

**500. SUPPLEMENTARY DEVELOPMENT STANDARDS AND REGULATIONS**

**501. Manufactured and Mobile Home Standards**

(Amended in its entirety by Ordinance No. 529 on August 6, 2009; amended by Ordinance No. 607 on July 6, 2017; amended by Ordinance No. 609 on October 5, 2017.)

**501.1. Manufactured Homes on Individual Legal Platted Lots or Parcels**

**501.1.1.** Manufactured Homes placed on individual platted lots must conform to the requirements of the Municipal Code of the Town of Limon, Chapter 515-Manufactured Home Installation Code, as amended and Colorado Revised Statutes Title 24, Article 32, Part 31, as amended.

**501.2. Mobile Home Parks**

**501.2.1. Exceptions**

**501.2.1.1.** Existing Mobile Home Parks. Whenever a mobile home park was in existence in the Town of Limon on the effective date of the adoption of this code and such mobile home park complied with all applicable codes then in effect, the mobile home park shall be legally nonconforming in terms of these development standards.

**501.2.2 Required Data for Application**

**501.2.2.1.** Name and permanent address of the applicant.

**501.2.2.2.** Location and legal description of the proposed Mobile Home Park.

**501.2.2.3.** Topographic map of the proposed park showing entrances, exits, driveways, walkways, and the design and arrangement of the mobile home spaces and permanent structures.

**501.2.2.4.** Plans and specifications of the proposed buildings.

**501.2.2.5.** Additional information may be required by the Building Department of the Town of Limon.

**501.2.3. Development Standards**

**501.2.3.1.** All mobile home parks shall conform to the Sanitary Standards and Regulations for mobile home parks, state department of health, as amended.

**501.2.3.2.** The Building Department may aid the decisions on design by criteria set forth in Municipal Code of the Town of Limon, Chapter 515-Manufactured Home Installation Code, as amended and Colorado Revised Statutes Title 24, Article 32, Part 31, as amended.

**501.2.4. Area Requirements**

**501.2.4.1.** The mobile park shall be located on a well-drained site, graded for rapid drainage and free from stagnant pools of water.

**501.2.4.2.** Each mobile home shall be contained within a space or lot as specified in the zone district regulations.

**501.2.4.3.** Within each space or lot allocated to a mobile home there shall be provided a mobile home stand for the purposes of satisfactory placement of the mobile home and retention of the mobile home in the allocated space and have a satisfactory relationship to its surroundings.

**501.2.4.4.** Mobile home stands shall have minimum dimensions equal to those of the mobile home to be placed on them.

**501.2.4.5.** The space between the lower edge of the mobile home unit and the mobile home stand shall be completely enclosed (skirted) with suitable and uniform material.

**501.2.5. Parking**

**501.2.5.1.** If paved streets are not at least forty (40) feet in width there shall be no parking allowed on the street and there shall be at least two and one-half (2½) off-street parking spaces provided for each mobile home unit within the park. Of these, one-half (½) space per unit may be provided for guests in a common parking area.

**501.2.5.2.** All parking surfaces shall be graveled or hard-surfaced.

**501.2.6. Streets and Access**

**501.2.6.1.** The mobile home park shall have access to a public street or highway.

**501.2.6.2.** All mobile home spaces shall have unobstructed access to a public street or highway or private roadway.

**501.2.6.3.** Paved streets at least twenty-two (22) feet in width shall extend from the existing street system as necessary to provide convenient access to

each mobile home space and to common facilities and uses.

**501.2.6.3.1.** Private streets shall not be permitted in a R-MH district.

**501.2.6.3.2.** Paved Streets less than forty (40) feet in width shall not allow on street parking.

**501.2.6.4.** All roads or streets, whether public or private, shall be hard-surfaced and constructed to Town specifications.

**501.2.6.5.** Convenient driveway access shall be provided from the public street to each mobile home stand by an access way at least fifteen (15) feet in width. Such access way shall be reserved for maneuvering mobile homes into position and shall be kept free of trees and other immovable objects, but need not be paved.

**501.2.7. Pedestrian Access**

**501.2.7.1.** Pedestrian walkways, at least three (3) feet in width and having an all-weather surface, shall be provided for access to each mobile home from a paved street or driveway or parking area connected to a public street.

**501.2.7.2.** Common walkways at least four (4) feet in width and having a concrete surface, meeting the Town of Limon specifications, shall be provided for access to common facilities and uses from each mobile home group or cluster.

**501.2.8. Utilities**

**501.2.8.1. Gas/Electricity**

**501.2.8.1.1.** Each mobile home space shall be provided with an electrical outlet supplying at least 110 volts and shall comply with the appropriate codes required by the Municipal Code of the Town of Limon, Chapter 515 – Building Codes, as amended.

**501.2.8.1.2.** Each mobile home shall be provided with natural gas service pursuant to the appropriate codes required by the Municipal Code of the Town of Limon, Chapter 515 – Building Codes, as amended.

**501.2.8.2. Water Supply**

**501.2.8.2.1.** All Mobile Home Parks shall have all spaces or stands connected to the public water supply of the Town of Limon.

**501.2.8.2.2.** The water distribution system shall be so constructed that each individual lot is

independently metered and can be isolated to make repairs on service lines. Should the water system be upgraded by the owner or improvements be required by regulations to the extent of fifty percent (50%) or more of the value of the water system, this section shall be applicable without the exception as provided in Section **501.2.1.1.**

**501.2.8.2.3.** Water service lines, including valves, riser pipes and connections shall be installed in compliance with the Plumbing Code required by the State of Colorado and the Municipal Code of the Town of Limon, Chapter 513 as amended. Every mobile home lot shall be provided with an individual water service pipe and riser pipe in conformance with the Plumbing Code required by the State of Colorado and the Municipal Code of the Town of Limon, Chapter 513 as amended. The riser pipe shall extend at least four (4) inches vertically above ground unless it is shielded by a riser protector and casement extending above ground and fitted with a lid. The riser shall terminate with two threaded valve outlets, which provide connections for the mobile home water piping and for a garden hose. The mobile home water outlet shall be securely capped when a mobile home does not occupy the lot.

**501.2.9. Sanitary Waste Disposal**

**501.2.9.1.** All Mobile Home Parks must have all spaces or stands connected to the sanitary sewer system serving the Town of Limon pursuant to all current regulations of the state of Colorado, Lincoln County and the Town of Limon.

**501.2.9.2.** The sewer service connection shall be equipped with standard screw, ring, or clamp-type fittings or adapters so that watertight, and tamper-proof connections can be obtained at the mobile home drain outlet and sewer riser pipe.

**501.2.9.3.** The connection shall be of approved semi-rigid, non-collapsible, corrosion-resistant pipe having a smooth interior surface and an inside diameter of not less than three (3) inches.

**501.2.9.4.** The sewer service connection shall be installed and maintained with a uniform grade not less than one-quarter inch per foot and shall be no longer than necessary to connect the mobile home drain and sewer riser pipe.

**501.2.9.5.** When a mobile home does not occupy the mobile home stand, the sewer riser pipe shall be capped with a watertight cap or plug.

**501.2.10. Refuse Disposal**

**501.2.10.1** The storage, collection, and disposal of refuse shall be so constructed as to control odors, insects, rodents, and other nuisance conditions.

**501.2.10.2.** Refuse containers will comply with Town Dump Regulations, Section **550.2.10.1.** of the Town of Limon Municipal Code. In circumstances the Mobile Home Park elects to provide individual containers at each unit the container will be a minimum of 30-gallon (4 cu. ft.) capacity and will also be compatible with the Town’s refuse disposal equipment. Should the mobile home park elect to provide central collection areas, such containers will be comparably sized and located within 350 feet from any mobile home space.

**501.2.10.3.** The number of containers used and the frequency of collection shall be sufficient to prevent over-filled containers. Refuse shall be routinely collected and removed from the premises not less than once weekly.

**501.2.10.4.** Pursuant to Town Dump Regulations, Section 550.2.15.2 of the Municipal Code of the Town of Limon, Garbage and trash collection stations shall be screened from other activities by visual barriers such as fences, walls, or natural growth, approved by the Town of Limon

**501.2.10.5.** The requirements of Section **501.2.10.4.** shall be no longer be eligible for the exemption provided in Section **501.2.1.1.** one (1) year from the adoption of Ordinance No. 529 and shall be deemed in violation of this section of the Land Development Code.

**501.2.11. Service Lines**

**501.2.11.1.** All utility service lines, including all telephone lines and television signal cables, within the mobile home park, shall be installed underground.

**501.2.12. Setback Requirements**

**501.2.12.1.** The minimum distance from the line or corner of any mobile home stand to street pavement, common parking bay or common walk shall be ten (10) feet.

**501.2.12.2.** The minimum distance from the line or corner of any mobile home stand to a boundary line of the R-MH Mobile Home Park zone district shall be twenty (20) feet.

**501.2.12.3.** The minimum distance from the line or corner of any mobile home stand to any permanent building or structure for common use shall be twenty (20) feet.

**501.2.12.4.** Permanent buildings and structures for common facilities and dwelling units other than mobile homes shall be set back from the Mobile Home Park boundaries a minimum distance of twenty (20) feet.

**501.2.12.5.** The minimum distance from the parking area on the lot to the side yard lot line shall be ten (10) feet.

**501.2.13. Common Facilities and Uses**

**501.2.13.1.** Not less than twenty (20) percent of the total land area of the Mobile Home Park shall be devoted to space for common facilities and uses, such as a laundry, swimming pool, or recreation and play areas.

**501.2.13.2.** Laundry, recreation rooms, management offices and other common facilities may be consolidated in a single building if the single location will adequately service all mobile home units in a Mobile Home Park.

**501.2.14. Storage**

**501.2.14.1.** Tenant storage facilities shall be provided for materials, which cannot be conveniently stored in a mobile home. A minimum of four hundred (400) cubic feet of storage space shall be provided for each mobile home unit.

**501.2.14.2.** Storage facilities may be located adjacent to the mobile homes, or in common compounds within three hundred fifty (350) feet from the mobile homes. Storage facilities shall be designed in a manner that will enhance the park and shall be constructed of suitable weather-resistant materials appropriate under the use and maintenance contemplated.

**501.2.15. Landscaping**

**501.2.15.1.** Lawn and ground cover, which may include aggregates, shall be provided on all common ground areas except those covered by structures, paved or surfaced areas, and except those undisturbed areas, such as watercourses left in their natural state.

**501.2.15.2.** Screen planting and/or fencing at least six (6) feet high shall be provided where necessary for screening purposes, including areas, which will improve privacy and mitigate noise impact to the occupant of the park.

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

**501.2.15.4.** Fencing, including fencing within mobile home spaces shall meet all requirements of the Town of Limon Fencing Policy, as amended, and both the Municipal Code of the Town of Limon, as amended and the Land Development Code of the Town of Limon, as amended.

**501.2.16. Tie-Downs and Blocking**

Every mobile home in the Town of Limon shall meet the requirements of the Municipal Code of the Town of Limon, Chapter 515-Manufactured Home Installation Code, as amended and Colorado Revised Statutes Title 24, Article 32, Part 31, as amended.

**501.2.17. Lighting**

All access roads and walkways within the mobile home park shall be lighted at night with a minimum illumination of at least 0.6-foot candles. Twenty-five (25) watt lamps at intervals of not more than one hundred (100) feet shall meet these requirements.

**501.3. Mobile Home Subdivisions**

**501.3.1.** Applications for mobile home subdivisions shall adhere to all applicable requirements above for mobile home parks.

**501.3.2.** In addition, applicants shall also conform to the requirements and design standards for subdivision. Should requirements under these two sets of requirements conflict, the stricter of the two shall be applied.

**502. Commercial and Industrial Use Performance Standards**

**502.1. Glare and Heat**

Any operation producing intense glare or heat shall be conducted within an enclosed building or with other effective screening in such a manner as to make such glare or heat completely imperceptible from any point along the property line.

**502.2. Vibration**

Industrial or commercial operation shall cause no inherent and recurring generated vibration perceptible

without instruments at any point along the property line. Transportation facilities on temporary construction re excluded from this restriction.

**502.3. Light**

Exterior lighting, except for overhead street lighting and warning, emergency or traffic signals shall be installed in such a manner that the light source will be sufficiently obscured to prevent glare on public streets and walkways or into any residential area. The installation or erection of any lighting, which may be confused with warning signals, emergency signals or traffic signals, is prohibited.

**502.4. Smoke**

All industrial and commercial uses which produce smoke or any air contaminant shall be subject to the jurisdiction and regulations of the Colorado Air Quality Control Commission and the Colorado Air Quality Control Division. The Town reserves the right, prior to approving any industrial or commercial application under this title, to require from the applicant evidence of compliance with applicable regulations of state government.

**502.5. Odors**

No industrial or commercial use shall cause or allow the emission of malodorous air contaminants from any single source such as to result in detectable odors, which are apparent outside the property boundaries.

**502.6. Noise**

All industrial and commercial uses shall be conducted such that noise generated from such uses is controlled at its source or so attenuated by the structure from which it radiates that it does not become objectionable outside its property lines.

**502.7. Fugitive Dust**

No industrial or commercial operation shall be allowed to produce fugitive dust in amounts, which are noticeable or appreciable outside of the property boundaries of the use.

**502.8. Electromagnetic, Electrical Interference**

No commercial or industrial equipment shall be operated in such a manner as to adversely affect the operation of any off-premises electrical, radio or television equipment.

**502.9. Industrial and Commercial Wastes**

All industrial and commercial operations shall confine liquid and solid wastes produced in connection with such operation within the property boundaries, and shall further ensure that no such waste, including liquid waste such as drain oil, leave the property or enter any natural stream courses. This shall not apply to the appropriate and proper disposal of liquid and solid wastes.

**503. Home Occupations**

When a home occupation is allowed as a permitted use, the following conditions shall be met:

**503.1.** The use must be conducted entirely within a dwelling and may employ a maximum of one (1) person other than those members of the immediate family residing on the premises. For the purposes of this Section, a dwelling unit may include attached garages and attached accessory buildings.

**503.2.** The use must be clearly incidental and secondary to the use of the dwelling for dwelling purposes and must not change the residential character thereof.

**503.3.** The total area used for home occupation uses shall not exceed twenty-five percent (25%) of the total floor area within a dwelling unit. The area used for the home occupation shall be considered to include all storage areas and work space clearly utilized or essential in the operation of the home occupation.

**503.4.** There shall be no change in the outside appearance of the building or premises or other visible evidence of the conduct of such home occupation, including advertising signs or displays or advertising that solicits or directs persons to the address.

**503.5.** There shall not be conducted on the premises the business of selling stock, supplies or products, provided that incidental retail sales may be made in connection with other permitted home occupations.

**503.6.** There must be no exterior storage on the premises of material or equipment used as a part of the home occupation, unless it is enclosed and lot coverage requirements for accessory uses are met.

**503.7.** No equipment or process shall be used in such home occupation, which creates any glare, fumes, odors or other objectionable conditions detectable to the normal senses off the lot, if the occupation is conducted in a single-family dwelling, or outside the dwelling unit if conducted in other than a single-family dwelling.

**503.8.** No traffic shall be generated by such home occupation in greater volumes than that generated by a single-family use in a residential neighborhood, and any need for parking generated by the conduct of the home occupation shall be met off the street and not in a required yard adjacent to a street.

**503.9.** Under no circumstances shall any of the following be considered a home occupation: antique shop, clinic, mortuary, nursing home, restaurant, veterinarian's clinic or dancing studio.

**504. Renting of Rooms**

**504.1.** The renting of rooms to one or two persons, not members of the family residing in the same dwelling unit, may be permitted as an accessory use, provided that the following conditions are met:

**504.1.1.** The total number of unrelated persons, including roomers, in any one dwelling unit must not exceed three.

**504.1.2.** Quarters used by the roomers must not be more than 25% of the total floor area of the dwelling unit.

**504.1.3.** The dwelling unit must have only one electric meter.

**504.1.4.** Where the renting of rooms is to two roomers, at least one off-street parking space must be provided, in addition to the number of such spaces required by this code.

**504.1.5.** All roomers shall use the main kitchen facilities of the dwelling unit. No separate kitchen facilities are allowed.

**504.1.6.** Renting of rooms shall be allowed as an accessory use in the principal building on a lot only, with no renting of rooms allowed in accessory buildings.

**505. Fences, Hedges and Walls**

**505.1. General Provisions**

Fences, hedges and walls may be permitted in the required yard areas of any district subject to the following conditions and requirements:

**505.1.1.** All fences and walls are subject to the applicable sections of the Building Code.

**505.1.2.** No fence, hedge or wall may extend beyond or across a property line unless with the joint

agreement of the abutting property owners. It shall be the responsibility of the property owner to locate all property lines.

**505.1.3.** No fence, hedge or wall shall be placed nearer than 12 inches from a public sidewalk.

**505.1.4.** No barbed wire, sharp-pointed or electrically charged fence shall be permitted, with the exception of the ER, O-FP and OS-R zones and that in the Industrial zones only, up to three strands of barbed wire may be attached to the top of a minimum six-foot high fence, for security purposes.

**505.1.5.** Fences, hedges or walls shall not exceed six feet in height except in the Industrial Districts. The height shall be measured at the finished grade on the side of the fence nearest the street, alley, or abutting property.

**505.1.6.** Fences located within the required front yard setback shall not exceed four feet in height. In addition, on corner lots, any obstruction of any nature whatsoever over 30 inches in height shall not be allowed within the height triangle established for the adjacent intersection except for trees with branches and foliage removed to a height of seven feet above the ground and open wire fencing that does not obscure more than 10%.

**505.1.6.1. EXCEPTION:** In a Mixed Commercial (CH-2) Zone District, a six-foot fence may be installed in the front setback required by the Schedule of Requirements for Commercial Districts in Section **202.3.18.**, provided it is open wire and does not obscure more than 10%.

*(Added on July 6, 2000 by Ordinance No. 456)*

**505.2. Barbed Wire Fences Along Public Streets Prohibited**

**505.2.1.** No person shall construct or maintain or cause to be constructed or maintained any barbed wire fence upon or along any public street or upon or along any boundary line of any such street or in any manner next to any such street for the purpose of enclosing any private grounds or premises or public ground or for any other purpose whatever, except in the ER, OS-R, O-FP, and O-A zones.

**505.2.2.** In case such fence shall have been constructed before, and be in existence at the time of the passage of this code, the owner of said fence shall not be liable until notice is given or served by the Town. Such notice may be oral or written and may be given or served by the Manager or any police officer of the Town. Said notice shall notify the person served, or the person to whom the notice shall be given, to remove such fence and thereby abate the nuisance. Such notice, when written, shall be signed by the Manager or any policy officer of the Town. Such notice shall direct that the fence be removed within thirty (30) days, but this provision shall not be deemed to apply in the case of a person constructing or causing to be constructed any such fence after the taking effect of this code and under the requirements of this code.

**505.3. Removal of Fences Required Upon Notice**

Any person who shall have possession or control of private or public grounds upon or within which any illegal fence shall exist, and who may have constructed or caused to be constructed such fence, shall, upon notice given or served, remove any such fence and abate the nuisance, and be subject to a penalty for violation upon the failure so to do.

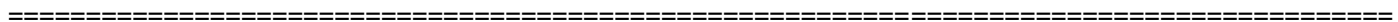
**505.4. Removal by Town**

When any illegal fence shall be found within the Town existing contrary to the provisions of this code, the Manager or police officer of the Town shall cause any such fence to be removed and thereby abate the nuisance, and any such officer shall have authority to engage the necessary assistance and incur the necessary expenses, such expenses to be recovered under abatement procedures of the Town.

**506. Off-Street Parking and Loading**

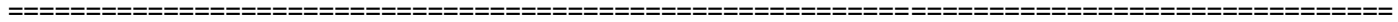
**506.1. Off-Street Parking Spaces Required**

**506.1.1.** In Commercial Highway (CH-1/CH-2/CH-3 (commercial use)), Light Industrial (LI), Heavy Industrial (HI) and multi-family developments, the following numbers of off-street parking spaces shall be provided with the construction of or addition to any of the buildings and uses listed below:



<b>PARKING SPACE REQUIREMENTS</b>	
<b>Use</b>	<b>Parking Requirements</b>
All Multifamily Residential Units:	
Efficiency or 1-bedroom	1.5 spaces per unit
2 bedrooms	2.0 spaces per unit
3 bedrooms	2.0 spaces per unit
4 or more bedrooms	2.0 spaces per unit
Additional requirements for multiple-family residential and mobile home parks with 6 or more units (guest parking)	0.25 spaces for each unit
Multiple-family housing for the elderly or for the handicapped	0.5 spaces per unit
Hotel	1 space per unit, plus 2 spaces for the owner's or manager's unit
Temporary multi-family or lodge	1.5 spaces per unit, plus 2 spaces for the owner's or manager's unit
Nursing homes, rest homes	1 space per 4 beds, plus 1 space for every 2 employees
Nonresidential Uses:	
Drive-in or fast food restaurant	1 space for every 2 seats or 1 space for every 100 square foot of floor area, whichever is greater, plus 1 space for every employee on the largest work shift
Animal hospitals	1 space for every 300 square feet of floor area
Hospitals	1 space for every 2 beds, plus 1 space for each staff doctor and employee on the largest work shift
Motor vehicle sales	1 space for every 500 square feet of floor area
Motor vehicle service and repair	1 space for every 300 square feet of floor area
Business and professional offices	1 space for every 250 square feet of floor area
Medical, dental offices and clinics	1 space for every 200 square feet of floor area
Indoor restaurants and bars	1 space for every 3 seats or 1 space for every 200 square feet of floor area, whichever is greater
Retail business, except furniture stores and alliance stores	1 space for every 300 square feet of floor area

<b>PARKING SPACE REQUIREMENTS</b>	
<i>Use</i>	<i>Parking Requirements</i>
Furniture stores, appliance stores	1 space for every 500 square feet of floor area
Wholesale business and warehouses	1 space for every 1,000 square feet of floor area or 1 space for every 2 employees, whichever is greater
Industrial uses (excluding offices) not mentioned specifically under another use in this section	1 space for every 500 square feet or .75 spaces for every one employee, whichever is greater
Places of public assembly, such as churches, auditoriums, meeting rooms	1 space for every 4 seats in the principal place of assembly
Libraries	1 space for every 400 square feet of floor area, plus 1 space for every 2 employees
Educational Facilities:	
Preschool nurseries or childcare centers, kindergarten and elementary schools and middle schools	1 space per classroom, plus 1 space per employee
High Schools	1 space per employee, plus 1 space for every four students, plus 1 space for every four seats in the principal place of assembly (bench capacity is determined as 1 seat per 20 inches)
Recreational facilities	1 space for every 500 square feet of recreational area.



**506.1.1.1. NOTE:** When determining the number of parking spaces to be required, fractions of spaces shall be rounded to the nearest whole number with five-tenths (0.5) space being rounded up to one (1) space. For example, if the calculation of parking spaces equals twenty-seven and twenty-five hundredths (27.25) spaces, then twenty-seven (27) spaces would be required. If the calculation equals twenty-seven and five-tenths (27.5) spaces, then twenty-eight (28) spaces would be required.

**506.1.2. Combination of Uses**

When one building is planned to include a combination of different uses, the minimum parking required with be determined by applying the above requirements based upon the floor area for each use. The maximum number of parking spaces required for the building shall be the sum of the requirements for each separate use. Under special circumstances, parking requirements may be reduced following reduction standards for combinations of uses. Applicants must fully document any requests for parking reductions.

**506.1.3. Uses not Listed**

For specific uses not listed, the Town Manager shall determine the appropriate number of parking spaces required based upon the type of activity, intensity, number of employees and similarity to listed uses.

**506.1.4 Off-site Parking**

For any commercial use, the off-street parking requirements for commercial uses only may also be met utilizing the following alternatives if applicable:

**506.1.4.1.** Off-street parking spaces may be provided on a site within 500 feet of the use that generates the parking requirements, provided that the site is owned or under the control of the owner of the parking generator.

**506.1.4.2.** The owner of the use may participate in a parking district or joint venture that assures the Town that the off-street parking requirements will be met. All parking districts or joint ventures shall be subject to the approval of the Town.



**506.1.5. Off-street Parking Area Standards**

**506.1.5.1.** All off-street parking areas shall be unobstructed and free of all other uses.

**506.1.5.2.** All off-street parking spaces shall have unobstructed access to and from a street.

**506.1.5.3.** All off-street parking areas, except those for single-family or two-family dwellings, shall be surfaced with asphalt or concrete. Other dustless surfaces such as washed road base with a chemical dust suppressant may be approved by the Board of Trustees for parking areas in the Industrial Districts, based on type of use, location and impact to adjoining properties.

**506.1.5.4.** Off-street parking areas with six or more spaces shall be adequately screened from any adjoining residentially zoned lot by landscaping or solid fencing.

**506.1.5.5.** Lighting from any parking area shall not be directed toward any adjacent residential area or public street.

**506.1.5.6.** Off-street parking areas may be located to jointly serve two or more buildings or uses, provided that the total number of spaces is not less than that required for the total combined number of buildings or uses. However, this number may be reduced based on the results of a shared parking demand analysis based on recognized standards and methodologies.

**506.1.5.7.** Off-street parking spaces shall be at least nine by 19 feet, except that up to 20% of the required spaces in a parking area with 10 or more spaces may be designated for compact cars with a minimum space of eight by 16 feet. If compact spaces are approved, designated areas shall be clearly marked by above-grade signage for small or compact cars only.

**506.1.5.8.** Where off-street parking areas designed for parallel parking are established, the dimensions of such spaces shall be not less than 22 by nine feet.

**506.1.5.9.** In multiple-family areas, areas included in driveways or otherwise required to move cars in and out of parking spaces shall not be considered to meet off-street parking requirements.

**506.1.5.10. Minimum Width of Traffic Aisles**

**506.1.5.10.1.** Schedule:

<b>TRAFFIC AISLES SCHEDULES</b>			
<b>Stall Angle</b>	<b>Direction of Traffic</b>	<b>Minimum Area Width</b>	
		<b>Feet</b>	<b>Inches</b>
Parallel	One-way traffic	12	0
Parallel	Two-way traffic	24	0
30	One-way traffic	12	0
30	Two-way traffic	No angle parking permitted	
45	One-way traffic	14	0
45	Two-way traffic	No angle parking permitted	
60	One-way traffic	18	0
60	Two-way traffic	No angle parking permitted	
90	One-way traffic	22	0
90	Two-way traffic	24	0

**506.1.5.10.2.** All off-street parking areas shall be served with paved ingress/egress having minimum width of 12 feet for one-way traffic and 20 feet for two-way traffic.

**506.2. Off-street Loading Areas**

**506.2.1.** For all business and industrial uses, off-street loading spaces containing 500 square feet, with no dimension less than 10 feet, shall be required for new construction or major additions involving an increase in floor area as follows:

**506.2.1.1.** New floor area between 5,000 and 20,000 square feet: one off-street loading space.

**506.2.1.2.** New floor area in excess of 20,000 square feet: one off-street loading space for each 20,000 square feet or fraction thereof.

**507. Streets and Sidewalks**

**507.1. Street Plan**

The arrangements, classification, extent, width, grade and location of all streets shall conform to the street plan of the Town and shall be designed in relation to existing and planned streets, topographical conditions, public convenience and safety, and the proposed uses of the land to be served by such streets.

**507.2. Street Classification**

**507.2.1.** In all new developments and subdivisions, streets that are dedicated to public use shall be classified as provided in Section **507.2.2.** below, as provided in the Minimum Development Standards of the Town of Limon.

**507.2.1.1.** The classification shall be based upon the projected volume of traffic to be carried by the street, stated in terms of the number of trips per day;

**507.2.1.2.** The number of dwelling units to be served by the street may be used as a useful indicator of the number of trips but is not conclusive;

**507.2.1.3.** Whenever a subdivision street continues an existing street that formerly terminated outside the subdivision or is expected to be continued beyond the subdivision at some future time, the classification of the street will be based upon the street in its entirety, both within and outside of the subdivision.

**507.2.2.** The classification of streets shall be as follows:

*Section amended on May 1, 2003 by Ordinance N.o.481)*

**507.2.2.1. Local:** A street, which provides direct access to adjacent property, including residential uses. Local streets typically are designed to discourage through traffic from neighborhoods. Street widths are not to be less than forty (40) feet from flow line to flow line unless said street has a terminus which is highly unlikely to change, such as a creek, significant drainage way, railroad or highway, thus limiting future extension to serve additional developable area. In such case the Town Manager can determine a reduced street width that will provide ample traffic flow and parking on such street may be restricted or prohibited. In no circumstance shall the street be less than twenty-two (22) feet wide from flow line to flow line.

**507.2.2.2. Collector:** A street, which permits relatively unimpeded traffic movement, collects traffic from the local system, and where traffic demands are relatively high, but where a higher classification street is not warranted. Collector street widths shall not be less than forty-six (46) feet from flow line to flow line.

**507.2.2.3. Arterial:** A street with signals at important intersections and stop signs on the side streets, and which collects and distributes traffic to and from collector streets. Arterials can act as boundaries between neighborhood areas or different land uses. Arterial street widths shall not be less than fifty-two (52) feet from flow line to flow line

**507.3. Access to Lots**

Every lot shall have access to a public road or street that is sufficient to afford a reasonable means of ingress and egress for emergency vehicles as well as for all those likely to need or desire access to the property in its intended use.

**507.4. Access to Arterial Streets**

Whenever a development that involves the creation of one or more new streets borders on or contains an existing or proposed arterial street, no direct driveway access may be provided from the lots within this development onto this street.

**507.5. Entrances to Streets**

**507.5.1.** All driveway entrances and other openings onto streets within the Town's planning jurisdiction shall be constructed so that:

**507.5.1.1.** Vehicles can enter and exit from the lot in question without posing any substantial danger to

themselves, pedestrians, or vehicles travelling in abutting streets, and

**507.5.1.2.** Interference with the free and convenient flow of traffic in abutting or surrounding streets is minimized.

**507.5.2.** If driveway entrances and other openings onto streets are constructed in accordance with the specifications and requirements of the Town of Limon, if these exist, or the relevant special district, this shall be deemed prima facie evidence of compliance with the standard set forth in Section **507.5.1.** above.

**507.6. Coordination with Surrounding Streets**

**507.6.1.** The street system of a development or subdivision shall be coordinated with existing, proposed, and anticipated streets outside it or outside the portion of a single tract that is being divided into lots (hereinafter, "surrounding streets") as provided in this section.

**507.6.2.** Collector and arterial streets shall intersect with surrounding collector or arterial streets at safe and convenient locations.

**507.6.3.** Local and minor residential streets shall connect with surrounding streets where necessary to permit the convenient movement of traffic between residential neighborhoods or to facilitate access to neighborhoods by emergency service vehicles or for other sufficient reasons, but connections shall not be permitted where the effect would be to encourage the use of such streets by substantial through traffic.

**507.6.4.** Whenever connections to anticipated or proposed surrounding streets are required by this section, the street right-of-way shall be extended and the street developed to the property line of the subdivided property (or to the edge of the remaining undeveloped portion of a single tract) at the point where the connection to the anticipated or proposed street is expected. In addition, the Town may require temporary turnarounds to be constructed at the end of such streets pending their extension when such turnarounds appear necessary to facilitate the flow of traffic or accommodate emergency vehicles. Notwithstanding the other provisions of this subsection, no temporary dead-end street in excess of 1,000 feet may be created unless no other practicable alternative is available.

**507.7. Relationship of Streets to Topography**

**507.7.1.** Streets shall be related appropriately to the topography. In particular, streets shall be designed to facilitate the drainage and storm water runoff objectives

set forth in Section **306.**, and street grades shall conform as closely as practicable to the original topography.

**507.7.2.** Permissible roadway and intersection grades shall be as specified in the Town of Limon Roadway Design Criteria or other documents as approved by the Town.

**507.8. Wheelchair Ramps**

Whenever curb and gutter construction is used on public or private streets, wheelchair ramps for the handicapped shall be provided at intersections and other major points of pedestrian flow. Wheelchair ramps and depressed curbs shall be constructed in accordance with standards of the Town or appropriate special districts.

**507.9. Street Names**

**507.9.1.** Street names shall be assigned by the developer subject to the approval of the Town. Proposed streets that are obviously in alignment with existing streets shall be given the same name. Newly created streets shall be given names that neither duplicate nor are phonetically similar to existing streets within the Town's planning jurisdiction, regardless of the use of different suffixes (such as those set forth in Section **507.9.2.**

**507.9.2.** Street names shall include a suffix such as the following:

- Cul-de-sacs: Way, Court or Lane
- Short streets: Way, Place or Lane
- Streets: Street, Parkway, Avenue or Drive
- Circular Streets (both loops and at same street): Circle

**507.9.3.** Building numbers shall be assigned and/or approved by the Town.

**507.10. Sidewalks**

**507.10.1.** Construction of sidewalks must occur with all new development, including new construction or improvement of properties which the cost of said improvement exceeds fifty percent (50%) of the existing valuation of said property. Sidewalks within residential districts shall typically be contiguous with the curb and pan in a monolithic pour. Those sidewalks shall be forty-eight (48) inches wide and shall meet all other minimum standards adopted by resolution of the Board of Trustees. Sidewalks within commercial districts shall be six (6) feet wide at minimum and possibly more depending on location and as required by the Building Department. Variation may be allowed depending on surrounding conditions.


**507.10.2.** The sidewalks required by this section shall be constructed according to the minimum development standards as adopted by the Town Board of Trustees except that the Town may permit the installation of walkways constructed with other suitable materials when it concludes that:

**507.10.2.1.** Such walkways would serve the residents of the development as adequately as concrete sidewalks; and

**507.10.2.2.** Such walkways would be more environmentally desirable or more in keeping with the overall design of the development.

**507.10.3.** Whenever the Town finds that a means of pedestrian access is necessary from the subdivision to schools, parks, playgrounds, or other roads or facilities and that such access is not conveniently provided by sidewalks adjacent to the streets, the developer may be required to reserve an unobstructed easement of at least 10 feet in width to provide such access.

**507.11. Blocks and Lots**

**507.11.1.** The total design should provide for convenient access and circulation for emergency vehicles. A street or streets shall abut all blocks. Pedestrian walkways shall be provided to permit acceptable pedestrian access to abutting streets.

*(Amended on May 1, 2003 by Ordinance No. 481)*

**507.11.2.** Service access to the interior of blocks may be permitted in certain instances, in which case such alleys must be indicated in the plan and plat.

**507.11.3.** Lot Standards:

**507.11.3.1.** Division of Lots - No lot shall be divided by a municipal or county boundary line, road, alley or other lot.

**507.11.3.2.** Wedge-shaped Lots - In the case of wedge-shaped lots, no lot shall be less than 20 feet in width where the narrow side of the lot is at the front property line.

**507.11.3.3.** Lot Lines - Side lot lines shall be substantially at right angles or radial to street lines. Where lot lines are not at right angles to the street lines, this shall be indicated.

**507.11.3.4.** Corner Lots - Corner lots in all subdivisions are required to have the minimum front yard requirements, as required by the zone district, facing both streets.

**508. Fire Hydrants**

**508.1.** Every development served by a central water system shall include a system of fire hydrants sufficient to provide adequate fire protection for the buildings located or intended to be located within such development.

**508.2.** The presumption established by this code is that to satisfy the standard set forth in section **508.1.**, fire hydrants must be located so that all parts of every building within the development shall be served by a hydrant located within 500 feet. Certain conditions may warrant additional coverage as determined by the Building Department.

**508.3.** The town shall determine the precise location of all fire hydrants, subject to the other provisions of this section. In general, fire hydrants shall be placed six feet behind the curb line of publicly dedicated streets that have curb and gutter.

**508.4.** The town shall determine the design standards of all hydrants based on fire flow needs. Unless otherwise specified by the town, all hydrants shall have two 2½-inch hose connections and one 4½-inch hose connection the 2½-inch hose connections shall be located at least 21½ inches from the ground level. All hydrant threads shall be national standard threads.

**508.5.** Water lines that serve hydrants shall be at least six-inch lines, and, unless no other practicable alternative is available, no such lines shall be dead-end lines.

**509. Sites for and Screening of Dumpsters**

**509.1.** Every development that is required to provide one or more dumpsters for solid waste collection shall provide sites for such dumpsters that are:

**509.1.1.** Located so as to facilitate collection and minimize any negative impact on persons occupying the development site, neighboring properties, or public rights-of-way, and

**509.1.2.** Constructed to allow for collection without damage to the development site or the collection vehicle.

**509.2.** All such dumpsters shall be screened to prevent them from being visible to:

**509.2.1.** Persons located within any dwelling unit on residential property other than that where the dumpster is located.

**509.2.2.** Occupants, customers, or other invitees located within any building on nonresidential property other than that where the dumpster is located, unless such property is used primarily for purposes permitted exclusively in an M-H zoning district.

**509.2.3.** Persons traveling on any public street, sidewalk, or other public way.

**510. Public Improvements**

**510.1.** The improvements in a subdivision, including curb, gutter, sidewalk, sewer and water mains, that have been dedicated and accepted by the Town of Limon are the responsibility of the town to maintain.

**510.2.** In the event that improvements, including curb, gutter, sidewalk, sewer and water mains, were not included in the original construction, nor at a later date by the owner or developer, the Colorado Revised Statutes allow that:

**510.2.1.** The Town has the power (C.R.S. 31-15-702(1)(b)(I) as amended) to provide for the construction and maintenance of sidewalks, curbs, and gutters of such material and in such manner as shall be designated and to provide for paying the expenses thereof by special assessments upon the adjacent or abutting property, which assessments shall constitute a lien as provided in C.R.S. 31-15-401(1)(d)(I) as amended.

**510.2.2.** The Town has the power (C.R.S. 31-15-702(1)(b)(II) as amended) to grade, grade and gravel, or otherwise surface or improve streets and alleys and to assess the costs of such improvements upon the lots or lands adjacent to or abutting upon any street or alley or portion thereof so improved, which assessments shall constitute a lien as provided in C.R.S. 31-15-401(1)(d)(I) as amended.

**510.2.3.** The Town has the power (C.R.S. 31-15-703(2) as amended) to deem it necessary that any sewer, including a storm sewer, should be constructed, it shall construct the same, assess the cost thereof against the adjacent property, and collect the assessment as provided in C.R.S. 31-15-401(1)(d) and 31-15-704 as amended. When the Town deems it necessary that any portion of a sidewalk, curb, and gutter be constructed or repaired, it may, upon motion of the Board of Trustees, order the same to be done, and if not constructed or repaired by the owner upon notice, the Town may construct or repair the same, assess the costs thereof against the adjacent

property owner, and collect the assessment provided in C.R.S. 31-15-401(1)(d) and 31-15-704 as amended.

**511. Siting of Dwellings**

All dwellings, as defined in Section 114., including single family dwellings, two-family dwellings, multi-family dwellings, factory-built or modular homes and manufactured housing placed on individual legal platted lots or parcels as described in Section 501.1. shall be constructed or installed with the front door facing the legally platted street fronting the property. This requirement does not include mobile homes or manufactured homes within mobile home parks described in section 501.2.

*(Amended May 9, 2000 by Ordinance No. 449; amended by Ordinance No. 607 on July 7, 2017)*

**512. Oil and Gas Facilities**

*(Amended by Ordinance No. 568 on January 2, 2014)*

**512.1 Purpose and Intent.**

**512.1.1** Town of Limon acknowledges the existence of oil and gas mineral property rights within its incorporated areas. It is the Town's objective to exercise its fundamental duty to protect public health, safety, welfare, and the environment from potential adverse impacts of oil and gas exploration and development, and to minimize potential land use conflicts between those activities and current, planned or future land uses.

**512.1.2** Use by Special Review as described in Chapter II – Zoning, Section 202.2.4 is the permitting procedure for oil and gas operations. This process is selected because these operations involve industrial type activities which may occur in or near developed and developing surface uses. Traditional zoning would generally separate these types of uses to mitigate impacts but, because this use must occur near the resource, separation of uses is not possible and, thus, this Section has been promulgated to address this incompatibility. The purpose is to provide a framework for the exploration and production of oil and gas resources in a manner that considers current, planned or future land uses and that mitigates adverse impacts to those uses and to the public health, safety, welfare, and the environment of the Town.

**512.1.3** This Section 512 is consistent with the land use authority over oil and gas operations that the Colorado legislature has provided the Town and as has been defined and clarified by Colorado courts. Town of Limon recognizes that certain Colorado state agencies and the federal government also have authority to regulate certain aspects of oil and gas operations. The regulations

of this Section over the land use aspects of oil and gas operations are consistent with this authority. In particular, this Section is not intended to create and is not to be applied so as to cause an operational conflict with the state's exercise of its authority over oil and gas operations.

## 512.2 Administrative Approval Criteria

**512.2.1** In order to obtain Administrative Use by Special Review approval, an Oil and Gas Facility shall first satisfy the following criteria, except to the extent waived by the Town Manager or by the Board of Trustees:

**512.2.1.1 Memorandum of Understanding (MOU).** An MOU acceptable to the Town must have been executed by the applicant and the Town and currently be in full force and effect, and the Oil and Gas Facility as proposed must be in compliance with the provisions of the MOU.

**512.2.1.2 Satisfy Submittal Requirements.** The application and exhibits for the Administrative Use by Special Review must satisfy all applicable submittal requirements in this Section.

**512.2.1.3 Environmental/Public Health and Safety Impacts.** The Oil and Gas Facility as proposed for approval shall not involve any site specific conditions that present significant and material impacts to public health, safety or welfare, or the environment, that cannot be adequately mitigated through conditions agreed to by the applicant in the MOU.

## 512.3 Administrative Process

**512.3.1 Pre-Submittal Meeting.** Prior to submitting an application for an Administrative Use by Special Review for an Oil and Gas Facility, the applicant is required to attend a pre-submittal meeting with representatives of the Town of Limon, unless waived. At the pre-submittal meeting the applicant will receive direction from Town staff that will assist in preparing a complete application for submittal to the Town.

**512.3.2 Review for Completeness.** Upon receipt of an Oil and Gas Use by Special Review application and fee, referral packets and associated application materials, the Town staff shall review the materials submitted to determine if the application is complete and consistent with the standards set forth in this Section.

**512.3.3 Concurrent Referral and Review.** Town will refer the complete application for a fourteen (14) day review by the Town staff, Town Attorney and Limon Area Fire Protection District, as deemed appropriate. An application may require review by outside agencies such

as the U. S. Army Corps of Engineers, if the project impacts a floodplain, and may also be referred to any life-safety providers, adjacent jurisdictions, local public health department, and others as may be deemed appropriate.

**512.3.4 Address Deficiencies.** The applicant will be notified of any outstanding issues in connection with application materials upon completion of this review and will be required to address any issues or deficiencies in connection with the application materials. If necessary, a meeting will be held to discuss any issues that need to be resolved. If necessary, the applicant will then submit an amended application, plan or other submittals, as appropriate, to the Town for verification that deficiencies have been addressed by the applicant. If the above described outstanding issues cannot be resolved, the Town Manager may refer the case to the Board of Trustees for its consideration.

**512.3.5 Final Review.** Upon acceptance of the final copy of the application and exhibits by the Town Manager, the Town Manager will consider the Final Application pursuant to timelines and guidance provided in Section 512.7 of the Land Development Code.

## 512.4 Administrative Submittal Requirements

**512.4.1** A Submittal Requirements Matrix is available from the Building Department outlining the complete list of submittal items and the proper number of documents. Other submittal requirements may be required based on Concurrent Referral and Review. The following items are required as part of an Oil and Gas Facility application submittal:

**512.4.1.1 Pre-Submittal Notes or Waiver.** Notes from the pre-submittal meeting pertaining to the application, or signed waiver of pre-submittal meeting form.

**512.4.1.2 Application Form.** A completed Oil and Gas Facility application form. Application forms are available from the Town.

**512.4.1.3 Application Fees.** Application Fee Schedules may be established by resolution of the Board of Trustees and are available from Town.

**512.4.1.4 Plan.** An Oil and Gas Facility Plan drafted in accordance with 512.6 of this Section.

**512.4.1.5 Engineering Documents.** The following Technical Engineering documents are required by the Town unless otherwise waived by the Town Manager:

**512.4.1.5.1 Construction Plans.** If applicable, Construction Plans for the proposed Oil and Gas Operation's public improvements including road plan

and profile sheets, storm drainage improvements plans and other public improvements.

**512.4.1.5.2 Pavement Design Report.** If applicable, a Pavement Design Report.

**512.4.1.5.3 Grading Erosion and Sediment Control.** If applicable, a Grading, Erosion, Sediment Control Report and Plan.

**512.4.1.5.4 Truck Traffic Report.** A Truck Traffic Report describing truck types, weights, numbers of each type and weight on each route to be used in the development and production of the Oil and Gas Facility.

**512.4.1.5.5 Drainage Study/Technical Drainage Letter/Plan.** If applicable, a Drainage Study/Technical Drainage Letter/Plan.

**512.4.1.5.6. Floodplain Modification Study.** A Floodplain Modification Study if the proposed Oil and Gas construction disturbance or operation encroaches into the 100-year floodplain, or the access is crossing a major drainage way.

**512.4.1.5.7 Surface Owner Documentation.** Documentation that the surface owner has been notified of the proposed Oil and Gas Facility.

**512.4.1.5.8 Additional Information.** Additional information may be requested by the Town as deemed appropriate to process the application and the Town Manager may also waive the submittal of any information required above as deemed appropriate.

## 512.5 Oil and Gas Operations Plan

**512.5.1 Plan Format.** All plans will be 11" x 17" in pdf format. No plans shall contain copyright restrictions or public use restrictions.

**512.5.2 Cover Sheet.** The cover sheet shall have a title block with the reference to an Administrative Use by Special Review, project name, and location by subdivision or addition name, block(s) and lot(s). The cover sheet shall also include a legal description of the area, date of the drawing, existing zoning of the site, a sheet key, a vicinity map with north arrow (scale of 1" = 2,000' preferred) with an emphasis on the major roadway network within one (1) mile of the proposal, and all applicable notes, an approval signature block and a block to insert the Colorado Oil and Gas Conservation Commission (COGCC) Permit number when approved. Upon approval, the first sheet will be signed by the Town Manager.

**512.5.3 Impact Area Map.** The second sheet shall contain an Impact Area Map that shows the proposed location of the Oil and Gas Facility, locations of all existing oil and gas wells within the one-mile impact area, locations of all permitted water wells within ½ mile of the proposed Oil and Gas Operation, and all existing and proposed roads within the one-mile impact area.

**512.5.4 Drilling Operation Plan.** The third sheet shall provide a site plan of drilling operations with drilling equipment with existing and proposed finished-grade topography at two-foot (2') contours or less tied to a datum acceptable to the Town. The applicant shall verify current information regarding what datum is acceptable to the Town, prior to submitting the application for the Administrative Use by Special Review. The layout of the drilling equipment may be shown as a typical plan, if the Town deems it appropriate for the extent of development of the proposed Oil and Gas Facility.

**512.5.5 Production Plan.** The fourth sheet shall provide a site plan of production operations with production equipment such as tanks and compressor stations with existing and proposed finished-grade topography at two-foot (2') contours or less tied to a datum acceptable to the Town. A seed mix submitted shall be provided for reseeding the well pad. Equipment layout may be a typical plan appropriate to the degree of development for the Oil and Gas Facility submitted for approval.

**512.5.6 Signage Plan/Sign Detail.** A dimensioned Signage Plan or Sign Detail shall be included on one of the sheets describing and illustrating the appearance, size, location, type, color, material, and illumination of all signs. Directional signs for emergency responders and inspectors shall be included, along with a 24-hour, 7 days per week contact information to deal with complaints.

**512.5.7 Final Plan.** Once the review process is complete and staff has determined that all outstanding issues have been resolved, staff will request a final copy of the Plan. The final copies (three (3) required) of the Plan shall be paper and electronically in pdf format. The drawing shall contain the information listed above unless otherwise specified by the Town staff.

## 512.6 Notice of Application Requirements

**512.6.1** The applicant shall provide written notification by first class U.S. Mail to real property owners of parcels within 300 feet excluding public rights-of-way of the parcel on which the Oil and Gas Facility is proposed that an application for a Administrative Use by Special Review for an Oil and Gas Facility has been filed with the

Town. Notice shall also be published in a newspaper of general circulation within the Town. The Notice of Application shall meet the format prescribed by the Town and shall be mailed at or before the time of filing the application for the Oil and Gas Facility with the Town. The property owner of record, shall be the basis for notifications as identified in the County Assessor's property records.

**512.7 Approval/Denial of Administrative Use by Special Review**

**512.7.1 Action to Approve, Conditionally Approve or Deny.**

**512.7.1.1** Unless there are any issues that have not been resolved by the applicant, the Town will exercise its best efforts to process the Administrative Use by Special Review for an Oil and Gas Facility within thirty (30) calendar days from the date of complete submittal by the applicant, or at such time as proof of the COGCC permit approval is provided, whichever is later.

**512.7.1.2** The Administrative Use by Special Review can be administratively approved or denied.

**512.7.1.3** Written notice of the decision shall promptly be provided to the applicant, and, if denied, the notice shall include a statement of the reason(s) for denial.

**512.7.1.4** The thirty (30)-calendar day timeframe counts only as the Town's processing time and does not include the applicant's response time.

**512.7.2 Town Manager's Discretion to Refer to the Board**

**512.7.2.1** In lieu of the Town Manager making a decision on an application, the Town Manager has the discretion to refer any application for Administrative Use by Special Review if an amendment to the MOU is requested to the Board of Trustees for its consideration and decision at a public hearing.

**512.7.2.2** In such event, the Board of Trustees shall make its determination based upon the requirements of this Section; however, unless waived by the Board of Trustees, compliance with the notice requirements set forth in Section 311 of the Land Development Code is required prior to the Board of Trustees hearing. The matter will be scheduled on the next available agenda of the Board of Trustees.

**512.7.2.3** At such public hearing, the Board may approve, approve with conditions, or deny the application.

**512.7.3 Expiration of Approval**

**512.7.3.1** An approval of the Administrative Use by Special Review shall only be valid for two (2) years unless the Oil and Gas Facility is substantially commenced prior to the expiration of such timeframe.

**512.8. Permits Required Prior to Commencement of Operations**

**512.8.1** If applicable, Floodplain Development Permit shall be required prior to any work within a floodplain. A Building Permit may be required prior to construction of certain structures within the Oil and Gas Facility.

**512.9 Appeal of Decision on Application for Administrative Use By Special Review**

**512.9.1** An applicant may appeal the Town Manager's denial of an application for an Administrative Use by Special Review for an Oil and Gas Facility, or any conditions of approval, to the Board of Trustees for a hearing. The applicant must file the appeal within fourteen (14) calendar days of the date of the Town Manager's decision by submitting a letter of appeal to the Town Manager. Thereafter, the matter will be scheduled on the next available agenda of the Board following public notice as required by Section 311 of the Land Development Code. At such hearing, the Board may affirm, reverse or modify the decision of the Town Manager, based upon the criteria set forth in Section 512.2.

**512.10 MOU Provisions as Conditions of Approval**

**512.10.1** An approval of an Administrative Use by Special Review for an Oil and Gas Facility shall automatically include as conditions of approval all provisions of the MOU executed by the applicant, except to the extent waived by the Town Manager or the Board of Trustees.

**512.11 Administrative Amendment**

**512.11.1** If the applicant or operator proposes changes from the plans approved through the Administrative Use by Special Review, the applicant or operator is required to submit an amendment to the application showing the changes, unless such requirement has been waived by the Town Manager.

**512.11.2** The proposed amendment will be reviewed by Town staff and, if applicable, Town Staff may require additional information. The amended application will need to meet all requirements of this Section and be approved in writing by the Town Manager, or the Board of



Trustees (if the Board of Trustees approved the original application), prior to implementation.

**512.12 Non-Administrative Approval Process**

**512.12.1** Use by Special Review approval for an Oil and Gas Facility may also be requested through the process described in Section 202.2.4 and Sections 303-305 of this Land Development Code, subject to the following modifications:

**512.12.1.1 Plan Format.** The Oil and Gas Operations Plan shall comply with the requirements of Section 512.5 above.

**512.13 Expiration of Approval**

**512.13.1** An approval of a Use by Special Review shall only be valid for two (2) years unless the Oil and Gas Facility is substantially commenced prior to the expiration of such timeframe.

**512.14 COGCC and Town Approvals Required**

**512.14.1** Development of the Oil and Gas Facility shall not commence until and unless any required permits from COGCC, and a Use by Special Review (administrative or non-administrative) from the Town, have both been approved.

**512.15 Violation and Enforcement.**

**512.15.1** Enforcement, penalties and remedies for violations for this Section shall be governed by Section 115 of this Land Development Code.

