvest and livestock after slaughter, to prepare them for market or further processing and packaging. These facilities accept products from off-site locations for processing, storage, and distribution.

Agritourism. An agriculturally based operation or activity at a working farm or ranch, conducted for the enjoyment, education, or active involvement of visitors that adds to economic viability of the agricultural operation. Agritourism activities are accessory to, and directly supportive of the agricultural use on the property and shall not have significant impacts on the agricultural viability or rural character of neighboring properties including noise impacts generated by the use. Agritourism uses shall operate between dawn and dusk and shall be limited to a maximum of 30 people visiting the property.

Aircraft Landing Strip, Private. A facility that accommodates use and servicing of private aircraft.

Airport. The strip of land used for taking off and landing aircraft, together with all adjacent land and facilities used in connection with the aircraft landing or taking off from the strip of land including, but not limited to, land and facilities used for existing Airport uses.

Airport Elevation. The highest point of an Airport's usable Runway, measured in feet above mean sea level.

Airport Hazard. Any structure, object of natural growth, or use of land that obstructs the airspace required for the flight of aircraft in landing or taking off at an airport, or is otherwise hazardous to such landing or taking off of aircraft.

Airport Imaginary Surfaces. Imaginary areas in space and on the ground that are established in relation to the Airport and its Runways. Imaginary areas are defined by the Primary Surface, Runway Protection Zone, Approach Surface, Horizontal Surface, Conical Surface, and Transitional Surface.

A. Approach Surface. A surface longitudinally centered on the extended Runway centerline and extending outward and upward from each end of the Primary Surface. Dimensions are defined by FAR Part 77. The Approach Surface is sometimes designated as the "Approach Zone."

B. Conical Surface. A surface extending outward and upward from the periphery of the Horizontal Surface at a Slope of 20 to 1 for a horizontal distance of 4,000 feet.

C. Horizontal Surface. A horizontal plane 150 feet above the established Airport elevation, the perimeter of which is constructed by swinging arcs of specified radii from the center of each end of the Primary Surface of each Runway of each Airport and connecting the adjacent arcs by lines tangent to those arcs. The radius of each arc is defined by FAR Part 77.

D. Primary Surface. A surface longitudinally centered on a Runway with dimensions as specified by FAR Part 77.

E. Runway Protection Zone (RPZ). An area off the Runway end used to enhance the protection of people and property on the ground. The RPZ is trapezoidal in shape and centered about the extended Runway centerline. The dimensions are specified in FAA Advisory Circular 150/5300-13.

F. Transitional Surface. Those surfaces that extend upward and outward at 90-degree angles to the runway centerline and the runway centerline extended at a Slope of 7 feet horizontally for each foot vertically from the sides of the Primary and Approach Surfaces to the point of intersection with the Horizontal and Conical Surfaces. Transitional Surfaces for those portions of the precision Approach Surfaces that project through and beyond the limits of the Conical Surface, extend a distance of 5,000 feet measured horizontally from the edge of the Approach Surface, and at a 90-degree angle to the extended Runway centerline.

Airport Master Plan. The Master Plan including an Airport Layout Plan as updated and approved by the FAA and BOCC.

Airport Noise Impact Boundary. Areas located within 1,500 feet of an Airport Runway or within established noise contour boundaries exceeding 55 Ldn.

Airport or Heliport Impact Areas.

A. Direct Impact Area. The area located within 5,000 feet of an Airport Runway or 2,000 feet of a Heliport, excluding lands within the Runway Protection Zone and Approach Surface. The Direct Impact Area is sometimes designated as the “Flight Pattern Area.”

B. Secondary Impact Area. The area located between 5,000 and 10,000 feet from an Airport Runway or between 2,000 and 4,000 from a Heliport.

Airport or Heliport Sponsor. The owner, manager, or other person or entity designated to represent the interests of an Airport/Heliport.

Airport Protection Surfaces. Imaginary Surfaces in an airport vicinity as established by FAR Part 77, “Objects Affecting Navigable Airspace,” U.S. Department of Transportation, FAA, January 1975, as amended, for the purpose of controlling heights of objects in an Airport vicinity, as codified under Subchapter E, “Airspace,” of Title 14 of the Code of Federal Regulations, incorporated herein by this reference (C.R.S. § 41-4-101, *et seq.*, as amended), or by other means accepted by the BOCC.

Airport Reference Code. A code comprised of the Aircraft Approach Category and the Airplane Design Group as defined in FAA Advisory Circular 150/5300-13A.

Airport Rules and Regulations. The rules, regulations, and minimum standards for aeronautical activities adopted by the BOCC, as the same may be amended or restated from time to time.

Air Strip, Ultralite. The strip of land used for taking off and landing of recreational aircraft constructed of lightweight materials such as aluminum, graphite composites, or high-strength plastics, having an engine of roughly 15 to 40 horsepower and often resembling a hang glider with motorized propeller.

Alley. A public right-of-way providing only secondary access to a property and not intended for general travel.

Ambient Noise. The total of all noise in a situation, independent of the projected noise from any new particular source or increase in existing sources of noise. Ambient noise includes both sustained background readings and existing fluctuations in noise levels.

Amended Final Plat. A recorded Plat correcting surveying or drafting errors, or reflecting other changes to an existing recorded Plat.

Anaerobic Septic Tank (Subsurface) or Disposal Method. A small-scale sewage treatment system, with no connection to a Central Sewer System, that uses an anaerobic bacterial environment in order to decompose or mineralize waste discharged into the tank.

Animal Processing. A USDA-inspected facility primarily engaged in slaughtering animals, preparing processed meats and meat byproducts, and/or rendering or refining animal fat, bones, and meat scraps. Excluded from this definition are custom meat processing and wild game processing facilities, as defined and permitted by the USDA and CDPHE.

Animal Sanctuary. An establishment for the harboring, keeping, care, and secure and humane containment of wild and/or domesticated animals. The facility may also provide education to the public regarding the care of all animals.

Applicant. A person or entity having fee ownership of the subject property and submitting a development application.

Approach Surface. See “Airport Imaginary Surfaces.”

Approved Affordable Housing Entity (AAHE). An entity other than the GCHA who administers the management of Deed Restrictions in the approved Affordable Housing Plan.

Appurtenances. The visible, functional, or ornamental objects accessory to and part of a building.

Area Around a Rapid or Mass Transit Facility. As it pertains to Article 14, an area immediately and directly affected by a Rapid or Mass Transit Facility as defined herein.

Area of Shallow Flooding. An area designated as Zone AO on the Flood Insurance Rate Map (FIRM) with a 1% chance or greater annual chance of flooding to an average depth of 1 to 3 feet; where a clearly-defined channel does not exist; where the path of flooding is unpredictable and indeterminate; and where velocity flow may be evident. Such flooding is characterized by ponding or sheetflow.

Arterial. See Highway, Arterial.

At-grade. On the same level as the established grade.

Auditorium. See “Community Meeting Facility.”

Average Daily Traffic (ADT). The average number of 1-way vehicular trips that are generated from a particular land use during a 24-hour period.

Bakery. A commercial establishment for the production of baked goods, primarily for sale to other commercial establishments.

Base Flood. A flood having a 1% chance of being equaled or exceeded in any given year. The term is used interchangeably with “intermediate regional flood,” “100-year flood,” and “1%-chance flood.”

Base Flood Elevation. The elevation shown on a FEMA Flood Insurance Rate Map for Zones AE, AH, A1-A30, AR, AR/A, AR/AE, AR/A1-A30, AR/AH, AR/AO, V1-V30, and VE that indicates the water surface elevation resulting from a flood that has a 1 percent chance of equaling or exceeding that level in any given year.

Basement. Any area of the building having its floor sub-grade (below ground level) on all sides.

Batch Plant. A facility for mixing concrete or asphalt.

Bed and Breakfast. See “Lodging Facilities.”

Brewery/Winery/Cidery/Distillery. A facility for brewing, packaging, and distribution of beer, mead, wine, cider, spirit and/or similar beverages.

Building. Any structure having a roof supported by columns or walls and intended for supporting, enclosing, sheltering, or protecting any use or occupancy. The term “building” shall include modular or prefabricated buildings that do not fall within the definition of Manufactured Home.

Building, Accessory. A subordinate building located on the same lot as the principal building, the use of which is incidental to the principal use. Unless otherwise specified in this Code, any Accessory Building is subject to the minimum requirements of the zoning district in which it is located.

Building Code. The Code adopted by the Board of County Commissioners that regulates construction and alteration of structures and equipment intended to protect the public health, safety, and welfare, as the same may be amended from time to time.

Building Envelope. The portion of a lot within which all structures are confined.

Building Footprint. The outline of the total area that is covered by a building’s perimeter at ground level.

Building or Structure Necessary to Agricultural Operations, Accessory. Accessory Buildings that are used to support agricultural operations. Examples include a barn, chicken coop, storage shed for agricultural equipment, and indoor riding arena.

Building Permit. A permit which is issued by the Building Official prior to the erection, construction, alteration, moving, relocation, or change of use of any building or structure.

Building Restriction Line. As it pertains to Article 14, a line that identifies suitable building area locations.

Bulk. The total volume of the structure, found by multiplying the square footage by the height.

Bulk Sales of LPG and CNG. Businesses that receive supplies from other sources and then store, distribute, and/or sell liquefied petroleum gas and/or compressed natural gas.

Cabin. A structure with no more than 1200 square feet of gross floor area including unfinished basements, for living, sleeping, eating or cooking; shall be occupied as a dwelling for no more than 6 months within any calendar year for personal use; not to be used for commercial purposes; One cabin is allowed per legally created lot so long as no other dwelling unit is on the lot. All structures should comply with adopted Building Code requirements excluding ANSI 119.5 rated park trailers. Appropriate septic and electrical permits are required. Recreational Vehicles are not permitted to be recreational cabins.

Campground/RV Park. A land parcel in single ownership that has been developed for occupancy by guest-owned tents and Recreational Vehicles (RVs) on a temporary basis for recreational purposes.

Camping Facility, Small. A facility that allows for up to four total tent pads and/or recreational vehicle spaces on a limited basis.

Cave. Any naturally occurring void, cavity, recess, or system of interconnected passages beneath the surface of the earth or within a cliff or ledge, including any cave resource therein, and which is large enough to permit a person to enter, whether the entrance is excavated or naturally formed. Such term shall include any natural pit, sinkhole, or other feature that is an extension of a cave entrance, or which is an integral part of the cave.

Cave resource. Any material or substance occurring in caves, including, but not limited to, biotic, mineralogic, paleontological, geologic, hydrologic, or cultural resources.

Central Sewer System. See “Sewage Treatment Facility.”

Central Water (Distribution) System. A public water system that serves more than 1 service connection used by year-round residents.

Cesspool. An underground reservoir for liquid waste.

Child Care Center. A facility licensed by the State department, by whatever name known, that is maintained for the whole or part of a day, but less than 24 hours, for the care of 5 or more children who are 18 years of age or younger and who are not related to the owner, operator, or manager thereof, whether the facility is operated with or without compensation for such care and with or without stated educational purposes. A childcare center may include, but is not limited to, facilities commonly known as day care centers, school- age child care centers, before and after school programs, nursery schools, kindergartens, preschools, day camps, summer camps, and includes those facilities for children under the age of six years with stated educational purposes operated in conjunction with a public, private, or parochial college or a private or parochial school. A Childcare Center includes childcare facilities in a residence where the residential area is totally separate from where childcare is provided, or childcare is otherwise provided outside of the home.

Church. See “Place of Worship.”

Colorado Medical Marijuana Code. C.R.S. § 12-43.3-101, *et seq.*, and any regulations promulgated thereunder.

Commercial Mineral Deposits. Oil, gas, gravel, and other natural deposits that may be extracted from a property for economic benefit.

Commercial Use. See “Use, Commercial.”

Community Meeting Facility. A facility for public gatherings including, but not limited to, recreation halls and auditoriums, and holding events such as weddings, wedding receptions, community meetings, and meetings and events sponsored by neighborhood groups, religious groups, philanthropic organizations, etc.

Compatibility. The characteristics of different uses or activities or design that allow them to be located near or adjacent to each other in harmony. Compatibility does not mean “the same as.” Rather, compatibility refers to the sensitivity of development proposals in maintaining the character of existing development.

Comprehensive Plan. The master land use plan adopted by the Planning Commission and certified to the BOCC pursuant to C.R.S. §§ 30-28-106 through 109 as the same may be amended from time to time.

Compressor, Booster. Typically consists of a single compressor unit located on an existing well pad and is generally skid mounted. Multiple well pads may require additional booster compressor units. Booster compressors are commonly used for artificial lift to add gas velocity.

Compressor/Pipeline Pump Station. An installation consisting of equipment utilized to increase pipeline pressures, and monitor operating conditions, and associated control equipment in order to move gas and/or liquids in pipelines.

Conditional Letter of Map Revision. FEMA's comment on a proposed project, which does not revise an effective Floodplain Map, that would, upon construction, affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory Floodplain.

Condominium. An individual air space unit together with the interest in the common elements appurtenant to such unit. Individual air space unit consists of any enclosed room or rooms occupying all or part of a floor or floors in a building of 1 or more floors to be used for residential, professional, commercial, or industrial purposes that has access to a public street.

Conical Surface. See “Airport Imaginary Surfaces.”

Conservation Easement. The right of the owner of a property to prohibit or require certain acts with respect to the use of the property in order to maintain the property in a manner that will preserve its value for, but not limited, agriculture, recreation, education, habitat, Open Space, or historical importance. A Conservation Easement is an interest in real property.

Construction, Existing. For Floodplain purposes, existing construction means that construction commenced before the effective date of the FIRM.

Contiguous. Sharing an edge or boundary; touching.

Contractor’s Yard, Large. The use of land for the purpose of storing machinery, equipment, and supplies for an individual business that may include office, maintenance, and repair facilities that provide services to clients through the use of the machinery, equipment, or supplies that is on a site greater than 5 acres. Site size shall be measured by drawing a box(es) around the perimeter of the Contractor’s Yard and calculating the resulting area.

Contractor's Yard, Small. The use of land for the purpose of storing machinery, equipment, and supplies for an individual business that may include office, maintenance, and repair facilities that provide services to clients through the use of the machinery, equipment, or supplies, that is on a site up to 5 acres in size. Site size shall be measured by drawing a box(es) around the perimeter of the Contractor's Yard and calculating the resulting area.

Convenience Store. Any retail establishment selling consumer products including primarily prepackaged or prepared food items and household items, and having a gross Floor Area of less than 5,000 square feet. A convenience store may also have associated retail sale of gasoline and other petroleum products and vehicle washing facilities.

Corrections Facility. A use that provides housing, treatment, or care for individuals legally confined or placed as a result of criminal charges, and designed to incarcerate or rehabilitate individuals in either a secured or non-secured setting.

Cost. The total monetary amount to be paid, including all amounts to be paid for land acquisition, capital improvements, construction, fixtures, equipment, labor, materials, operation, financing, debt service, planning, permitting, and similar purposes.

Critical Facility. As specified in section 3-301.H.2., a structure or related infrastructure, excluding the land on which it is situated, that if flooded may result in significant hazards to public health and safety or interrupt essential services and operations for the community at any time before, during and after a flood.

Dedication. The conveyance or setting aside of land to the BOCC or its designee.

Deed. A legal document conveying an interest in real property recorded in the real property records of the Garfield County Clerk and Recorder.

Density. A unit of measurement, specific to development, to be interpreted as the number of dwelling units per acre of land.

Designation. As it pertains to Article 14, that legal procedure specified by C.R.S. §§ 24-65.1-401, 402, and 406, for designating matters of State interest. It also includes the revocation and amendment of such designations.

Development. Any manmade change to improved or unimproved real estate including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations.

Development Area. As it pertains to Article 14, those geographic areas within the County that will be developed or altered directly by construction or operation of the project.

Development Permit. Any County land use permits or approvals of any kind, including Building Permits, Plat approvals, Grading Permits, or Land Use Change Permits; but specifically excluding Sign Permits.

Ditch Owner. Where used in these regulations, the term "ditch owner(s)" shall mean both individual owners of an unincorporated ditch and/or a ditch company as the owner of an incorporated ditch.

Direct Impact Area. See "Airport Imaginary Surfaces."

Discharging Ground Surface. The area where processed waste from a septic system is piped out so that it may infiltrate the ground.

Dwelling Unit. A building or a portion of a building used exclusively for residential occupancy, including Single-Unit Dwellings, Accessory Dwelling Units, Secondary Dwelling Units, 2-Unit dwellings, and Multi-Unit dwellings.

Dwelling Unit, 2-Unit. A single building consisting of 2 dwellings that does not include any combination of an Accessory or Secondary Dwelling Unit and/or a Single Unit Dwelling.

Dwelling Unit, Accessory. A dwelling unit, 1,200 square feet or less in floor area, considered accessory to a Single-Unit Dwelling for use as a complete independent living facility. The Accessory Dwelling Unit shall be located on the same lot and may be attached to or detached from the Single-Unit Dwelling.

Dwelling Unit, Attached. A residential building containing dwelling units, each of which has primary ground floor access to the outside and which are attached to each other by legally divided party walls without openings. The term is intended primarily for such fee simple title ownership of dwelling types as townhouses and duplexes.

Dwelling Unit, Detached. A single-unit dwelling that meets the Building Code.

Dwelling Unit, Multi-Unit. A dwelling containing 3 or more dwelling units, not including hotels, motels, fraternity and sorority houses, and similar group accommodations.

Dwelling Unit, Secondary. A dwelling unit, greater than 1,200 square feet in floor area, considered secondary to a Single-Unit Dwelling for use as a complete independent living facility. The Secondary Dwelling Unit shall be located on the same lot and may be attached to or detached from the Single-Unit Dwelling.

Dwelling Unit, Single Family or Single-Unit. A building or portion of a building designed exclusively for residential occupancy. A single structure with 1 or more rooms designed to function as a single living facility and containing kitchen facilities plus living, sanitary, and sleeping facilities.

Easement. A right granted by a property owner permitting a designated part or interest of the property to be used by others for a specific use or purpose.

Eating or Drinking Establishment. An establishment for the sale and consumption of food and beverages on the premises, or with drive-thru accommodations.

Educational Facility. Buildings and uses for instruction or research activities that has curriculum for technical or vocational training that may be, but is not limited to, kindergarten, elementary, secondary, or higher education, including residential facilities for faculty, staff, and students.

Electric Power Generation Facility, Large. A facility designed to generate electricity by the conversion of natural resources such as coal, natural gas, or water with generating capacity of 10 megawatts or more, and any appurtenant facilities thereto.

Electric Power Generation Facility, Small. A facility designed to generate electricity by the conversion of natural resources such as coal, natural gas, or water with generating capacity of less than 10 megawatts, and any appurtenant facilities thereto.

Emergency Care Facility. A health care facility providing primarily outpatient emergency care for the diagnosis and treatment of individuals.

Emergency Shelter. A facility providing intermediate-term housing to people with limited financial resources, including people who are homeless or are abused mentally, physically, or emotionally and need to escape a threatening situation. Accommodations may also include food, counseling, transportation services, and service to support the personal care of the residents of the facility, including medical care, dental care, and hygiene.

Enclosed Locked Space. A permanent or semi-permanent structure covered and surrounded on all sides (eg. walls, roof and doors) so that no plants are visible to the public or adjacent property that is secured at all points of ingress or egress with a locking mechanism designed to limit access such as with a key or combination lock.

Environment. As it pertains to Article 14, all natural physical and biological attributes and systems, including the atmosphere, climate, geology, soils, groundwater, surface water, Wetlands, vegetation, animal life, physical features, natural hazards, topography, and aesthetics.

Expansion to an Existing Manufactured Home Park or Subdivision. For Floodplain purposes, the preparation of additional sites by the construction of facilities for servicing the lots on which Manufactured Homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

Exploration. The act of searching for or investigating a construction materials deposit. "Exploration" includes, but is not limited to, sinking shafts, tunneling, drilling core and bore holes, and digging pits, cuts, or other works for the purpose of extracting samples prior to the commencement of development or extraction, and the building of roads, access ways, and other facilities related to such work. "Exploration" does not include:

- a. An activity that causes very little or no surface disturbance, such as airborne surveys and photographs, the use of instruments or devices that are hand-carried or otherwise transported over the surface to make magnetic, radioactive, or other tests and measurements, boundary or claim surveying, location work, or other work that causes no greater land disturbance than is caused by ordinary lawful use of the land by persons not involved in exploration activities; or
- b. Any single activity that results in the disturbance of a single block of land totaling one thousand six hundred square feet or less of the land's surface, not to exceed two such disturbances per acre; except that the cumulative total of such disturbances may not exceed five acres statewide in any exploration operation extending over twenty-four consecutive months.

Excavation. The removal of earth material by artificial means, also referred to as a "cut."

Extraction. To draw out or forth; hence to derive as if by drawing out; removal of physical matter in a solid or liquid state from its naturally occurring location; the initial step in utilization of a natural resource.

Federal Aviation Administration's Technical Representative. The Federal agency providing the FAA with expertise on wildlife and bird strike hazards as they relate to airports. This may include, but is not limited to, the USDAAPHIS-Wildlife Services.

Fabrication. To form by art and labor; to manufacture; change in the physical shape of matter; the final step in utilization of a natural resource. Examples include the manufacture of wholesale and retail goods from processed materials, wood, and metal working operations and the following:

- A.** Assembly of Structures. Process in which an item is put together from ready-made components or parts such as, but not limited to, roof trusses and other prefabricated building components.
- B.** Cabinet Making, Woodworking, Metalworking, Glazing, Machining, Welding. The fabrication of wood and metal products.
- C.** Equipment, Small Appliances. The fabrication of portable or semi-portable machines, generally on a platform, used to accomplish a household task.
- D.** Goods Processed From Natural Resources. Products made from natural resources such as wood and extracted minerals. Examples include metal, lumber, and mulch.
- E.** Vehicles, Machinery, and Heavy Equipment. A constructed machine used to transmit or modify the application of power, force, or motion. Examples include tractors, automobiles, dump trucks, and bailers.

Family Child Care Home. Pursuant to CRS 26-6-102(13) A facility for child care in a place of residence of a family or person for the purpose of providing less than 24-hour care for 12 or fewer children under the age of 18 years who are not related to the head of such home. A Family Child Care Home may include infant-toddler child care homes, large child care homes, experienced-provider child care homes, and such other types of Family Child Care Homes designated by rules of the State Department of Social Services pursuant to C.R.S. § 26-6-106(2)(p). A Family Child Care Home includes child care where the provider lives in the facility and child care takes place inside of that facility.

Feedlot, Commercial. A place of confinement of livestock for the primary purpose of providing for the ultimate sale of products from the animals or the animals themselves.

Fill. A deposit of earth material placed by artificial means.

Fish Farm. Exclusive of recreational fishing operations, a workplace where fish are hatched and raised for the purpose of harvesting and sale including, but not limited to, production for consumption and private stock.

Fixed Guideway. As it pertains to Article 14, a transportation facility consisting of a separate right-of-way or rail line for the exclusive use of rapid or mass transit vehicles.

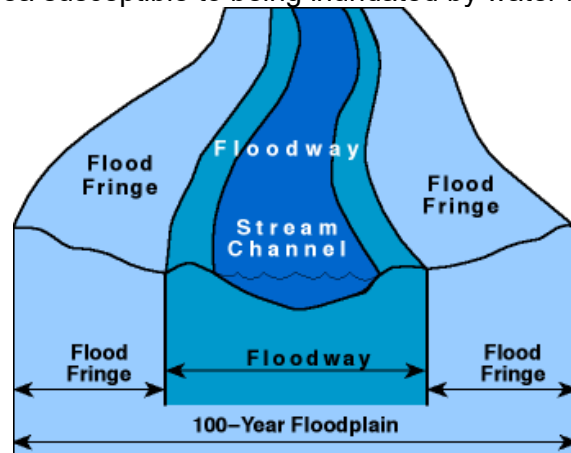
Flood Fringe. The area of the Floodplain shown on the flood maps that lies outside of the Floodway, in which the depth and velocity of the waters of the 100-year flood do not present as serious a threat to life and property as do the depth and velocity of the 100-year floodwaters in the Floodway. It is that area of the 100-Year Floodplain in which the use of Fill and floodproofing techniques may be allowed for development, without raising the water surface elevation of the 100-year flood by more than 1/2 foot.

Flood Insurance Rate Map. An official map of a community on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

Flood Insurance Study. The official report provided by FEMA that includes flood profiles, the Flood Insurance Rate Maps, and the water surface elevation of the Base Flood.

Flood or Flooding. A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters, and the unusual and rapid accumulation or runoff of surface waters from any source.

Floodplain. Any land area susceptible to being inundated by water from any source.



Floodplain Development. Under Floodplain regulations, any public or private construction or activity that changes the basic character or the topography of the land on which the construction or activity occurs including, but not limited to, any manmade change to improved or unimproved real estate, construction, or substantial improvement of buildings or other structures. Development includes mining, dredging, filling, grading, paving, excavation, or drilling operations; and all dams, reservoirs, walls, embankments, berms, levees, dikes, piles, abutments, projections, channel rectification, roads, bridges, culverts, excavations, and Fills.

Floodplain Encroachment. Any development, stockpile, refuse, or matter in, along, across, or projecting into any Floodplain that might impede, retard, or change the direction of a flow of water, either by itself or by catching or collecting debris carried by such water. The term "Floodplain Encroachment" shall not include any device or structure reasonably necessary for flood control or prevention.

Floodproofing. A combination of structural and nonstructural additions, changes, or adjustments to structures that reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents.

Floodway (Regulatory). The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the Base Flood without cumulatively increasing the water surface elevation more than a designated height.

Floor Area. The total habitable horizontal Floor Area of all floors in a building, measured from exterior wall to exterior wall, exclusive of unfinished basement, garage, storage area, and utility rooms.

Floor Area Ratio. This means the Floor Area of the building or buildings on a lot divided by the total lot area.

Functional Dependent Use. A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities and port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

Gas Transmission Line. Gas main or gas laterals used in the local distribution of natural gas service.

General Service Establishment. An establishment for services offered by a professional or tradesman, but that is not otherwise classified as a specific commercial or industrial use.

Geologic hazard. A geologic phenomenon which is adverse to past, current, or foreseeable construction or land and which constitutes a hazard to public health and safety or property if not avoided. The term includes but is not limited to:

- a. Avalanches, landslides, rock falls, mudflows, and unstable or potentially unstable slopes;
- b. Seismic effects;
- c. Radioactivity;
- d. Areas of ground subsidence; and
- e. Expansive rocks or soils.

Geothermal resource. The natural heat of the earth and includes:

- a. The energy that may be extracted from that natural heat;
- b. The material medium used to extract the energy from a geothermal resource; and
- c. Geothermal by-products.
- d. Source and recharge water for geothermal systems.

Golf Course/Driving Range. A recreational facility primarily used for the purpose of playing or practicing golf, but which may include associated eating and drinking areas, retail sales areas, and staff offices.

Grade, Finished. The final elevation of the ground surface after development.

Grade, Natural. The elevation of the ground surface in its natural state before manmade alterations.

Grading. Any excavating, filling, or combination thereof.

Gravel Operation. The mechanical removal without drilling or blasting and without other high impact technology, of loose rock material, including rock, clay, silt, sand, or gravel from its natural location for use in the production of non-metallic construction products. Gravel operations are typically located along existing riverbeds or alluvial deposits. Gravel operations are regulated pursuant to Article 3 and Article 7, section 7-1002 of this Code. The term gravel operation does not include a Mining Operation.

Group Home Facility. A facility operated by a public, nonprofit, or private agency that provides care or supervision of persons who are not related by blood, marriage, or adoption to the facility's owner, operator, or manager.

Greenhouse: A permanent structure made of plastic, glass or other transparent material that may utilize artificial light for the purpose of inducing plant growth, including but not limited to fruits, vegetables, flowers or cannabis in regulated temperatures, humidity and ventilation. Commercial wholesale Greenhouses (greenhouses that primarily sell plants/produce in typically larger

quantities to be retailed/sold by others) that utilize artificial light for growing between sunset and sunrise are subject Section 7-304.

Hazard. A significant natural or manmade phenomenon or condition that is a source of risk, danger, or peril resulting from natural phenomena or conditions.

- A. As it relates to Airport and Heliport operations, the term “hazard” shall include any structure, object of natural growth, or use of land that obstructs the airspace required for the flight of aircraft in landing or taking off at an Airport or Heliport or is otherwise hazardous to such landing or taking off of aircraft.
- B. As it relates to bird strike hazards, the term “Significant Hazard” means a level of increased flight activity by birds across an Approach Surface or Runway that is more than incidental or occasional, considering the existing ambient level of flight activity by birds in the vicinity.

Hazard Area. An area that contains or is directly affected by a geologic hazard, including but not limited to following types of areas.

- A. **Avalanche Area.** A mass of snow or ice and other material that may become incorporated therein as such mass moves rapidly down a Slope.
- B. **Landslide Area.** An area with demonstrably active mass movement or rock and soil where there is a distinct surface rupture or zone of weakness that separates the landslide material from more stable underlying material.
- C. **Mudflow Debris Area.** An area subject to rapid mud and debris movement or deposit occurring after mobilization by heavy rainfall or snowmelt runoff. Such areas are formed by successive episodes of deposition of mud and debris.
- D. **Radioactive Area.** An area subject to various types of radiation emission from radioactive minerals that occur in natural or manmade deposits of rock, soil, or water.
- E. **Potentially Unstable Soils.** An area of land identified as having soils that may cause damage to structures, such as buildings and roadways, as a result of over saturation or some other outside influence.

Hazard, Geologic. A geologic phenomenon that 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.

Hazardous Waste or Materials. Hazardous waste or hazardous materials as defined by the Colorado Department of Public Health and Environment, Hazardous Materials and Waste Management Division.

Height. The highest point of a structure or tree, plant, or other object of natural growth, measured from mean sea level.

Height, Building. The distance, measured vertically, from the average undisturbed or natural ground grade horizontal plane of a building footprint to the top of a flat roof or mansard roof or to the mid-point between the eave line and the peak of a gable, hip, shed, or similar pitched roof.

Heliport. Any designated area used for the landing and taking off of helicopters. The use may include all necessary passenger and cargo facilities, fueling, and emergency service facilities.

Helistop. As it pertains to Article 14, a minimally-developed Heliport for landing and discharging passengers or cargo not intended for refueling or maintaining itinerant helicopters.

Highest Adjacent Grade. The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Highway. As it pertains to Article 14, State and Federal highways and major County arterials.

Highway, Arterial. Any limited access highway that is part of the Federal-aid interstate system or any limited-access highway constructed under the supervision of the Colorado Department of Transportation.

Highway, Arterial. As it pertains to Article 14, a principal arterial road as defined in the Garfield County Road and Bridge Design and Construction Standards that has an Average Daily Traffic count of 5,000 or greater.

Highway, Collector. As it pertains to Article 14, an arterial road as defined in the Garfield County Road and Bridge Design and Construction Standards that has an Average Daily Traffic count of at least 2,500, but not more than 4,999.

Historic Structure or Building. Any structure that is:

- A. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- B. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- C. Individually listed on a State inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or
- D. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 1. By an approved State program as determined by the Secretary of the Interior or;
 2. Directly by the Secretary of the Interior in states without approved programs.

Home Office/Business. Any use for profitable or charitable purposes carried on as an Accessory Use within a dwelling unit or a building accessory to the dwelling unit that does not create the appearance or impact of a commercial activity.

Homeowner Association or Owners Association. The association set up to enforce the covenants and maintain all common areas and buildings for a development and any association established under Title 7 of the Colorado Revised Statutes.

Horizontal Surface. See “Airport Imaginary Surfaces.”

Hospital. An institution providing health services primarily, but not exclusively, for human inpatient medical or surgical care for sick or injured, including related facilities such as laboratories, outpatient departments, training and central services facilities, and staff offices.

Hotel. See “Lodging Facilities.”

Hydraulic Fracturing. The process of creating small cracks or fractures in the underground geological formations by using a controlled high pressure injection of fluid or proppant (usually sand) to allow oil or natural gas to flow into the wellbore and thereby increasing productivity of the well.

Hydraulic Fracturing, Remote Surface Location. A COGCC-approved surface location used for staging materials and equipment (including storage of water in open pits and tanks) to pump hydraulic fracturing fluid to 1 or more COGCC-approved well locations for the purpose of advancing the wellbore and increasing the productivity of the well through hydraulic fracturing as part of the well completion activity.

Illumination, Direct. Lighting by means of an unshielded light source that is effectively visible when the light travels directly from the source to the viewer’s eye.

Illumination, Indirect. Lighting by means of a light source directed at a reflecting surface in a way that illuminates the sign from the front or a light source that is primarily designed to illuminate without direct travel from the source to the viewer’s eye.

Impact. The direct or indirect effect or consequence resulting from a development upon land, the environment, the community, or any part or segment thereof. The term shall include, but not be limited to, physical, environmental, economic, visual, auditory, or social consequences or effects.

Impact Area (Project). As it pertains to Article 14, those geographic areas, including the development area, in which any impacts are likely to be caused by the project.

Impervious Area/Surface. Surfaces constructed of materials that are largely impenetrable to water or other liquids or of materials that have high run-off coefficients or curve numbers such as asphalt, concrete, brick, clay, compacted dirt, gravel and other site features such as roofs or structures (comparable to a Rational coefficient higher than 0.75).

Impound Yard. A facility that provides temporary (180 calendar days or less) outdoor storage for:

- Mechanically operable/drivable, licensed vehicles that are to be claimed by titleholders or their agents; and/or
- Wrecked motor vehicles awaiting insurance adjustments and transport to repair shops
- Stored vehicles that are involved in an active law enforcement investigation are not subject to time limitations

An impound yard may also have parking for tow trucks associated with the business and an associated office.

Industrial. Any development of natural resources, business or trade, commercial activity, processing, fabrication, alteration or manufacture of raw or semi-processed materials, manufactured goods, or any components thereof.

Industrial Use. See “Use, Industrial.”

Industrial Vehicles, Machinery and Heavy Equipment. The business of selling or leasing vehicles, machinery or heavy equipment used in industrial activities.

Injection Well. A well on a COGCC-approved well location that is used for pumping water or other fluids from the surface into a reservoir.

- A. Injection Well, Piped.** An Injection Well where fluids are transported to the well location solely by pipeline and that has no appurtenant and accessory on-pad tanks.
- B. Injection Well, Small.** An Injection Well with less than 5,000 barrels of appurtenant and accessory on-pad tanks.
- C. Injection Well, Large.** An Injection Well with 5,000 barrels or greater of appurtenant and accessory on-pad tanks.

Interchange. As it pertains to Article 14, the intersection of 2 or more highways, roads, or streets, at least 1 of which is an arterial highway where there is direct access to and from the arterial highway.

Irrigation Ditch. A naturally occurring or artificially constructed channel used to transport water in accordance with its decreed or conditional water right.

Junk. Any material unfit for its original intended use, discarded, worn out, dismantled, or deteriorated in such condition that it is not useable, safe, or fit for human use or habitation.

Karst. A landform developed in soluble rock types such as limestone or gypsum. Typical features and characteristics may include but are not limited to: few surface streams where most of the drainage is underground, sinking streams, dolines (sinkholes), resurgences, and caves.

Kennel, Large. A commercial establishment other than a pet shop or veterinary clinic, in which adult dogs or domesticated animals are housed, groomed, bred, boarded, or trained and have greater than 8 adult dogs and more than 2 litters of pups per any 1 calendar year. Dogs used as a part of an agricultural activity are exempted from the definition.

Kennel, Small. A commercial establishment other than a pet shop or veterinary clinic, in which adult dogs or domesticated animals are housed, groomed, bred, boarded, or trained and that have between 5 and 8 adult dogs with no more than 2 litters of pups per any 1 calendar year. Dogs used as a part of a legitimate agricultural activity are exempted from the definition.

Kitchen. A room or area that is designated to be used for cooking and preparation of food that contains standard kitchen appliances or fixtures.

Land Use Change. Any development, grading, construction, activity, or operation that changes the basic character, configuration, or use of land or structures after the enactment of this Code constitutes a change in land use.

Land Use Change Permit. Approval by the County for any land use or activity subject to County review by this Code.

Landing Strip. A minimally developed Airport for landing and discharging passengers or cargo not intended for refueling or maintaining itinerant aircraft.

Laundromat. A commercial establishment equipped with washing machines and dryers, usually coin-operated and self-service.

Laundry and Dry-Cleaning Plant, Commercial. A facility for cleaning or laundering of garments, fabrics, rugs, draperies, or other similar items on a commercial or bulk basis.

Ldn. Day Night Level. A 24-hour average noise level with a 10-decibel penalty for nighttime.

Letter of Map Revision. FEMA's official revision of an effective Flood Insurance Rate Map (FIRM), or Flood Boundary and Floodway Map (FBFM), or both. LOMRs are generally based on the implementation of physical measures that affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory Floodway, the effective Base Flood Elevations (BFEs), or the Special Flood Hazard Area (SFHA).

Letter of Map Revision, Based on Fill. FEMA's modification of the Special Flood Hazard Area (SFHA) shown on the Flood Insurance Rate Map (FIRM) based on the placement of Fill outside the existing regulatory Floodway.

Letter of Map Revision, Conditional. FEMA's comment on a proposed project, which does not revise an effective Floodplain Map, which would, upon construction, affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory Floodplain.

Leq(h). Hourly Equivalent Noise Level. The equivalent steady state noise level that contains the same amount of acoustic energy as the time varying sound level over a 1-hour period.

Licensing Authority, Local. The Garfield County Board of County Commissioners that shall be responsible for regulating and controlling the licensing of the cultivation of Medical Marijuana in unincorporated Garfield County.

Licensing Authority, State. The Colorado Department of Revenue, the authority created pursuant to the Colorado Medical Marijuana Code for the purpose of regulating and controlling the licensing of the cultivation, manufacture, distribution, and sale of medical marijuana in Colorado.

Line, Distribution. Any power line designed for or capable of the transmission of less than 69 kilovolts of electricity.

Line, Transmission. Any power line designed for or capable of the transmission of 69 kilovolts of electricity or greater and that emanates from an electrical power generation facility or electric substation and terminates at a substation.

Local. See "Road".

Lodging Facility. An accommodation for a temporary stay that includes, but is not limited to, a resort lodge, guest ranch, motel, hotel, boarding house, and bed and breakfast establishment.

Lodging Facilities exclude Short Term rentals, Temporary Employee Housing on premises, and contracted employee housing off premises.

Lot. Any legally created parcel of land including, but not limited to, lots on a legally recorded Plat.

Lot Area. The area of the horizontal plane within the lot lines of a lot.

Lot Coverage. The portion of a lot that is covered or occupied by buildings and structures. Lot coverage does not include areas such as driveways, parking, or walkways; nor does it include cantilever construction so long as the cantilever construction is at least 8 feet above the ground.

Lot Line. The external boundary of a lot.

Lot Line, Front. The boundary of a lot dividing it from the adjacent street right-of-way line, from which primary access to the property is gained.

Lot Line, Rear. The boundary of a lot opposite the Front Lot Line.

Lot Line, Side. Any boundary of a lot other than the Front or Rear Lot Line.

Lot Size. See "Lot Area."

Lot Slope. The gradient or configuration of the undisturbed land surface of a lot or building site that shall be established by measuring the maximum number of feet in elevation gained or lost over 40 feet or fraction thereof, measured horizontally in any direction between opposing lot lines. The relationship of elevation or vertical measurement is divided by the horizontal measurements to be expressed as a percentile.

Lowest Floor. The Lowest Floor of the lowest enclosed area (including basement). Any floor used for living purposes which includes working, storage, sleeping, cooking and eating, or recreation or any combination thereof. This includes any floor that could be converted to such a use such as a basement or crawl space. The Lowest Floor is a determinate for the flood insurance premium for a building, home or business. An unfinished or flood resistant enclosure, usable solely for parking or vehicles, building access or storage in an area other than a basement area is not considered a building's Lowest Floor; provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirement of Section 60.3 of the National Flood Insurance Program Regulations.

Marijuana, Caregiver. "Primary care-giver" means a person, other than the patient and the patient's physician, who is eighteen years of age or older and has significant responsibility for managing the well-being of a patient who has a debilitating medical condition. Colo. Const. Art. XVIII, Sec. 14 (f).

Marijuana, Medical Use. The acquisition, possession, production, use, or transportation of marijuana or paraphernalia related to the administration of such marijuana to address the symptoms or effects of a patient's debilitating medical condition, which may be authorized only after a diagnosis of the patient's debilitating medical condition by a physician or physicians, as provided by this section.

Marijuana, Personal Use. Notwithstanding any other provision of law, the following acts are not unlawful and shall not be an offense under Colorado law or the law of any locality within Colorado or be a basis for seizure or forfeiture of assets under Colorado law for persons twenty-one years of age or older:

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- A. Possessing, using, displaying, purchasing, or transporting marijuana accessories or one ounce or less of marijuana.
 - B. Possessing, growing, processing, or transporting no more than six marijuana plants, with three or fewer being mature, flowering plants, and possession of the marijuana produced by the plants on the premises where the plants were grown, provided that the growing takes place in an enclosed, locked space, is not conducted openly or publicly, and is not made available for sale.
 - C. Transfer of one ounce or less of marijuana without remuneration to a person who is twenty-one years of age or older.
 - D. Consumption of marijuana, provided that nothing in this section shall permit consumption that is conducted openly and publicly or in a manner that endangers others.
 - E. Assisting another person who is twenty-one years of age or older in any of the acts described in paragraphs (a) through (d) of this subsection.

Manufactured Home. A structure, transportable in 1 or more sections, which in the traveling mode is 8 body feet or more in width or 40 body feet or more in length, or, when erected on site, is 320 square feet or more, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning and electrical systems contained therein. Manufactured Home shall also include any structure that meets all the requirements of this definition except the size requirements, that complies with the standards established under by the International Residential Code, and for which the manufacturer voluntarily files a certification required by the HUD Secretary. For the purpose of this Code a Mobile Home shall be considered a Manufactured Home.

Manufactured Home Park. Any site or tract of land under single ownership upon which 3 or more Manufactured Homes, occupied or intended to be occupied, for single-family unit purposes. A Manufactured Home Park does not include the use of land for the display and sale of Manufactured Homes or for seasonal recreational use.

Manufactured Home Park or Subdivision, Existing. For Floodplain purposes, a Manufactured Home Park or Subdivision for which the construction of facilities for servicing the lots on which the Manufactured Homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads), is completed before the effective date of the Floodplain management regulations adopted by a community.

Manufactured Home Space. A portion of ground within a Manufactured Home Park designated for the permanent location of 1 Manufactured Home.

Mass Transit Facility. As it pertains to Article 14, a station or terminal constructed to provide and facilitate passenger access and egress to a rapid or mass transit system, fixed guideways, dedicated highway lanes restricted to use by only mass transit vehicles, restricted dedicated flyovers, and restricted dedicated access to terminals or stations, or highway access and egress facilities restricted to use only by mass transit vehicles.

Mass Transit System. A transportation system providing regular transportation to the general public over 1 or more transit modes including, but not limited to, bus and rapid transit, but not including charter, school bus, or sightseeing transportation.

Master Plan. See “Comprehensive Plan.”

Material Handling. To load and unload in bulk industrial or commercial goods, materials, and product. Material Handling excludes extraction, processing, fabrication, or storage of such goods, materials and products, and drill cuttings sites with a total volume of 100,000 cubic yards of fewer, used exclusively for activities associated with Oil and Gas Drilling and Production. Material Handling also excludes a transfer station for construction waste including wood, drywall, metals, paper, plastic and other types of constructions materials.

Medical Marijuana. Marijuana that is grown or sold pursuant to the Colorado Medical Marijuana Code, and for the purpose of assisting patients as authorized by Section 14 of Article XVIII of the Colorado Constitution.

Medical Marijuana Patient. A person who has a debilitating medical condition that was previously diagnosed by a physician and has properly obtained a registry card from the Colorado Department of Public Health and Environment prior to engaging in the use of Medical Marijuana as authorized by Section 14 of Article XVIII of the Colorado Constitution.

Mineral Estate. A mineral interest in real property that may be wholly or partially severed from the surface estate of the subject property and, if severed, is shown by the real estate records of the County consistent with C.R.S. § 24-65.5-102.

Mineral Waste Disposal Area. An area that the by-products of a mining operation are placed for permanent disposal and reclamation.

Mineral. An inanimate constituent of the earth, in solid, liquid, or gaseous state, which, when extracted from the earth, is usable in its natural form or is capable of conversion into usable form as a metal, a metallic compound, a chemical, an energy source, a raw material for manufacturing, or a construction material. "Mineral" does not include surface or groundwater subject to appropriation for domestic agricultural, or industrial purposes; or geothermal resources.

Mining Operation. The development or extraction of a mineral from its natural occurrences on affected land using blasting, drilling and/or high impact technology. The term includes, but is not limited to, open mining, in situ mining, surface operations, and underground mining. The term also includes the following operations on affected lands: transportation; concentrating; milling; evaporation; and other processing. The term does not include: the exploration, development and extraction of oil and gas; the extraction of geothermal resources; or gravel operations subject to regulation under Article 3 and Article 7, section 7-1002 of this Code. Mining Operations are regulated pursuant to Article 14 of this Code.

Mine unit. A component of a Mining Operation including but not limited to processing, leaching excavation, open pit, storage, stockpile or waste units.

Mineral resource area. An area designated on the official County Mineral Resource Area Map pursuant to Article 14 of this Code and in which minerals are located in sufficient concentration in veins, deposits bodies, beds, seams, fields, pools, or otherwise as to be capable of economic recovery. "Mineral resource area" includes but is not limited to an area in which there has been significant mining activity in the past, there is significant mining activity in the present, mining development is planned or in progress, or mineral rights are held by mineral patent or valid mining claim with the intention of mining.

Mitigation. As it pertains to Article 14, an action that will have 1 or more of the following effects:

- A. Avoiding an impact by not taking a certain action or parts of an action;

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- B. Minimizing impacts by limiting the degree or magnitude of the action or its implementation;
 - C. Rectifying the impact by repairing, rehabilitating, or restoring the impact area, facility, or service;
 - D. Reducing or eliminating the impact over time by preservation and maintenance operations; and/or
 - E. Compensating for the impact by replacing or providing suitable biological and physical conditions and by replacing or providing suitable services and facilities.

Mobile Home. See “Manufactured Home.”

Modification. Any change to an existing land use that alters the nature, character, intensity or extent of the use.

Motor Sports Center. A specifically-designated area, not intended for use only by a resident, devoted to recreational or competitive activities by motorized vehicles including, but not limited to, dirt bikes, ATVs, all classes of racing vehicles, motorcycles, and otherwise modified vehicles for the purpose of having a race course, derby area, specialized tracks, hazards, obstacles, ramps, or field appurtenances associated with such activities and inclusive of supporting facilities, viewing areas, shielding, and parking.

Natural Gas Distribution. Pipelines, structures, and appurtenant facilities used for the distribution of natural gas.

Natural Hazards. See “Hazards.”

Neighborhood. A geographical area having distinguishing characteristics or features; and/or a community of people sharing site-based commercial, cultural, or educational resources; and/or a community of people sharing access to an area and infrastructure; and/or an accumulation of residents who self-define affinity through an association or interest group that is place-based. The term “neighborhood” may define an area smaller or larger than what is encompassed in a Development.

Net Effect. As it pertains to Article 14, the impact of an action after mitigation.

New Construction. Means, for the purpose of determining flood insurance rates, structures for which the “Start of Construction” commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For Floodplain management purposes, “New Construction” means structures for which the “start of construction” commenced on or after the effective date of a Floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

Noise Abatement. A level of mitigation for noise impacts, typically defined as either a reduction of decibels of ambient noise received by a recipient, or a reduction in fluctuations of noise received by a recipient.

Noise Barrier. A solid physical structure constructed between the source of existing or anticipated noise and noise sensitive receivers, constructed of sufficiently dense materials that will achieve a readily perceptible noise reduction and noise abatement between the source of the noise and the targeted recipients of that noise.

Noise Impact Boundary. The areas within 1,500 feet of an Airport Runway or within established noise contour boundaries exceeding 55 Ldn.

Nonconforming Structure. A building or structure legally existing at the time of enactment of this Code or lawful amendments to this Code that does not conform to the regulations of the zone district in which it is situated.

Nonconforming Use. A use of land legally existing at the time of enactment of this Code or lawful amendments to this Code that does not conform to the regulations of the zone district in which it is situated or used.

Nondischarging Subsurface Disposal. A waste system where waste is placed in an underground area where it is treated and absorbed into the ground at 1 location.

Nursery: An establishment engaged principally in the cultivation of and sale of trees, shrubs, flowers, or other plants and where other directly related items, such as landscaping materials, are stored and sold. Nursery operations may include greenhouses.

Obstruction. As it pertains to an Airport or Heliport, any structure or tree, plant, or other object of natural growth that penetrates an Imaginary Surface.

Oil and Gas Drilling and Production. A COGCC-approved location utilizing equipment that advances a borehole into substrata for the purpose of discovery, development, and/or production of oil or gas, including all surface facilities associated with such operations. These facilities include produced water pits or tanks and condensate tanks with a total tank volume of 5,000 barrels or fewer, storage, separation, treating, dehydration, power supply, pumping, metering, monitoring, flowline, drill cuttings with a total volume of 100,000 cubic yards or fewer, and other equipment directly associated with oil and gas wells. These facilities exclude all uses that are otherwise specifically defined by this Code.

On-Site Wastewater Treatment System. A compartmentalized water treatment system associated with an approved OWTS permit, previously called an ISDS permit. This system is intended to treat, neutralize, stabilize, and dispose of sewage that is not part of or connected to a sewage treatment works.

Open Space. Any land or water area that serves specific uses of providing park and recreation opportunities, or conserving natural areas and environmental resources, or structuring urban development form, or protecting areas of agricultural, archeological or historical significance. Open Space shall not be considered synonymous with vacant or unused land or with a yard that is part of a platted lot.

Operator. An oil and gas leaseholder, or the person exercising the right to control the conduct of “oil and gas operations,” as that term is defined in C.R.S. § 34-60-103(6.5).

Optional Premises Cultivation Operation. A person who has been issued a Medical Marijuana Center and/or infused product manufacturing license pursuant to the Colorado Medical Marijuana Code, and who is licensed or seeking licensing to grow or cultivate Medical Marijuana at a premises for the purpose of supplying its associated licensed center or infused product manufacturer. Manufacturing of Marijuana-infused products and retail sales of Medical Marijuana are expressly prohibited in unincorporated Garfield County, including at an Optional Premises Cultivation Operation. The term “Optional Premises Cultivation Operation” does not apply to the private cultivation of Medical Marijuana by a registered patient or primary caregiver

who is growing an amount medically necessary to address a debilitating medical condition as set forth in Section 14(4) of Article XVIII of the Colorado Constitution.

Parcel. See “Lot.”

Park. Land retained in an open condition for recreational use.

Parking Lot or Parking Garage. A structure or a cleared area that is more or less level and is intended for parking vehicles. Usually, the term refers to a dedicated area that has been provided with a durable or semi-durable surface.

Peak Hour. A term used in traffic engineering and analysis quantifying that 60-minute period when a segment of road or intersection experiences, or is projected to experience, the highest traffic demand for through and turning movements in an average 24-hour period.

Permit. As it pertains to Article 14, a documented authorization for development in areas of State interest or for an activity of State interest.

Permit Authority. As it pertains to Article 14, the Board of County Commissioners or its designee.

Permitted Site. As it pertains to Temporary Employee Housing, a parcel of land, generally a portion of a lot, designated for a commercial, industrial, mineral extraction, or highway operation for which a Federal or State permit is issued. To meet the definition of Permitted Site, such permit must grant the approval of the appropriate State or Federal agency for the commercial, industrial, extraction, or highway activity(ies) and must require the provision of security for the reclamation (including revegetation) of the site.

Person. Any individual, corporation, governmental entity, estate, trust, partnership, association, or other legal entity.

Pipeline. Any conduit and appurtenant facilities designed for, or capable of, transporting natural gas, other petroleum derivatives, or other liquid. Pipelines regulated, licensed, or permitted under Federal regulations as interstate transmission lines, CDOT regulations as regulated transmission pipelines, or State regulations as flowlines, are excluded from this definition.

Place of Worship. A building or location where persons regularly assemble for religious worship, and which building or location is maintained and controlled by a religious body organized to sustain public worship. A Place of Worship use may include Accessory Buildings and uses such as a rectory, school, parish house, or parsonage.

Plat. A map with supporting statements of certain described land prepared in accordance with Subdivision regulations as an instrument for recording of real estate interests with the County Clerk and Recorder consistent with C.R.S. § 30-28-101(5).

Practical. Serving a logical and useful purpose as to dealing with natural constraints, costs, benefits, and timeliness.

Premises. As it pertains to the regulation of Medical Marijuana, a distinct and definite location that may include a building, a part of a building, a room, or any other definite contiguous area used exclusively for an Optional Premises Cultivation Operation.

Primary Surface. See “Imaginary Airport Surfaces.”

Principal Use. See “Use, Principal.”

Processing. To subject to some special process or treatment as in the course of manufacture; change in the physical state or chemical composition of matter; the second step in utilization of a natural resource. Examples include petroleum refining, oil shale crushing, retorting and refining, ore smelting, coal crushing and cleaning, saw mills, alfalfa pellet mills, food canning or packing, creation of glass, ceramic or plastic materials, gravel crushing, cement manufacture batch plants, refinery, and natural resource upgrade facility.

Project, Major. A project located in the County that will employ at any 1 time a total work force of 200 or more employees

Project or Proposed Project. The planning, design, construction, and operation of an activity or other development proposed under this Code throughout its life cycle, including all ancillary structures, facilities, improvements, and activities, and all integrated components thereof, and any proposed land use directly related to such project if such project is to be located wholly or partially within the County.

Professional Office. An office or clinic for the provision of professional services including, but not limited to, physicians, dentists, lawyers, realtors, architects, engineers, artists, musicians, designers, teachers, accountants, governmental services, and others, who through training are qualified to perform services of a professional nature.

Property. See “Lot.”

Public Building. Any activity that is primarily funded by a government or quasi-governmental agency, provides significant benefit to the public and the surrounding area, is not conducted for profit, and provides a commodity or service that could not be provided within a reasonable distance of the surrounding area. Examples include public Airports and related facilities, public hospitals and other emergency medical facilities, public meeting halls, public recreation facilities, schools, and major facilities of a public utility.

Public Gatherings. Any group of 350 or more persons assembled for an event, meeting, festival, social gathering, or other similar purpose for a period of time which exceeds 8 hours within any 24-hour period.

Public Hearing. A meeting called by a public body, for which public notice has been given in compliance with the provisions of this Code, and that is held in a place where the general public may attend, with the principal purpose of receiving testimony or public comment on a specific application or issue.

Public Improvement. Any drainage ditch, roadway, parkway, sidewalk, pedestrian way, landscaped Open Space, off-street parking area, lot improvement, or other similar facility that benefits the public.

Public Meeting. Any meeting open to the public that meets the requirements of C.R.S. § 24-6-401, *et seq.*

Public Services and Facilities. As it pertains to Article 14, those services and facilities provided by a political subdivision of the State or by a Federal agency.

Public Utility. A common carrier supplying electricity, wire telephone service, natural gas, water, wastewater or storm water service, or similar public services.

Pure Live Seed. The percentage of seed that has the potential to germinate within a measured 1 pound weight of any seed lot.

Rapid Transit. As it pertains to Article 14, the element of a mass transit system involving a mechanical conveyance on an exclusive lane or guideway, rail trackage, or monorail facility constructed solely for that purpose.

Reach. A term to describe longitudinal segments of a river, creek, or other watercourse.

Recreation, Indoor. A building in which recreational activities such as bowling, roller skating, or ice skating take place. Accessory offices, retail sales of equipment, and a restaurant/bar may occupy the building.

Recreation, Outdoor. An area or facility that offers entertainment, recreation, or games of skill, where any portion of the activity takes place outside and may include lighted areas for use after dusk.

Recreational Vehicle. A unit primarily designed as temporary living quarters for recreation, camping, or travel that either has its own mode of power or is mounted or drawn by another vehicle.

Recycling Collection Center. A center for the acceptance and temporary storage of either recyclable or organic materials to be transferred to a processing or composting facility.

Recycling Processing Facility. A facility where recyclable and organic materials are collected and processed. Processing includes, but is not limited to, baling, briquetting, compacting, flattening, crushing, mechanical sorting, shredding, and cleaning.

Regulations. As it pertains to Article 14, governing rules for areas and activities of State interest as set forth in this Article 14.

Repair. To restore to a good condition or working order after decay, injury, etc.; restoration of a damaged object to its original physical shape. Examples include automobile, equipment, and appliance repair.

Residential Subdivision. The division of land into two or more parcels for the purpose, whether immediate or future, of sale or of building development explicitly including, but not limited to, residential uses.

Retail, Equipment, Machinery, Building Materials. An establishment for the retailing, renting, or leasing of equipment, machinery and materials stored in an indoor or outdoor lumber yard.

Retail, General. An establishment for the retail sale of merchandise to the general public or the provision of personal services to the public that includes, but is not limited to, an antique shop, art gallery, grocery store, clothing and dry goods store, shoe store, sporting goods store, hardware and paint store, drugstore, florist, furniture store, gift shop, hobby store, office supply store, package liquor, pet store, resale store, electronics store, agricultural products retail outlet, and mechanical and plumbing supply store.

Retail, Vehicle and Equipment Sales. An establishment for the retail or leasing of vehicles and equipment which is registered with the State.

Riding Stables. A defined improved area that may or may not be covered, within which equestrian activities involving horse riding, day camps, therapy, training, practice, exhibition or driving occur.

Riparian/Riparian Areas. Related to, living, or located on the bank of a natural watercourse or lake. Riparian Areas include groups of plants, animals, and aquatic communities whose presence is either directly or indirectly attributed to water-influenced or water-related factors. Areas exempt from this definition are manmade agricultural structures and devices, including irrigation ditches, sprinklers, and artificial ponds.

Road. A County road, State highway, public road, street or alley, or private thoroughfare which affords primary access to abutting property, excluding a driveway accessing a single property.

Road, Private. A right-of-way constructed, established, owned, and maintained by a private party for access exclusively to private property.

Road, Public. A public right-of-way that either has an historic and established prescription for public passage and use, or a right-of-way that has been established by easement, deed, or plat and dedicated to the use of the public. This term is not synonymous with "County Road."

Road/Street Profiles. A drawing of an existing or proposed vertical section of a road, street, or alley that may include curb, gutter, and sidewalk. It may be a true or exaggerated profile, and may reflect either a centerline and/or both flow lines of a road, street, or alley.

Rubbish. Garbage and trash that causes or is likely to cause a public hazard or nuisance, or is unacceptably offensive in light of community standards of cleanliness or generally accepted neighborhood aesthetics, including, but not limited to, unwanted or discarded household items; waste from building construction, remodeling, and repair including used lumber and building materials; tree branches, grass and shrub clippings, leaves, or other general yard and garden waste; newspapers, magazines, packaging materials, waste paper, or cardboard, boxes, crates, and rags; dead animal carcasses; and any other unsightly or discarded material, including scrap metal, scrap material, bottles, and tin cans.

Runoff. Precipitation that enters downstream waterways or properties.

Runway Protection Zone. See "Airport Imaginary Surfaces."

Salvage Yard. A building, structure, or parcel of land used for the collecting, storage, dismantling, salvage, recycling, demolition, or sale of material that is discarded, worn out, dismantled, or unfit for its original intended use, or has deteriorated such that it is not useable, or not safe or fit for human use or habitation.

Secondary Impact Area (Airport). The area located between 5,000 and 10,000 feet from an Airport Runway or between 2,000 and 4,000 feet from a Heliport.

Service Area. As it pertains to Article 14, the primary geographic area to be served by the proposed project.

Service Road. As it pertains to Article 14, a street or road meeting County specifications running parallel to a County, State, or Federal highway used to provide ingress and egress to a development located adjacent to that highway.

Setback. The minimum horizontal distance between the front, rear, or side property line and/or edge of Public Road, County Road, or Arterial Highway surface or edge of Public Road, County Road or Arterial Highway right of way (e.g. easement), whichever is greater and the front, rear, or side of a structure.

Sewage. A combination of liquid wastes that may include chemicals, house wastes, human excreta, animal or vegetable matter in suspension or solution, or other solids in suspension or solution, and that is discharged from a dwelling, building, or other structure.

Sewage Treatment Facility. A system or facility for treating sewage prior to discharge to an absorption area, surface water, or other approved location, for which the system or facility has a design capacity to receive 2,000 gallons of sewage per day or greater, and is regulated by the CDPHE. The term "Sewage Treatment Facility" includes appurtenances such as interceptors, collection lines, outfall and other sewers, pumping stations, and related equipment.

Sheetflow. An overland flow or downslope movement of water taking the form of a thin film over smooth surfaces and not concentrated into pools or channels.

Shelter. As it pertains to Article 14, a building or structure designed primarily to provide a waiting area for transit passengers.

Shooting Gallery. An enclosed target range for practice or competition with firearms.

Short Term Rentals. A residential dwelling unit that is rented for a period of one (1) year or less including uses such as nightly, weekly, monthly or seasonal rental of homes, lock-outs, and portions of homes consisting of 2 or fewer independent lodging units whether managed by a lodging management agency or not.

Sign. Any written or pictorial representation, form, emblem, banner, figure, or similar character that is:

- A. A structure or part thereof;
- B. Written, printed, projected, painted, constructed, or otherwise placed or displayed upon or designed into a building canopy, awning, or vehicle;
- C. Designed to attract attention and used as a means of identification or advertisement; and
- D. Not the American flag.

Sign Area. The sum area of the surface of each plane, regardless of the shape, within the outermost edge or border of the plane of a sign. The computation of freestanding letters not attached to a surface or plane shall be made by determining the area enclosed within the smallest geometric figure needed to completely encompass all of the letters, words, insignias, or symbols.

Sign, Business. A sign that identifies and directs attention to the business, service or profession, or activities conducted.

Sign, Construction. A temporary sign identifying a Subdivision, development, or property improvement by builder, contractor, or other person furnishing materials, labor, or services to the premises.

Sign Face. The surface of a sign upon, against, or through which the message is displayed or illustrated.

Sign, Freestanding. A sign, not attached to a building, that is supported by 1 or more columns, uprights, or poles extended from the ground or from an object on the ground, or a sign that is erected on the ground.

Sign, Ground. A type of freestanding sign that is erected on the ground and that contains no unrestricted or open space between the ground and the top of the sign.

Sign, Identification. Signs that include name plates, signs, or symbols establishing the identity of a building; combination of name and street addresses; landmark or natural features; and plaques that are an integral part of the structure.

Sign, Ideological. A sign expressing philosophical concepts, including religious and political signs.

Sign, Joint Identification. A sign that serves a common or collective identification for 2 or more businesses or industrial uses.

Sign, Portable. Any sign not permanently attached to the ground or to any structure.

Sign, Projecting. A sign attached to a building and extending in whole or in part horizontally beyond the surface of the building to which the sign is attached.

Sign, Real Estate. A sign indicating the availability for sale, rent, or lease of a specific lot or building.

Sign, Roof. Any sign erected upon, against, or directly above a roof.

Sign, Suspended. A sign suspended from the ceiling of an arcade, marquee, or canopy.

Sign, Temporary. Any sign, banner, pennant, valance, or advertising display constructed of cloth, canvas, light fabric, cardboard, wallboard, or other light materials, with or without frames, intended to be displayed for a limited period of time only.

Sign, Wall. A sign displayed upon or against the wall of a building where the exposed face of the sign is in the plane parallel to the face of the wall.

Significantly Degrade. As it pertains to Article 14, to lower in grade or desirability to a significant, as opposed to a trifling, degree.

Single-Family Equivalent. Measurement used to compare water usage of various land uses; 1 Single-Family Equivalent equals 350 gallons of water per day, regardless of the type of use.

Site. See "Lot."

Site Selection, Airport or Heliport. As it pertains to Article 14, the process for determining the location of Airports or Heliports, or the substantial expansion or relocation of an existing Airport

or Heliport, by a recognized and bonafide agency or authority, the County, the State, or the Federal government or any subdivision of each.

Site Selection, Rapid or Mass Transit Facility. As it pertains to Article 14, the process for determining the location of Rapid or Mass Transit Facilities or the substantial expansion or relocation of an existing facility, by a recognized and bonafide mass transit agency or authority, the County, the State, or the Federal government, or any subdivision of each, or any private entity or person.

Site Specific Development Plan. The approved plan that has been submitted to the County to establish a vested right pursuant to C.R.S. Title 24, Part 1 of Article 68, as amended, and set forth in Article 1.

Slope. Rise versus run ratio for a specified distance.

Solar Energy System, Accessory. A device and/or system that has a combined name plate DC rating of less than 15 kilowatt and includes the equivalent kilowatt measurement of energy for systems other than photovoltaic that converts the sun's radiant energy into thermal, chemical, mechanical, or electric energy.

Solar Energy System, Large. A device and/or system that has a combined name plate DC rating of greater than 500 kilowatt and includes the equivalent kilowatt measurement of energy for systems other than photovoltaic that converts the sun's radiant energy into thermal, chemical, mechanical, or electric energy.

Solar Energy System, Small. A device and/or system that has a combined name plate DC rating of 15 kilowatt to 500 kilowatt and includes the equivalent kilowatt measurement of energy for systems other than photovoltaic that converts the sun's radiant energy into thermal, chemical, mechanical, or electrical energy.

Solid Waste. Any garbage, refuse, sludge from a waste treatment plant, water supply treatment plant, air pollution control facility, or other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from industrial operations, commercial operations, or community activities. Solid waste does not include any solid or dissolved materials in domestic sewage, agricultural wastes, solid, or dissolved materials in irrigation return flows, or industrial discharges that are point sources subject to permits under the provisions of the Colorado Water Quality Control Act, C.R.S., Title 25, Article 8, or materials handled at facilities licensed pursuant to the provisions on Radiation Control Act, C.R.S., Title 25, Article 11,. Solid waste does not include: (a) materials handled at facilities licensed pursuant to the provisions on radiation control in C.R.S., Title 25, Article 11; (b) excluded scrap metal that is being recycled; or (c) shredded circuit boards that are being recycled.

Solid Waste Disposal. The storage, treatment, utilization, processing, or final disposal of Solid Wastes.

Solid Waste Disposal Site and Facility. The location and/or facility at which the deposit and final treatment of solid wastes occur.

Solid Waste Transfer Facility. A facility at which wastes awaiting transportation to a Solid Waste Disposal Site and Facility are transferred from 1 collection vehicle to another.

Special District. Quasi-municipal corporation established under State statute to provide public facilities or services.

Special Flood Hazard Area. The land in the Floodplain within a community subject to a 1 percent or greater chance of flooding in any given year, i.e., the 100-year Floodplain.

Statement of Authority. An instrument executed on behalf of an entity that identifies the name and position of the person authorized to convey, encumber, or otherwise affect title to real property on behalf of the entity. The instrument must comply with the requirements set forth in C.R.S. § 38-30-172(2)(d), and it must be recorded with the County Clerk and Recorder. The County may accept other documentation identified in C.R.S. § 38-30-172 in lieu of a Statement of Authority.

Station or Terminal. As it pertains to Article 14, a facility constructed to provide and facilitate passenger access to and from airplanes or a rapid or mass transit system, including areas necessary for vehicle operations, parking areas for commuters, and roadways connecting to the general road and street system of Garfield County. Dedicated Park-and-Ride Facilities with 50 or more parking spaces shall be deemed stations or terminals for the purposes of this Code, with or without a shelter facility. Shelters alone, or as part of traditional bus stops and pull-outs lacking 50 dedicated spaces, are not considered stations or terminals for the purposes of this Code.

Start of Construction. Includes Substantial Improvement and means the date the Building Permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a Manufactured Home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of Accessory Buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a Substantial Improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, regardless if that alteration affects the external dimensions of the building.

Storage. An area used for storing machinery, equipment, minerals or other products that may have accessory uses such as an office used for administrative or security purposes. Storage may include a laydown yard as generally associated with oil and gas operations.

Storage, Cold Storage Plants. The storage of goods in an artificially cooled place for preservation.

Storage, Hazardous Materials. The act of storing hazardous waste that requires a special State or Federal permit.

Storage, Mini. Self-storage facilities composed of real estate with buildings divided into self-storage spaces that are rented to rental space tenants on a monthly basis for the purpose of storing tenant property only.

Street. See "Road".

Structure.

- A.** A combination of materials forming an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite

manner. A walled and roofed building, including a gas or liquid storage tank, which is principally above ground, as well as a Manufactured Home.

- B.** As it pertains to the Airport/Heliport Influence Area Overlay and Article 14, any constructed or erected object that requires location on the ground or is attached to something located on the ground. Structures include, but are not limited to, buildings, decks, fences, signs, towers, cranes, flagpoles, antennas, smokestacks, earth formations, and overhead transmission lines. Structures do not include paved areas.

Structure, Accessory. A subordinate structure such as a fence, hedge, or wall, located on the same lot as the principal structure, the use of which is incidental to the principal use.

Subdivider. Any person, firm, partnership, joint venture, association, or corporation participating as owner, promoter, developer, or sales agent in the planning, platting, development, promotion, sale, or lease of a Subdivision.

Subject Parcel. The property that is legally described in the County Clerk and Recorder's Office on which the project is located.

Subject Site. The specific area within the subject parcel that is subject to a land use change permit.

Substantial Damage. Damage of any origin sustained by a structure whereby the cost of restoring the structure to the condition before damage would equal or exceed 50% of the market value of the structure before the damage occurred.

Substantial Improvement. Any repair, reconstruction, or improvement of a building or other structure, the market value of which equals or exceeds 50% of the market value of the structure either before the improvement or repair is started, or if the structure has been damaged and is being restored, before the damage occurred. The term "Substantial Improvement" does not include: any improvement of a structure to comply with existing State or local health, sanitation, safety, or building code specifications that are solely necessary to assure safe living conditions; and any alteration of a structure listed on the National Register of Historic Places or on the Colorado State Historical Society's list of historic places.

Substantial Modification, Structural. A change that significantly alters the impacts and/or character of a structure, development, or activity.

Substantial Noise Reduction. A reduction in at least 5 dBA for the intended recipients of the Project and/or to reduce the fluctuation in sound for the recipients well below a 30 dBA fluctuation in ambient noise.

Substation, Neighborhood. Any facility used for the purpose of reducing voltages to levels of less than 69 kilovolts for distribution to individual users.

Substation, Utility. Any facility designed to provide switching, voltage transformation, or voltage control required for the transmission of electricity 69 kilovolts or greater.

Survey Monument. Iron, brass, or aluminum shaft a minimum of ½ inch in diameter with a 24-inch minimum length set in concrete at least 5 inches in diameter and located in the ground at all points on streets, alleys, or boundary lines where there is a change in direction or curvatures.

Tailings. Finely crushed and ground rock residue and associated fluid discharged from an ore milling, flotation beneficiation and concentrating process.

Telecommunication Facility. A noninhabitable structure supporting antennas and microwave dishes that sends and/or receives radio frequency signals, including television and data impulses through space by means of electromagnetic waves. Telecommunication Facilities include structures or towers, and Accessory Buildings. Individual/personal direct-to-home satellite services are not included in the definition of Telecommunication Facility.

Temporary Employee Housing Facility. During times of housing shortage or in remote locations, the use of Factory Built Nonresidential Structures (as defined under C.R.S. § 24-32-3301, as amended, and Resolution #35 of the Colorado State Housing Board) utilized for a period of time not longer than 1 year or as otherwise specified, for workers who are engaged in commercial, industrial, mineral extraction, or highway operations and who are needed to support the proper execution and safety of the related operations. Temporary Employee Housing, shall not include Recreational Vehicles, except in a Small Facility.

Temporary Housing Facilities, Major. Major Temporary Employee Housing Facilities, also referred to as “Major Facilities,” shall have at least 1 of the following basic characteristics:

Major Facilities or any associated infrastructure (including ISDS) that are not completely contained within a State or Federally-regulated parcel (such as a Colorado Oil and Gas Conservation Commission (COGCC)-approved oil/gas well pad) in which reclamation and revegetation standards are guaranteed by contract with the permitting agency;

- A. The Major Facilities are to be located at the Permitted Site for more than a cumulative of 1 year; or
- B. The Major Facility has occupancy of 25 people or more who are employees, contractors, or subcontractors of the operator of the Major Facility and are supporting proper execution and safety of the related commercial, industrial, extraction, or highway operations.

Temporary Housing Facilities, Minor. Minor Temporary Housing Facilities, also referred to as “Minor Facilities,” shall have all of the following basic characteristics:

- A. The Minor Facility and any associated infrastructure must be completely contained within a State or Federally-permitted parcel (i.e. COGCC-approved oil/gas well pad) in which reclamation and revegetation are secured with the permitting agency (Permitted Site);
- B. The Minor Facility is located at the Permitted Site for less than a cumulative of 1 year; and
- C. The Minor Facility shall have occupancy of 9 to 24 people who are employees, contractors, or subcontractors of the operator and are supporting the proper execution and safety of the related commercial, industrial, extraction, or highway operations.

Temporary Housing Facilities, Small. Small Temporary Housing Facilities, also referred to as “Small Facilities,” shall have all of the following basic characteristics:

- A. The Small Facility and any associated infrastructure must be completely contained within a State or Federally-permitted parcel (such as a COGCC-approved oil/gas

well pad) in which reclamation and revegetation are secured with the permitting agency (Permitted Site);

- B.** The Small Facility is located at the Permitted Site for less than a cumulative of 1 year and at the end of the utilization period, all structures, foundations, and associated infrastructure are completely removed; and
- C.** The Small Facility shall have an occupancy of 8 or fewer people who are employees, contractors, or subcontractors of the operator of the small facility and are needed for on-site safety of the related commercial, industrial, extraction, or highway operation.

Temporary Employee Housing Operator. The individual or entity that is the permittee under the State or Federal permit for the Permitted Site and is, therefore, legally responsible for installation, hook-up, operation, and removal of Factory Built Nonresidential Structures (as defined under C.R.S. § 24-32-3301 and Resolution No. 35 of the Colorado State Housing Board) and/or Recreational Vehicles and all associated infrastructure used in a Small, Minor, or Major Temporary Employee Housing Facility.

Theatre, Indoor. The whole or part of a building used for housing dramatic presentations, stage entertainments, or motion-picture shows.

Townhome. See “Dwelling, Multi-Unit.”

Tract. See “Lot.”

Trail. A linear pathway across land used for recreational, transportation, and pedestrian purposes.

Transfer Station. A facility for the temporary deposit of waste. Transfer stations are often used as places where local waste collection vehicles will deposit their waste cargo prior to loading into larger vehicles. These larger vehicles will transport the waste to the end point of disposal or treatment.

Transient Aircraft. Fixed or rotary-wing aircraft that use an Airport or Heliport landing strip or Helistop, but do not use it as a home base.

Transitional Surface. See “Airport Imaginary Surfaces.”

Transitional Housing. See “Group Home Facility.”

Transportation Corridor. As it pertains to Article 14, any County or municipal street or road, any State or Federal highway, and any railroad operating as a common carrier.

Trip Generation. The measurement of vehicle usage to and from a destination created by a specific land use.

Typical and Ordinary High Water Mark. The point on the bank or shore of a Waterbody up to which the presence and action of the water is so continuous as to leave a distinct mark either by erosion, destruction of terrestrial vegetation, or other easily recognized characteristic. Water marks are often at various elevations, but the most permanent and prevalent marks constitute the TOHWM. The TOHWM does not change with temporary fluctuations in water levels, nor is it always at or near open water, as is the case with cattail marshes, bogs, and Wetlands. In the event that a waterbody holds water for 10 or more months per year and does not display notable signs of a TOHWM, the TOHWM shall be measured from the center of the waterbody course.

Unsafe Structure. A structure or building that, in the determination of the Director or Building Official, is:

A. In a condition presenting a substantial danger or hazard to public health, safety, or welfare; and/or

B. Is a dilapidated building which is unused by the owner or uninhabited because of deterioration or decay, and constitutes a fire hazard or subjects adjoining properties to a danger of damage by storm, soil erosion, or rodent infestation, or is a place frequented by trespassers and transients seeking a temporary shelter or hideout.

Unstable or potentially unstable slope. An area susceptible to a landslide, a mudflow, a rock fall, or accelerated creep of slope-forming materials.

Urban Growth Area. A boundary line portrayed on a map and drawn around a municipality within which the municipality expects to accommodate future urban growth, as certified to the County by the governing body of the municipality. It is expected that land within Urban Growth Areas will be developed in an urban pattern, urban services will be provided by the municipalities, and the area will eventually be annexed, based upon a maximum 20-year growth period.

Use. The purpose or activity for which a parcel of land, a building, or structure is designed, arranged, or intended, or for which it is occupied or maintained.

Use, Accessory. A use that is customarily supportive, secondary, and subordinate to a principal use on the same parcel.

Use, Commercial. Any use or activity primarily devoted to business, such as the purchase, sale, lease or exchange of goods, and/or the provision of services.

Use, Industrial. Uses engaged in processing or manufacturing of materials from either extracted or raw materials or from previously prepared materials resulting in a new product designed for wholesale or retail sale.

Use, Principal. The primary purpose or function for which a parcel or structure is used, which may include multiple uses.

Utility Distribution Facility. Any gas or electric line other than gas gathering, transmission lines, or electrical transmission lines as defined herein (utilized for the local distribution of gas or electric service), telephone or telegraph line, cable television line, water line, sewer line, or neighborhood substations.

Utility Storage Area. See "Storage."

Vehicle Repair, Body/Paint, or Upholstery Shop. See "Repair."

Vehicle Safety Area, Large. An area outside of the public right-of-way greater than 4 acres in size utilized for vehicle preparation in the event of inclement weather. The area may be used for the application of snow-chains/mud-chains, equipment inspections, and other vehicle safety related activities.

Vehicle Safety Area, Small. An area outside of the public right-of-way 4 acres or less in size utilized for vehicle preparation in the event of inclement weather. The area may be used for the

application of snow-chains/mud-chains, equipment inspections, and other vehicle safety related activities.

Warehouse and Distribution Center. A building used primarily for the inside storage and distribution of goods and materials, including land and buildings used as a relay station for the transfer of goods from 1 vehicle or party to another; and the parking and storage of tractor and/or other trailer units.

Water Impoundment. Confined water such as surface pits or ponds, wastewater treatment settling ponds, surface mining ponds, detention and retention ponds, artificial lakes and ponds (not related to agriculture), and produced water and condensate tanks. Water impoundment excludes tanks with a total tank volume of 5,000 barrels or fewer used exclusively for activities associated with Oil and Gas Drilling and Production, and Injection Wells.

Water Reservoir. A natural or artificial place where water is collected and stored for use, especially water for supplying a community, irrigating land, and furnishing power.

Water Supply Entity. A municipality, county, special district, water conservancy district, water conservation district, water authority, or other public or private water supply company that supplies, distributes, or otherwise provides water at retail, as provided in C.R.S. § 29-20-302(2).

Water Tank or Treatment Facility. A facility exceeding 50,000 gallons or more for purifying, supplying, and holding water related to supply drinking water or raw water irrigation.

Waterbody. Accumulations of water such as water reservoirs, lakes, ponds, and Wetlands, as well as rivers, streams, and other geological features where water moves from one place to another at least 10 months per year. "Waterbody" does not include irrigation ditches used for the sole purpose of agriculture, and water impoundments, water features used for fire protection, or other man-made ponds, fountains, or related constructions.

Waters of the State. Waters within the State of Colorado that are subject to various regulatory programs and other State laws.

Weeds and Brush. Any underbrush, brush, shrub, or plant material greater than 12 inches in height that ordinarily grows without cultivation, not in planting beds or otherwise in a controlled manner, and not for the purpose of food production.

Wetland. An ecosystem that depends on constant or recurrent, shallow inundation, or saturation at or near the surface of the substrate. The minimum essential characteristics of a Wetland are recurrent, sustained inundation or saturation at or near the surface, and the presence of physical, chemical, and biological features reflective of recurrent, sustained inundation or saturation. Common diagnostic features of Wetlands are hydric soils and hydrophytic vegetation. These features will be present except where specific physicochemical, biotic, or anthropogenic factors have removed them or prevented their development.

Wildfire Hazards Map. The official map of wildfire hazards in Garfield County adopted by the BOCC.

Wildlife Habitat. That natural or manmade environment that contains the elements of food, shelter, water, and space in a combination and quantity necessary for the survival of 1 or more wildlife species.

Wildfire hazard means. A wildfire phenomenon which is adverse to past, current, or foreseeable construction or land use constituting a significant hazard to public health and safety or to property. The term includes but is not limited to:

- a. Slope aspect;
- b. Wildfire behavior characteristics; and
- c. Existing vegetation type.

Wind Energy System. Equipment that converts and then stores or transfers energy from the wind into usable forms of energy.

Wind Energy System, Commercial. A wind energy system that is operated primarily (51% or more) to put energy into the electric grid, has a nameplate capacity of more than 100 kilowatts, a total height of more than 175 feet, and/or a blade length of more than 30 feet.

Wind Energy System, Small. A wind energy system that is used to generate electricity; has a nameplate capacity of 100 kilowatts or less; and/or has a total height of 175 feet or less.

Yard. The area between a property line and the required setback.

Zone District. A geographical area that allows certain permitted uses and can separate one set of land uses from another.