



**DOUGLAS COUNTY COMMISSIONERS
WORK SESSION
Tuesday November 25, 2025**

A G E N D A

- 1:00 p.m.
- New Years Eve Drone Show Design
 - Graywater Update
 - Proposed Regulatory Amendments for Agritourism

Agenda Item

Date: November 25, 2025

To: Douglas County Board of County Commissioners

Through: Douglas J. DeBord, County Manager

From: Terence T. Quinn, AICP, Director of Community Development *TQ*

CC: Nick Giauque, CPRP, Parks Program Manager
Steve Shoultz, CPRE, Assistant Director, Parks, Trails, Building Grounds, and Rueter Hess Recreation

Subject: **New Year's Eve Drone Show Design**

SUMMARY

During a work session on May 19, 2025, the Board of County Commissioners approved funding for the 2025 New Year's Eve drone show, scheduled to take place on Wednesday, December 31, 2025, at Echo Park Stadium in Parker, weather permitting. Executed on August 21, 2025, the contract between Douglas County and Hireuavpro.com is for the amount of \$58,000. Additional costs for stadium operations, staffing, and traffic control will increase the total event cost to \$62,472. As the date for the New Year's Eve show draws closer, a meeting with the Commissioners and Hireuavpro.com is necessary to discuss the show's design.

BACKGROUND

The County has held a New Year's Eve drone show at Echo Park Stadium in Parker for the past three years. The drone show is approximately 10-12 minutes long, accompanied by background music. Previous displays have included two hundred drones. This year's show will feature four hundred drones. Additional costs for this event include \$4,272 for Sheriff staffing for traffic control and \$200 for a stadium manager to access the stadium's audio system and play background music for the show. The total cost for 2025 is \$62,472.

NEXT STEPS

Staff requests time with the Board of County Commissioners to bring in Hireuavpro.com to discuss the design for the 2025 New Year's Eve drone show.

Agenda Item

Date: November 25, 2025
To: Douglas County Board of County Commissioners
Through: Douglas J. DeBord, County Manager
From: Matthew Dziubanski, Chief Building Official
Ryan Adrian, Environmental Program Manager
CC: Janet Herman, Director, Public Works Engineering
Subject: Graywater Update

Summary

This memo provides an update on graywater reuse, existing regulations, and the current status of graywater use in Douglas County.

Background

Graywater is a portion of water used in a residential, commercial, or industrial building that may be collected after the first use and put to a second beneficial use - either subsurface landscape irrigation or the flushing of toilets. Douglas County citizens obtain their water from many different sources and rely on different services to dispose of wastewater, including individual septic disposal systems. Prior Appropriation Law limits putting water to a second beneficial use as first use return flows may be required to make other users whole. In other cases, depending upon the source of water, the water provider may collect first-use return flows, treat the water, and reallocate it into a larger distribution system. Most Douglas County citizens obtain water from one of over thirty water providers. Water providers may be directly impacted by graywater regulations, and some water district regulations do not currently allow for the reuse of graywater within their service areas.

Graywater sources may include water discharged from bathroom and laundry-room sinks, bathtubs, showers, and laundry machines. Graywater does not include water discharged from toilets, urinals, kitchen sinks, dishwashers, or non-laundry utility sinks.

The Colorado Legislature passed HB13-1044 in 2013, and as a result the Colorado Department of Public Health and Environment (CDPHE) - Water Quality Control Division (WQCD) developed and adopted Regulation 86: Graywater Control Regulation (Regulation 86) in 2015.

Current law and regulations under HB13-1044 allow for reuse of graywater as an opt-in program for local jurisdictions. To allow graywater use, local jurisdictions must adopt an ordinance or resolution to allow graywater use within their jurisdiction by developing a graywater control program that meets the requirements of Regulation 86. Local regulations must comply with state and federal requirements, environmental health regulations, water rights requirements and operator certification requirements.

On July 26, 2022, Douglas County adopted Resolution No. R-022-073 to permit limited graywater reuse solely for toilet flushing within a small number of new single-family homes located in the Canyons South Planned Development, a community served by Castle Rock Water. Despite this resolution and the intent to implement a pilot program, no graywater systems have been installed in the Canyons South area to date.

Separately, the Town of Castle Rock partnered with Lennar Homes to pilot a graywater reuse initiative using the Greyter system in the Redhawk subdivision. As part of the pilot, 29 systems were installed. To date, 14 of these systems have been removed, three homeowners have received permits to remove their systems, and one additional homeowner has applied for removal. This outcome suggests mixed public response and potential challenges in long-term maintenance and acceptance of graywater systems.

During the 2024 legislative session, the Colorado General Assembly approved HB24-1362, which changes the framework for graywater use in Colorado. Beginning January 1, 2026, all graywater uses will be allowed statewide by default, unless a county or municipality adopts a resolution or ordinance to opt out and provides notification to the CDPHE-WQCD. Under this new legislation, local governments may prohibit graywater use entirely or restrict certain categories of graywater applications. This house bill is a shift from the previous approach under HB13-1044, which required a local government to opt-in by passing a resolution to allow graywater use and adopt a graywater control program consistent with Regulation 86.

Attachments

- HB24-1362

An Act

HOUSE BILL 24-1362

BY REPRESENTATIVE(S) Lukens and Catlin, McCluskie, Frizell, Amabile, Bacon, Bird, Boesenecker, Brown, Daugherty, Duran, Epps, Froelich, Hamrick, Hartsook, Herod, Joseph, Kipp, Lieder, Lindstedt, Lynch, Martinez, Marvin, Mauro, McCormick, McLachlan, Ricks, Rutinel, Sirota, Snyder, Taggart, Titone, Valdez, Velasco, Weissman, Willford, Young, English, Soper;
also SENATOR(S) Roberts and Simpson, Bridges, Buckner, Cutter, Exum, Fields, Gardner, Hansen, Jaquez Lewis, Kirkmeyer, Lundeen, Marchman, Michaelson Jenet, Mullica, Pelton B., Pelton R., Priola, Will, Winter F., Zenzinger, Fenberg.

CONCERNING MEASURES TO PROMOTE THE USE OF GRAYWATER.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, **add** 25-8-205.4 as follows:

25-8-205.4. Statewide authorization of graywater use - local government notice required to opt out. (1) EXCEPT AS PROVIDED IN SUBSECTION (2) OF THIS SECTION, A PERSON MAY INSTALL GRAYWATER TREATMENT WORKS AND USE GRAYWATER IN ACCORDANCE WITH SECTION

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

25-8-205 (1)(g) AND RULES ADOPTED PURSUANT TO SECTION 25-8-205 (1)(g).

(2) (a) A BOARD OF COUNTY COMMISSIONERS OR GOVERNING BODY OF A MUNICIPALITY MAY ADOPT A RESOLUTION OR AN ORDINANCE PURSUANT TO SECTION 30-11-107 (1)(kk) OR 31-15-601 (1)(m):

(I) PROHIBITING THE INSTALLATION OF GRAYWATER TREATMENT WORKS AND THE USE OF ALL GRAYWATER IN THE COUNTY OR MUNICIPALITY; OR

(II) PROHIBITING ONE OR MORE CATEGORIES OF GRAYWATER USE THAT THE COMMISSION ESTABLISHES IN RULES ADOPTED PURSUANT TO SECTION 25-8-205 (1)(g).

(b) A BOARD OF COUNTY COMMISSIONERS OR GOVERNING BODY OF A MUNICIPALITY THAT ADOPTS A RESOLUTION OR AN ORDINANCE PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION SHALL NOTIFY THE DIVISION THAT THE BOARD OF COUNTY COMMISSIONERS OR GOVERNING BODY OF A MUNICIPALITY PROHIBITS THE USE OF ALL GRAYWATER OR PROHIBITS CERTAIN CATEGORIES OF GRAYWATER USE IN THE COUNTY OR MUNICIPALITY.

(c) A BOARD OF COUNTY COMMISSIONERS OR GOVERNING BODY OF A MUNICIPALITY THAT HAS NOT PROHIBITED THE INSTALLATION OF GRAYWATER TREATMENT WORKS PURSUANT TO SUBSECTION (2)(a)(I) OF THIS SECTION, PRIOR TO INSTALLATION OF ANY GRAYWATER TREATMENT WORKS, CONTINUES TO BE RESPONSIBLE FOR ADOPTING BUILDING CODES THAT PREVENT GRAYWATER FROM ENTERING A POTABLE WATER SYSTEM AND FOR REPORTING TO THE LOCAL WATER UTILITY THE PLANNED INSTALLATION OF GRAYWATER SYSTEMS THAT REQUIRE BACKFLOW PREVENTION CROSS-CONNECTION CONTROL DEVICES UNDER THE COMMISSION'S RULES FOR THE PURPOSE OF SURVEYING AND TRACKING SUCH DEVICES. FOR EACH LOCATION WITHIN A LOCAL GOVERNMENT'S JURISDICTION AT WHICH GRAYWATER TREATMENT WORKS HAVE BEEN INSTALLED, THE BUILDING DEPARTMENT OF THE LOCAL GOVERNMENT SHALL PROVIDE THE ADDRESS OF THE LOCATION TO EACH WATER UTILITY SERVING THAT LOCATION.

(3) A BOARD OF COUNTY COMMISSIONERS OR GOVERNING BODY OF A MUNICIPALITY THAT SENDS A NOTICE PURSUANT TO SUBSECTION (2)(b) OF

THIS SECTION MAY SUBSEQUENTLY ADOPT A RESOLUTION PURSUANT TO SECTION 30-11-107 (1)(kk) OR AN ORDINANCE PURSUANT TO SECTION 31-15-601 (1)(m) TO AUTHORIZE THE INSTALLATION OF GRAYWATER TREATMENT WORKS AND THE USE OF GRAYWATER OR TO AUTHORIZE CATEGORIES OF GRAYWATER USE PREVIOUSLY PROHIBITED. A BOARD OR GOVERNING BODY THAT SUBSEQUENTLY AUTHORIZES THE USE OF GRAYWATER PURSUANT TO THIS SUBSECTION (3) SHALL PROMPTLY NOTIFY THE DIVISION OF THE SUBSEQUENT AUTHORIZATION.

(4) UNLESS A BOARD OF COUNTY COMMISSIONERS OR GOVERNING BODY OF A MUNICIPALITY ADOPTS A RESOLUTION OR AN ORDINANCE TO THE CONTRARY, A PERSON MAY INSTALL INDOOR GRAYWATER TREATMENT WORKS PURSUANT TO SUBSECTION (1) OF THIS SECTION ONLY IN NEW CONSTRUCTION PROJECTS.

(5) NOTHING IN THIS SECTION REQUIRES THE PUBLIC DISCLOSURE OF CONFIDENTIAL INFORMATION RELATED TO WATER RIGHTS, WATER SUPPLY, OR WATER FACILITIES.

SECTION 2. In Colorado Revised Statutes, 30-11-107, **amend** (1)(kk) as follows:

30-11-107. Powers of the board. (1) The board of county commissioners of each county has power at any meeting:

(kk) (I) To adopt a resolution, ~~to authorize~~, in consultation with the local board of health, local public health agencies, and any water and wastewater service providers serving the county, REGARDING the use of graywater, as defined in section 25-8-103 (8.3), ~~C.R.S.~~, in compliance with any regulation adopted pursuant to section 25-8-205 (1)(g), ~~C.R.S.~~, and to enforce compliance with the board's resolution. A BOARD OF COUNTY COMMISSIONERS:

(A) MAY ADOPT A RESOLUTION PROHIBITING THE INSTALLATION OF GRAYWATER TREATMENT WORKS, AS DEFINED IN SECTION 25-8-103 (8.4), AND THE USE OF ALL GRAYWATER OR PROHIBITING ONE OR MORE CATEGORIES OF GRAYWATER USE THAT THE WATER QUALITY CONTROL COMMISSION ESTABLISHES IN RULES ADOPTED PURSUANT TO SECTION 25-8-205 (1)(g); AND

(B) PURSUANT TO SECTION 25-8-205.4 (2)(b), SHALL NOTIFY THE DIVISION OF ADMINISTRATION WITHIN THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT OF ANY RESOLUTION ADOPTED PURSUANT TO SUBSECTION (1)(kk)(I)(A) OF THIS SECTION. A BOARD OF COUNTY COMMISSIONERS THAT SENDS NOTICE PURSUANT TO THIS SUBSECTION (1)(kk)(I)(B) MAY SUBSEQUENTLY AUTHORIZE THE INSTALLATION OF GRAYWATER TREATMENT WORKS AND THE USE OF GRAYWATER OR AUTHORIZE CATEGORIES OF GRAYWATER USE PREVIOUSLY PROHIBITED AT ANY TIME BY ADOPTING A RESOLUTION. A BOARD OF COUNTY COMMISSIONERS THAT SUBSEQUENTLY AUTHORIZES THE USE OF GRAYWATER SHALL PROMPTLY NOTIFY THE DIVISION OF ADMINISTRATION WITHIN THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT OF THE SUBSEQUENT AUTHORIZATION.

(II) ~~Before adopting a resolution to authorize the use of graywater pursuant to subparagraph (I) of this paragraph (kk),~~ A board of county commissioners THAT HAS NOT PROHIBITED ALL GRAYWATER USE PURSUANT TO SUBSECTION (1)(kk)(I) OF THIS SECTION is encouraged to enter into a memorandum of understanding with the local board of health, local public health agencies, and any water and wastewater service providers serving the county concerning graywater usage and the proper installation and operation of graywater treatment works, as defined in section 25-8-103 (8.4). ~~C.R.S.~~

SECTION 3. In Colorado Revised Statutes, 31-15-601, **amend** (1)(m) as follows:

31-15-601. Building and fire regulations - emission performance standards required - reporting. (1) The governing bodies of municipalities have the following powers in relation to building and fire regulations:

(m) (I) To adopt an ordinance, ~~to authorize,~~ in consultation with the local board of health, local public health agencies, and any water and wastewater service providers serving the municipality, REGARDING the use of graywater, as defined in section 25-8-103 (8.3), ~~C.R.S.~~, in compliance with any regulation adopted pursuant to section 25-8-205 (1)(g), ~~C.R.S.~~, and to enforce compliance with the governing body's ordinance. THE GOVERNING BODY OF A MUNICIPALITY:

(A) MAY ADOPT AN ORDINANCE PROHIBITING THE INSTALLATION OF

GRAYWATER TREATMENT WORKS, AS DEFINED IN SECTION 25-8-103 (8.4), AND THE USE OF ALL GRAYWATER OR PROHIBITING ONE OR MORE CATEGORIES OF GRAYWATER USE THAT THE WATER QUALITY CONTROL COMMISSION ESTABLISHES IN RULES ADOPTED PURSUANT TO SECTION 25-8-205 (1)(g); AND

(B) PURSUANT TO SECTION 25-8-205.4 (2)(b), SHALL NOTIFY THE DIVISION OF ADMINISTRATION WITHIN THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT OF ANY ORDINANCE ADOPTED PURSUANT TO SUBSECTION (1)(m)(I)(A) OF THIS SECTION. A GOVERNING BODY OF A MUNICIPALITY THAT SENDS NOTICE PURSUANT TO THIS SUBSECTION (1)(m)(I)(B) MAY SUBSEQUENTLY AUTHORIZE THE INSTALLATION OF GRAYWATER TREATMENT WORKS AND THE USE OF GRAYWATER OR AUTHORIZE CATEGORIES OF GRAYWATER USE PREVIOUSLY PROHIBITED AT ANY TIME BY ADOPTING AN ORDINANCE. A GOVERNING BODY OF A MUNICIPALITY THAT SUBSEQUENTLY AUTHORIZES THE USE OF GRAYWATER SHALL PROMPTLY NOTIFY THE DIVISION OF ADMINISTRATION WITHIN THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT OF THE SUBSEQUENT AUTHORIZATION.

~~(II) Before adopting an ordinance to authorize the use of graywater pursuant to subparagraph (I) of this paragraph (m), the~~ A municipal governing body THAT HAS NOT PROHIBITED ALL GRAYWATER USE PURSUANT TO SUBSECTION (1)(m)(I) OF THIS SECTION is encouraged to enter into a memorandum of understanding with the local board of health, local public health agencies, and any water and wastewater service providers serving the municipality concerning graywater usage and the proper installation and operation of graywater treatment works, as defined in section 25-8-103 (8.4). ~~C.R.S.~~

SECTION 4. In Colorado Revised Statutes, 25-8-205, **amend** (1)(g) as follows:

25-8-205. Control regulations. (1) The commission may promulgate control regulations for the following purposes:

(g) (I) To describe requirements, prohibitions, and standards for the use of graywater for nondrinking purposes, to encourage the use of graywater, and to protect public health and water quality.

~~(II) Except as authorized in section 25-8-205.3, graywater may be~~

~~used only in areas where the local city, city and county, or county has adopted an ordinance or resolution approving the use of graywater pursuant to section 30-11-107 (1)(kk) or 31-15-601 (1)(m). The A city, city and county, or county that has adopted an ordinance or resolution approving REGARDING the use of graywater pursuant to section 30-11-107 (1)(kk) or 31-15-601 (1)(m) has exclusive enforcement authority regarding compliance with the ordinance or resolution.~~

(III) Use of graywater ~~shall be~~ IS allowed only in accordance with the terms and conditions of the decrees, contracts, and well permits applicable to the use of the source water rights or source water and any return flows ~~therefrom~~ FROM THE SOURCE WATER, and ~~no use of~~ graywater USE shall NOT be allowed IN A MANNER that ~~would~~ IS not be allowed under such decrees, contracts, or permits. ~~if the graywater ordinance or resolution did not exist.~~

~~(IV) A local city, city and county, or county may only authorize the use of graywater in accordance with federal, state, and local requirements.~~

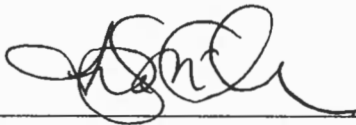
SECTION 5. In Colorado Revised Statutes, 25-8-205.3, **repeal** (2)(c) as follows:

25-8-205.3. Exemption from control regulations for graywater research - definition. (2) A person collecting, treating, or using graywater pursuant to this section:

~~(c) May collect, treat, and use the graywater in an area that is not within the jurisdiction of any city, city and county, or county that has adopted an ordinance or resolution authorizing graywater use pursuant to section 25-8-205 (1)(g)(H);~~

SECTION 6. Act subject to petition - effective date. This act takes effect January 1, 2026; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within the ninety-day period after final adjournment of the general assembly, then the act, item, section, or part will not take effect unless approved by the people at the general election to be

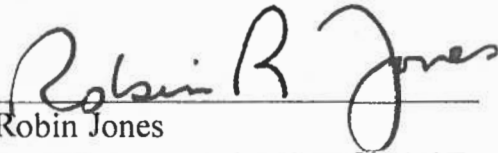
held in November 2024 and, in such case, will take effect January 1, 2026, or on the date of the official declaration of the vote thereon by the governor, whichever is later.



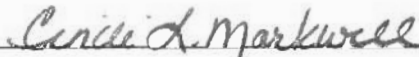
Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES



Steve Fenberg
PRESIDENT OF
THE SENATE

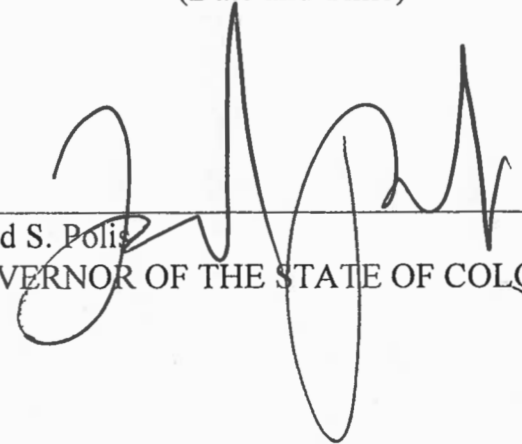


Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES



Cindi L. Markwell
SECRETARY OF
THE SENATE

APPROVED Wednesday May 29th 2024 at 12:20 PM
(Date and Time)



Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO

Agenda Item

Date: November 25, 2025

To: Douglas County Board of County Commissioners

Through: Douglas J. DeBord, County Manager

From: Terence T. Quinn, AICP, Director of Community Development 

CC: Brett Thomas, AICP, Chief Planner
Lauren Pulver, Planning Supervisor
Jeanette Bare, AICP, Planning Manager
Kati Carter, AICP, Assistant Director of Planning Resources
Steven E. Koster, AICP, Assistant Director of Planning Services

Subject: **Proposed Regulatory Amendments for Agritourism**

SUMMARY

At a work session in July of this year, the Board of County Commissioners (Board) directed staff to develop draft regulations for agritourism activities and related uses. The attached redlines propose a series of new definitions for agritourism. Land use processes are then proposed to match the scale and intensity of proposed agritourism activity, ranging from low intensity activities requiring no or limited County oversight to more significant agritourism operations which would be subject to the Use by Special Review (USR) process.

PROPOSED REGULATIONS

The draft regulations involve new and modified definitions (Section 36); revisions to Section 3 – Agricultural One Zone District (A-1), Section 4 – Large Rural Residential Zone District (LRR), and Section 21 – Use by Special Review (USR); and a new section to the zoning resolution – Section 22C – Agritourism Certification and Permits. When drafting the agritourism regulations, staff evaluated the approximately 20 event permits that have been issued since 2014 when Section 22B – Entertainment Events, was first adopted. Many of these events would qualify as agritourism activities under the proposed new definitions. A summary matrix of the approved Entertainment Events is attached to this memo. As part of its evaluation, staff examined the steps in the review process and identified areas where further streamlining could occur. For instance, staff suggests replacing the permit process with a simpler, certification process for minor agritourism activities and reducing duplicative neighbor noticing for major agritourism activities.

Section 36 – Definitions

The definition of Agriculture was amended to include silviculture and bee keeping. The definition of Agricultural Recreational Activities remains unchanged. New definitions related to agritourism are also proposed below. Changes and additions are shown in red.

- **Agriculture (existing)**– Land uses related to grazing or raising livestock or land uses which produce products that originate from the land’s productivity, such as farming, ranching, forestry, tree farming, animal husbandry, horticulture, **silviculture, and bee keeping**. Excluded from this definition is all marijuana prohibited by Douglas County per Resolution No. R-010-108 and Ordinance No. O-012-003.
- **Agricultural Recreational Activities (existing)** – Special activities related to livestock held for educational, instructional, or recreational purposes, including but not limited to horse shows, gymkhanas, training clinics, team ropings, rodeos, polo matches, endurance rides, hunts, or other activities involving livestock.
- **Agritourism (new)** – The practice of engaging in activities, events, and services provided for recreational, entertainment, or educational purposes to allow participants to experience, learn about, and participate in various facets of agricultural industry, culinary pursuits, natural resources and environment, heritage, and rural lifestyle.
- **Agritourism Activity (new)** – An agritourism activity for which admission is made available to the general public, held on a one time or occasional basis that provides recreation, entertainment, or education for those in attendance.
- **Agritourism Center (new)** – A center, buildings, and other improvements related to agriculture use which offer one or more agritourism activities throughout the year. Such use may include limited overnight accommodations for patrons who will participate in the agritourism activities offered on site.

Sections 3 and 4 – A-1 and LRR Zone Districts

For both the A-1 and LRR zone district, Agritourism Activities are added as an Accessory Use subject to the certification and permit processes set forth in the new proposed Section 22C.

Agritourism Centers are added as a Principal Use in the A-1 district for parcels of at least 35 acres in size, subject to Site Improvement Plan (SIP) approval. Agritourism Centers are added as a USR within the LRR district for parcels of at least 9 acres in size. The USR process provides for noticed public hearings before the Planning Commission and Board. Centers approved through the USR process would be subject to annual inspections to ensure compliance with the approved site plan and any operational limits imposed by the Board.

Section 21 – USR

This Section is amended to list Agritourism Activity as a USR when proposed in the LRR zone district. No specialized standards, such as larger setbacks, are proposed.

Section 22C – Agritourism Activities

This new section mimics many of the provisions of Section 22B – Entertainment Events, with additional streamlining. Depending on the size of the agritourism activity, different levels of review are established:

- **Agritourism Activities with up to 100 participants per day** – No County review required.
- **Minor Agritourism Activity** (1-day activity with up to 500 participants or activity occurring over 7 days with up to 300 participants per day) – The landowner provides a narrative and accompanying exhibit and acknowledges various standards via a signed Certification. Staff reviews and signs the Certification form and provides the applicant with contact information for the few agencies that may need to approve or inspect some aspect of the activity.
- **Major Agritourism Activity** (activities that exceed the limits of the Minor Agritourism Activity) – Landowners submit a land use application, site plan, and narrative. A brief referral and courtesy notice period is required. Approval is by the Board at a public land use meeting. Abutting property owners are given courtesy notice of the application at the beginning of the review process. The courtesy notice will also include information on the tentatively scheduled Board meeting should property owners wish to attend and testify on the request.

OTHER AGRITOURISM INITIATIVES

To achieve the Board's goal of increasing the number of agritourism events and opportunities offered by landowners and promoting tourism and economic development in rural areas of Douglas County, staff has worked with Communication & Public Affairs on a community engagement strategy.

The first step in the plan is to gather information from people who would be interested in these new regulations. A new webpage has been developed, including a feedback form to gather information from people who are interested in using their properties in this way. To engage target audiences with the new webpage and feedback form, the team has completed targeted social media posts to geographic areas where this would apply.

As the regulations are finalized, content will be added to this webpage. Several property owners currently engaged in agritourism have expressed interest in participating in the outreach and information process to help build this aspect of the County's economy. Fact sheets, how-to graphics, social media, and a marketing video are also part of the plan.

NEXT STEPS

If directed by the Board, staff will send the draft regulations out for referral agency and public review. Staff recommends also amending Section 22B – Entertainment Events, to allow smaller events to utilize the same streamlined review processes proposed for Agricultural Activities.

ATTACHMENTS

Redlines of Sections 3, 4, 21, and 36 and new Section 22C
 Draft Agritourism Certification Form
 Summary matrix of permitted Entertainment Events

SECTION 3 A1 AGRICULTURAL ONE DISTRICT

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301 Intent (Amended 8/11/09)

To provide areas for a wide range of farming, ranching, or tree farming activities and the preservation of such land for its open rural character providing a physical and visual separation between urban centers.

Urban development within this district is strongly discouraged. Agricultural land use can be an efficient means of conserving natural resources, constituting an important physical, environmental, social, aesthetic, and economic asset to both the urban and rural residents of the County. Expansion of urban development into rural areas is a matter of public concern because of the potential of unnecessary increases in service costs, conflicts between agricultural and urban activities, and the loss of open space and the natural landscape. Development consideration may be given where it would serve to preserve agricultural land or open space, and promote a design that is sensitive to the natural land features in accordance with the intent of the Douglas County Comprehensive Master Plan, as amended.

The A-1 zone district is characterized by large-acreage farms, ranches, open areas, farm houses, units for agricultural workers and their families, and other uses allowed which enhance and promote the openness and general rural nature characteristic of the County. Development or use of land in this district is permitted only in accordance with the provisions herein. Land disturbance activities may require permit(s).

302 Principal Uses

On parcels of 35 acres or greater, the following uses shall be allowed by right: *(Parcels smaller than 35 acres are limited to the principal uses allowed in the residential zone district to which the parcel conforms in size.)* (Amended 5/14/03)

302.01 Agricultural recreational activities

302.02 Agriculture (Amended 1/28/14)

302.03 Agritourism Center

302.~~03~~04 Animals – (refer to Section 24)

302.~~04~~05 Community Uses:

- Church – maximum seating capacity of 350 in main worship area (*Site Improvement Plan required per Section 27*)
- Fire station – no on-site training (*Site Improvement Plan required per Section 27*)
- Library (*Site Improvement Plan required per Section 27*)
- Open Space/trails
- Park/playground

- Recreation facility – private (*Site Improvement Plan required per Section 27*) (*Amended 9/9/08*)
- School – public/private kindergarten thru 12th grade (*Site Improvement Plan required per Section 27 for private school; location and extent required for public school per Section 32*)
- Sheriff substation – no training or detention (*Site Improvement Plan required per Section 27*)
- Temporary Emergency Shelter (*Approval letter required from the Director; the use must comply with applicable regulations*) (*Amended 10/14/02*)

302.~~05~~06 Construction office – temporary

302.~~06~~07 Event Center on a parcel of 80 acres or greater (*Site Improvement Plan required per Section 27, unless conducted as an accessory use to an agricultural use on a parcel 160 acres or greater*) (*refer to Section 324*) (*Amended 4/28/15*)

302.~~07~~08 Greenhouse – a maximum of 1 acre (43,560 sq. ft.) total area including warehouse and shipping facilities

302.~~08~~09 Hay sales (*Site Improvement Plan required per Section 27*) (*Amended 4/28/15*)

302.~~09~~10 Residence (*Amended 4/28/15*)

- Caretaker – one (1) per lot
 - Mobile home, when a principal single-family dwelling exists on the lot
- Principal – one (1) single-family dwelling or one (1) group home per lot (*excluding mobile home*) (*group homes must be separated by a distance of 750'*) (*Amended 9/9/08*)
- Temporary (*refer to Section 22*)

302.~~40~~11 Residential sales office – temporary (*refer to Section 22*)

302.~~44~~12 Training of non-owned horses, or riders not related to the landowner or lessee, limited to 14 lessons per week

302.~~42~~13 Utility service facility (*Site Improvement Plan required per Section 27*)

302.~~43~~14 Veterinary Clinic or Hospital, Equine and Livestock (*Site Improvement Plan required per Section 27*) (*Amended 2/21/23*)

303 Accessory Uses *(Amended 6/24/25)*

The following uses shall be allowed only when a principal use has been established on the lot. *(Parcels smaller than 35 acres are limited to the accessory uses allowed in the residential zone district to which the parcel conforms in size.)*

303.01 Accessory Dwelling Unit (ADU) – one per lot, except as restricted by a Rural Site Plan, subdivision plat, or other similar land use approval. A second ADU may be allowed subject to Section 325, Second Accessory Dwelling Unit Standards.

303.02 Accessory uses and buildings

303.03 Agritourism Activity *(refer to Section 22C)*

~~303.03~~04 Day-care home – small

~~303.04~~05 Entertainment Event *(refer to Section 22B)* *(Amended 1/28/14)*

~~303.05~~06 Event Center on a parcel of 160 acres or greater with a principal agricultural use *(Amended 4/28/15)*

~~303.06~~07 Farmers Market *(refer to Section 22A)* *(Amended 1/28/14)*

~~303.07~~08 Garage – private:

- For lots less than 1 acre in size – a maximum of one (1) detached garage of no more than 1,000 sq. ft. in area is permitted.
 - For lots 1 acre or greater in size – a maximum of two (2) detached garages is permitted. The total detached garage area shall not exceed 3,000 sq. ft. per lot.
- (Amended 3/08/22)*

~~303.08~~09 Home Occupation – Class 1 and Class 2 *(refer to Section 23)*

~~303.09~~10 In-home elder care *(Amended 3/28/01)*

~~303.10~~11 Sale of Agricultural Products and Value-added Agricultural Products produced or raised on site *(Amended 1/28/14)*

~~303.11~~12 Satellite receiving dish accessory to a residence

~~303.12~~13 Value-added Agricultural Processing – limited to a maximum of 1,500 square feet devoted to this use *(Amended 1/28/14)*

304 Uses Permitted by Special Review *(Amended 1/28/14)*

On parcels of 35 acres or greater, the following uses are permitted, upon the approval of the Board, in accordance with Section 21, Use by Special Review, of this Resolution. *(Parcels smaller than 35 acres are limited to the uses by special review allowed in the residential zone district to which the parcel conforms to in area.)*

- 304.01 Animals – non domestic, exotic
- 304.02 Campground
- 304.03 Cemetery
- 304.04 Church – greater than 350 seating capacity
- 304.05 Cultural facility
- 304.06 Day-care center/preschool, or day-care home – large
- 304.07 Dude Ranch
- 304.08 Event Center on a parcel of less than 80 acres *(Amended 4/28/15)*
- 304.09 Feedlot/confinement center
- 304.10 Firing range
- 304.11 Golf course legally established as a Use by Special Review prior to June 22, 2005 *(Amended 2/12/19)*
- 304.12 Greenhouse – greater than 1 acre total area including warehouse and shipping facilities
- 304.13 Hunting/fishing club
- 304.14 Home occupation pursuant to Section 2310, herein. *(Amended 8/23/22)*
- 304.15 Horse boarding or training facility that exceeds the maximum number of horses permitted by right or by administrative review in Section 24. *Exempt from Section 18A: Water Supply Overlay District (Amended 10/14/02)*
- 304.16 Horse rental stable
- 304.17 Kennel
- 304.18 Landfill – public/private

- 304.19 Landing field – private
- 304.20 Mining, quarry, sand/gravel operation, or similar extractive land use
- 304.21 Motorsports Facility, Private *(Amended 4/26/16)*
- 304.22 Oil or gas drilling operation
- 304.23 Recreation facility – community
- 304.24 Religious retreat
- 304.25 Residence *(Amended 4/28/15)*
- Bed and Breakfast
 - Group home for registered sex offenders *(Amended 9/12/00)*
 - Group Residential Facility
 - Mobile Home – one (1) per lot when a principal single-family residential dwelling does not exist.
- 304.26 Satellite earth station *(Amended 4/24/02)*
- 304.27 Septic waste and domestic sludge application
- 304.28 Telecommunication facility
- 304.29 Utility – major facility
- 304.30 Veterinary clinic or hospital
- 304.31 Wind energy conversion system

305 Uses Permitted by Administrative Review *(Amended 4/24/02)*

Agricultural worker housing (excluding mobile homes) in addition to the housing permitted by-right, may be reviewed and approved administratively provided the applicant meets the threshold criteria contained in this subsection, and can further demonstrate the need in the narrative as required by this Section. The thresholds listed are based on general industry standards.

- 305.01 Agricultural Worker Unit one (1) dwelling with one (1) to four (4) bedrooms, or one (1) to four (4) attached efficiency units/apartments in one (1) footprint) as follows:

305.01.1 Horse Ranch or Boarding/Training Facility provided the required narrative demonstrates a need based on the general criteria of one (1) worker per 25 horses.

305.01.2 Cattle ranch provided the required narrative demonstrates a need based on the general criteria of one (1) worker per 300 head of cattle.

305.01.3 Farm provided the required narrative demonstrates a need based on the general criteria of one (1) worker per 1200 acres of farmed land.

305.01.4 Combination farm/ranch activities provided the required narrative demonstrates a need based on the general criteria cited for each activity.

305.02 Applications for agricultural worker housing shall be reviewed in accordance with the thresholds contained in subsection 305, and the criteria and process set forth in subsections 316 through 323.

305.03 The Director shall determine threshold criteria for uses, or combinations of uses, not specifically listed.

306 Minimum Lot Area: 35 acres* (Amended 6/24/25)

Lots less than 35 acres in area shall be limited to the uses allowed in the agricultural or residential zone district to which the lot conforms in area.

306.01 For lots served by central water, a one-acre minimum lot area is required for a detached accessory dwelling unit (ADU).

306.02 For lots served by individual groundwater well, a two-acre minimum lot area is required for a detached accessory dwelling unit (ADU).

*The minimum lot area may be decreased with a clustered design through the exemption process. (Amended 4/28/15)

307 Minimum Setbacks

Parcel Size	Setback from Street	Setback from Side Lot Line	Setback from Rear Lot Line	Setback from 115+ KV Power Line
Less than 2.3 ac.	regional/maj. arterial: 100' other: 25'	15'*	25'* accessory: 15'	100'
2.3-4.49 ac.	regional/maj. arterial: 100' other: 25'	25'*	25'*	100'
4.5-8.9 ac.	regional/maj. arterial: 100' other: 50'	25'*	25'*	100'
9-34.9 ac.	100'	50'	50' accessory: 25'	100'

35+ ac.	100'	100' accessory: 50'	100' accessory: 50'	100'
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*Schools and buildings within recreation areas shall be set back 50'

The setback is measured from the lot line to the wall of the structure horizontally and perpendicular to the lot line. (See illustration in the Definition section.) The setback from the POWER LINE is measured from the closest edge of the easement to the structure.

308 Encroachments

- 308.01 A cornice, canopy, eave, fireplace, wing wall or similar architectural feature may extend 3 feet into a required setback.
- 308.02 A covered or uncovered deck or porch may extend 6 feet into a required setback, except for a side setback. *(Amended 3/8/22)*
- 308.03 Foundation anchoring and foundation repair systems may be located within a required setback. *(Amended 3/8/22)*
- 308.04 A building permit shall not be issued for any structure which is to be located within an easement unless written approval by the easement holder(s) is provided.
- 308.05 Utility distribution lines and related equipment commonly located along property lines may be located within a required setback. A neighborhood substation or gas regulator/meter station shall meet the required setbacks.

309 Building Height

Maximum building height: 35 feet

The maximum building height shall not apply to belfries, cupolas, penthouses, or domes not used for human occupancy, roof-mounted church spires, chimneys, skylights, ventilators, water tanks, silos, parapet walls, cornices, antennas, utility poles, and necessary mechanical appurtenances usually carried above the roof level.

- 309.01 The maximum height of a roof-mounted church spire/steeple shall not exceed 1.62 times the height of the church measured from the lowest finished floor to the roof peak. The height of the roof-mounted spire shall be measured from the top of the spire to the finished floor of the lowest walkout level of the church. *(refer to Section 36 building height definition – spire height calculation)*

- 309.02 The height of an antenna shall be no greater than the distance to the nearest lot line. *(refer to Section 27A for cell sites and Section 21 for telecommunication facilities)*

310 Water – Refer to Section 18A of this Resolution *(Amended 3/13/02)*

311 Street Standards

Public streets shall be constructed in accordance with the Douglas County Roadway Design and Construction Standards. Private streets shall be constructed either in accordance with Appendix 58 of the International Building Code, as amended and adopted by Douglas County, or the Douglas County Roadway Design and Construction Standards.

Both public and private streets shall be constructed in accordance with the provisions of the Douglas County Storm Drainage Design and Technical Criteria manual and the County's clearing, grading, and land disturbance regulations. *(Amended 6/14/06)*

312 Parking Standards – Refer to Section 28 for non-residential parking standards *(Amended 4/24/02)*

The minimum off-street parking spaces required: 8 spaces per lot in accordance with the Douglas County Roadway Design and Construction Standards.

313 Fencing Standards

313.01 Fences, walls, or hedges shall not be erected in the public right-of-way, but shall be allowed within the setback, on private land.

313.02 Fences, walls, or hedges shall be erected and maintained in a manner which does not obstruct the vision of automobile traffic on the adjacent streets, rights-of-way, or driveways in accordance with the Douglas County Roadway Design and Construction Standards manual.

313.03 A building permit is required for any retaining wall greater than 4 feet in height or any fence or wall greater than 6 feet in height, or as required by the Building Code, as amended and adopted by Douglas County. *(Amended 12/18/12)*

313.04 Fences, walls or hedges shall be maintained in good structural or living condition. The landowner is responsible for the repair or removal of a fence, wall or hedge, which constitutes a safety hazard, by reason of inadequate maintenance, dilapidation, obsolescence or abandonment, or which constitutes a zoning violation.

313.05 Barbed wire or electrically charged fences shall be allowed. Any electrically charged fence shall be clearly and conspicuously posted to warn those

outside the fence that it is electrically charged. Concertina or razor wire is prohibited.

- 313.06 Swimming pools shall be enclosed by a fence or wall that meets or exceeds the requirements of the Building Code, as amended and adopted by Douglas County. *(Amended 12/18/12)*

314 Sign Standards – Refer to Section 29 of this Resolution

315 Lighting Standards – Refer to Section 30 of this Resolution

316 Administrative Review – Prerequisite *(Amended 4/24/02)*

A landowner/lessee seeking to construct agricultural worker housing shall schedule a pre-submittal meeting with the staff to discuss the application, submittal procedures, and information required.

317 Administrative Review – Approval Criteria *(Amended 4/24/02)*

Administrative review of the application shall be based on the following criteria:

- 317.01 Whether the proposed use is in harmony and compatible with the character of the surrounding area;
- 317.02 Whether the proposed use will not result in an over-intensive use of the land;
- 317.03 Whether the proposed use will not require a level of community facilities and services greater than that which is available;
- 317.04 Whether the proposed use will not cause undue traffic congestion or traffic hazards;
- 317.05 Whether the proposed use will not cause significant air, water or noise pollution;
- 317.06 Whether the proposed use is adequately landscaped, buffered, or screened;
- 317.07 Whether the proposed use will not be otherwise detrimental to the health, safety or welfare of the neighboring landowners.

318 Administrative Review – Procedure *(Amended 4/24/02)*

- 318.01 Following the pre-submittal meeting, the applicant shall submit to the Planning Division a copy of the documents required per subsection 321.

The submittal shall be reviewed for completeness and the applicant notified of any inadequacies.

- 318.02 Once determined complete, staff will notify the applicant of the number of copies of the plan and narrative required to be submitted for distribution to referral agencies. Referral packets shall be provided by the applicant in unsealed manila envelopes, addressed to the appropriate referral agency. Staff shall mail the referral packets. Referral agencies shall comment within 21 days.

318.03 Written Notice

- 318.03.1 At least 10 days prior to the Director's decision, the applicant shall mail a written notice of the request by first-class mail to the address of each abutting landowner as such addresses are shown in the records of the Douglas County Assessor's Office and shall submit a certificate of mailing to Douglas County Planning Seven (7) days prior to the date of the Director's decision. The notice shall indicate:

- the proposed date of the Director's decision;
- the nature of the request;
- the location of the land that is the subject of the request (*distance and direction from nearest major intersection*);
- the file name and number; and
- a statement that comments and questions should be directed to Douglas County Planning, 100 Third Street, Castle Rock, CO 80104 (303) 660-7460.

- 318.03.2 The person completing the mailing of the written notice shall execute a certificate of mailing. Such certificate shall read as follows:

CERTIFICATE OF MAILING I hereby certify that a true and correct copy of the attached written notice was placed in the U.S. mail, first-class, postage prepaid, this ____ day of _____, 20__, and addressed as follows: (list of addresses) <u>(Signature of person completing the mailing)</u>
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- 318.03.3 In the event the applicant fails to mail a notice to an abutting landowner or otherwise fails to comply with the written notice required in this section, the landowners who did not receive such complying notice may waive such notice by submitting a written waiver to Douglas County Planning Division.

318.04 The staff planner will review the referral comments, discuss the concerns with the applicant, and prepare a staff report and present it to the Director for a decision.

318.05 An appeal of the Director's decision regarding an administrative review request may be submitted to the Board of Adjustment pursuant to Section 26A of this Resolution. *(Amended 4/10/12)*

319 Administrative Review – General Submittal Requirements *(Amended 4/24/02)*

319.01 A completed application form, including a copy of the completed pre-submittal form *(available from the Planning Office)*

319.02 Application fee *(fee schedule available from the Planning Office)*

319.03 Proof of ownership by copy of deed or title insurance commitment no more than 30 days old; or in the case of a lessee, a copy of the lease

319.04 A Narrative *(per Section 320 contained herein)*

319.05 A Plan Exhibit *(per Section 321 contained herein)*

319.06 A notarized letter or authorization from the landowner permitting a lessee or representative to process the application, when applicable

320 Administrative Review – Narrative *(Amended 4/24/02)*

320.01 The type and description of the residential unit proposed

320.02 The maximum number of individuals to be accommodated

320.03 A detailed description of the agricultural activities of the subject site focusing on the intensity of the operations, and on those work elements necessitating on-site agricultural labor including the following:

320.03.1 Number and type of livestock raised

320.03.2 Grazing plan and pasture rotation

320.03.3 Crop types and number of acres farmed

320.03.4 Other income-producing activities occurring on the site

320.04 A description of the sanitary service to be provided and evidence that the system is in accordance with County Health Department regulations

- 320.05 A description of the water service to be provided and evidence of the ability of the water to be used in the manner proposed
- 320.06 A description of the increase or reduction in traffic anticipated in trips per day as a result of the housing units
- 320.07 A description of community services or facilities (libraries, medical facilities, schools, etc.) that may be required or accessed by the occupants of the unit

321 Administrative Review – Plan Exhibit (Amended 4/24/02)

A site plan shall be submitted, drawn to scale that includes the following:

- 321.01 a vicinity map showing the site and the relationship to adjacent properties and major roads;
- 321.02 the total acreage owned or leased by the applicant;
- 321.03 the zoning and use of the contiguous parcels owned, and the zoning and use of adjacent land;
- 321.04 the location of the proposed agricultural worker unit with dimensions to the nearest property lines, and dimensions of the proposed unit;
- 321.05 a sketch of the floor plan for all units proposed, along with a notation restricting the residential use of the units to agricultural workers as defined and approved;
- 321.06 the location and dimensions of all property lines, existing and proposed structures, existing and proposed wells, septic systems, and leach fields noting separation distances as necessary;
- 321.07 access to proposed units – delineate public and private roads, dimensions, and note surface material, and;
- 321.08 all drainage ways affecting the site and designation of any 100-year floodplain on or adjacent to the site.

322 Administrative Permit – Annual Inspection (Amended 4/24/02)

Agricultural housing approved by administrative review shall meet all applicable regulations associated with residential development and shall be subject to an annual compliance inspection. A copy of the landowner/lessee's federal 943 Tax Form indicating that the occupants of the unit are indeed agricultural workers, may be required as part of the annual review and inspection.

323 Administrative Permit – Revocation *(Amended 4/24/02)*

The administrative permit may be revoked by the Director, after written notice, for failure to operate the use in accordance with the approved plan or narrative or other zoning regulation. A revocation may be appealed to the Board of Adjustment pursuant to Section 26A of this Resolution. *(Amended 4/10/12)*

324 Event Center Standards *(Amended 4/28/15)*

324.01 Where event centers are permitted with approval of a Use by Special review, the standards within Section 21 shall apply.

324.02 Where event centers are permitted with approval of a Site Improvement Plan, the following standards shall apply:

324.02.1 Structures, outdoor assembly areas, and parking lots shall be setback a minimum of 200 feet from all adjacent property lines.

324.02.2 Noise generated by the event center use shall not result in noise levels which exceed 40 dB(A) between 7:00 a.m. and 7:00 p.m., and 35 dB(A) between 7:00 p.m. and 7:00 a.m., measured in accordance with Section 1705A of the Noise Overlay District.

324.02.3 Maximum capacity shall not exceed 350 persons per event. Event centers that exceed this capacity shall be processed in accordance with Section 304.08.

324.03 Where event centers are permitted as accessory uses, the following standards shall apply:

324.03.1 The landowner shall obtain a written Event Center certification prior to commencement of the use.

- The certification request shall be submitted by the landowner in the form of a written request and accompanying exhibit.
- The exhibit shall depict the property, points of access, and the location of the proposed event center to structures and use areas. Structures, outdoor assembly areas, and parking lots shall be setback a minimum of 500 feet from any existing, separately-owned residence on adjacent parcels.
- The written request shall confirm that a principal agricultural use exists on the property and that legal and physical access is provided.
- The Director shall provide a written Event Center certification upon review of the request which confirms that the property meets the minimum size required, that there is a principal agricultural use,

and that access is provided. The certification shall include a statement that the event center use is vested, for purposes of setbacks, regardless of subsequent development on adjacent parcels.

324.03.2 Noise generated by the event center use shall comply with the limits established in Section 1703A of the Noise Overlay District.

324.03.3 If a land division reduces the parcel size to below 160 acres, approval of an application under the provisions of Section 302.06 or 304.08, as applicable, shall be required for continued event center use.

325 Second Accessory Dwelling Unit (ADU) *(Amended 6/24/25)*

A second ADU may be allowed on a parcel of 35 acres or more in size where one ADU has previously been approved or constructed, subject to the following review process.

325.01 Review Process

325.01.1 Following a presubmittal meeting with the Planning Services Division, the applicant shall submit the information required in 325.02 to the Planning Services Division. The submittal shall be reviewed for completeness and the applicant notified of any inadequacies. Once the submittal is determined complete, staff will send referral response requests to other agencies for review and comment on the application.

325.01.2 Referral agencies may include but are not limited to Douglas County Engineering and Building Divisions, Douglas County Health Department, Douglas County Sheriff's Office, the affected fire district, utility providers, Colorado Division of Water Resources, and county-registered homeowners associations within a two (2)-mile radius. The applicant will be asked to address all comments received.

325.01.3 Staff shall send a courtesy notice of an application in process and applicable contact information to all abutting landowners and owners of land separated by 300 feet or less from the property by a platted tract. Staff shall also send a courtesy notice of an application in process to the entity or entities responsible for ownership and maintenance of a shared private access. The applicant shall reimburse the County for the cost of materials. Errors in the courtesy notice shall not negatively impact the determination of public notice compliance set forth herein.

325.01.4 At least 14 days prior to the public meeting before the Board, the applicant shall mail a written notice of the public meeting by first-class mail to the address of each abutting landowner as such address is

shown in the records of the Douglas County Assessor's Office. The notice shall read:

NOTICE OF PUBLIC MEETING BEFORE THE BOARD OF COUNTY COMMISSIONERS

A public meeting will be held on (date), at (time), in the Commissioners' Hearing Room, 100 Third Street, Castle Rock, CO, to consider approval of a second accessory dwelling unit (ADU) at (address or nearest intersection). For more information call Douglas County Planning at 303-660-7460.

File No. and Name: _____

At least 7 days prior to the public meeting, the applicant shall provide the following to the Planning Services Division:

- Alphabetical list of the landowners.
- A map showing their relationship to the site.
- A copy of the notice sent to the landowners.
- Certificate of mailing.

The person completing the mailing of the written notice shall execute a certificate of mailing. Such certificate shall read as follows:

CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the attached written notice was placed in the U.S. Mail, first-class, postage prepaid this ____ day of _____, 20____, and addressed as follows

(list of addresses)

(signature of person completing the mailing)

In the event the applicant fails to mail a notice to an abutting landowner, the landowner that did not receive such complying notice may waive such notice by submitting a written waiver to the Planning Services Division prior to the meeting.

- 325.01.5 The request for a second ADU shall be approved, approved with conditions, continued, tabled for further study, or denied by the Board of County Commissioners at a public meeting. The Board shall evaluate the request, staff report, applicant responses, and public comment and testimony. The Board's action shall be based on the evidence presented and compliance with adopted County standards, regulations, and policies.

325.02 Submittal Requirements

325.02.1 Land use application

325.02.2 Proof of current ownership within 30 days of application submittal such as a title commitment or other instrument acceptable to the County.

325.02.3 Narrative describing the request. Include information on the proposed size and other design features of the proposed ADU. Describe how water and sewer services will be provided to the ADU. Indicate how the ADU will be sited on the property to minimize site disturbance and impacts to adjacent properties.

325.02.4 Copy of existing well permit(s) or septic use permit(s) issued for the property.

325.02.5 Plan exhibit to include the following:

- A vicinity map showing the parcel in relationship to adjacent properties and major roads. An aerial image may be used for this map.
- An overall parcel map labeling existing structures and dwellings.
- A site plan for the second ADU to show the building footprint or envelope. Show topography in two-foot contours within the area to be impacted by ADU construction. A DESC (Drainage, Erosion, and Sediment Control) Plan may be submitted in lieu of the site plan if one has been prepared.

325.02.6 Any other information requested by staff as necessary to evaluate the request. The Director may waive a required submittal requirement if deemed unnecessary to the review of the request.

325.03 Approval Standards

325.03.1 The second ADU is located outside of major drainageways and mapped 100-year floodplains.

325.03.2 The second ADU is capable of being served by water, sewer, and utility services.

325.03.3 The second ADU location minimizes impacts to existing topography and vegetation.

325.03.4 Legal and physical access is available to the second ADU.

325.03.5 The second ADU shall meet setback, height, and parking standards.

325.03.6 The second ADU is in general compliance with the goals, policies, and objectives of the County Comprehensive Master Plan.

SECTION 4 LRR – LARGE RURAL RESIDENTIAL DISTRICT**Section Contents**

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401 Intent (Amended 8/11/09)

To provide areas for large-lot residential uses with limited farming, ranching, or tree farming activities and the preservation of such land as open rural area. The density range is from one dwelling per 34.9 acres to one (1) dwelling per 10 acres.

Urban development within this district is strongly discouraged. Expansion of urban development into rural areas is a matter of public concern because of the potential of unnecessary increases in service costs, conflicts between agricultural and urban activities, and the loss of open space and the natural landscape. Large residential sites with limited agricultural uses may be appropriate when located outside the highway corridor viewsheds depicted on the Douglas County Open Lands Opportunity Map and when adjacent to residential development of similar or greater density. Development consideration may be given where it would serve to preserve agricultural land or open space, and promote a design that is sensitive to the natural land features in accordance with the intent of the Douglas County Comprehensive Master Plan, as amended.

The LRR zone district is characterized by residential sites with limited agricultural uses and open areas, which enhance and promote the openness and general rural character of the County. Development or use of land in this district is permitted only in accordance with the provisions herein. Land disturbance activities may require permit(s).

402 Principal Uses

On lots of 9 acres or greater in area, the following uses shall be allowed by right: *(Lots smaller than 9 acres are limited to the principal allowed in the residential zone district to which the lot conforms in size.)* (Amended 5/14/03)

402.01 Agricultural recreational activities

402.02 Agriculture (Amended 1/28/14)

402.03 Animals - (refer to Section 24)

402.04 Community Uses:

- Church - maximum seating capacity of 350 in main worship area (*Site Improvement Plan required per Section 27*)
- Fire station - no on-site training (*Site Improvement Plan required per Section 27*)
- Library (*Site Improvement Plan required per Section 27*)
- Open space/trails
- Park/playground
- Recreation facility - private (*Site Improvement Plan required per Section 27*) (Amended 9/9/08)

- School - public/private kindergarten thru 12th grade (*Site Improvement Plan required per Section 27 for private school; location and extent required for public school per Section 32*)
- Sheriff substation - no training or detention (*Site Improvement Plan required per Section 27*)
- Temporary Emergency Shelter (*Approval letter required from the Director; the use must comply with applicable regulations*) (*Amended 10/14/02*)

402.05 Construction office - temporary (*refer to Section 22*)

402.06 Greenhouse - a maximum of 1 acre (43,560 sq. ft.) total area including warehouse/shipping facilities

402.07 Residence

- Principal - one (1) single-family dwelling or one (1) group home per lot (*excluding mobile home*) (*group homes must be separated by a distance of 750'*) (*Amended 9/9/08*)
- Temporary (*refer to Section 22*)

402.08 Residential sales office - temporary (*refer to Section 22*)

402.09 Training of nonowned horses, or riders not related to the landowner or lessee, limited to 14 lessons per week

402.10 Utility service facility (*Site Improvement Plan required per Section 27*)

402.11 Veterinary Clinic or Hospital, Equine and Livestock (*Site Improvement Plan required per Section 27*) (*Amended 2/21/23*)

403 Accessory Uses (*Amended 6/24/25*)

The following accessory uses shall be allowed only when a principal use has been established on the lot. (*Lots smaller than 9 acres are limited to the accessory uses allowed in the residential zone district to which the lot conforms in size.*)

403.01 Accessory Dwelling Unit (ADU) – one per lot, except as restricted by a Rural Site Plan, subdivision plat, or other similar land use approval.

403.02 Accessory uses and buildings

403.03 Agritourism Activity (*refer to Section 22C*)

~~403.03~~ 404 Day-care home - small

~~403.04~~ 405 Entertainment Event (*refer to Section 22B*) (*Amended 1/28/14*)

403.~~05~~06 Farmers Market (*refer to Section 22A*) (*Amended 1/28/14*)

403.~~06~~07 Garage - private:

- For lots less than 1 acre in size - a maximum of one (1) detached garage of no more than 1,000 sq. ft. in area is permitted.
- For lots 1 acre or greater in size - a maximum of two (2) detached garages is permitted. The total detached garage area shall not exceed 3,000 sq. ft. per lot.
(*Amended 3/8/22*)

403.~~07~~08 Home occupation - Class 1 and Class 2 (*refer to Section 23*)

403.~~08~~09 In-home elder care (*Amended 3/28/01*)

403.~~09~~10 Sale of Agricultural Products and Value-added Agricultural Products produced or raised on site (*Amended 1/28/14*)

403.~~10~~11 Satellite receiving dish

403.~~11~~12 Value-added Agricultural Processing - limited to a maximum of 1,500 square feet devoted to this use (*Amended 1/28/14*)

404 Uses Permitted by Special Review (*Amended 6/22/05*)

On lots of 9 acres or greater in area, the following uses are permitted, upon the approval of the Board, in accordance with Section 21, Use by Special Review herein. (*Lots smaller than 9 acres are limited to the uses by special review allowed in the residential zone district to which the lot conforms to in area.*) (*Amended 5/14/03*)

404.01 Animals - nondomestic, exotic

404.02 Agritourism Center

404.~~02~~03 Church - greater than 350 seating capacity in main worship area

404.~~03~~04 Cultural facility

404.~~04~~05 Day-care center/preschool, or day-care home - large

404.~~05~~06 Golf course legally established as a Use by Special Review prior to June 22, 2005

404.~~06~~07 Home occupation pursuant to Section 2310, herein. (*Amended 8/23/22*)

404.~~07~~08 Horse boarding or training facility that exceeds the maximum number of horses permitted by right or by administrative review. *Exempt from Section 18A: Water Supply Overlay District (Amended 10/14/02)*

404.~~08~~09 Horse rental stable

404.~~09~~10 Kennel

404.~~10~~11 Recreation facility - community

404.~~11~~12 Residence (*Amended 4/28/15*)

- Bed and Breakfast
- Caretaker - 1 per lot (may be a mobile home)
- Group Residential Facility

404.~~12~~13 Septic waste and domestic sludge application

404.~~13~~14 Utility - major facility

404.~~14~~15 Veterinary clinic or hospital

404.~~15~~16 Wind energy conversion system

405 Land Dedication

A portion of the gross site area shall be dedicated to Douglas County for public use or cash-in-lieu of land as required by the Douglas County Subdivision Resolution.

406 Lot Area

To promote a design that is sensitive to the natural environment and adapts to the natural topography, flexibility in lot size is allowed. Lot size may be determined through a site analysis based on compatibility with adjacent land uses, health department requirements, the natural environment, water supply, soil suitability for septic systems, and the Douglas County Master Plan. The ability to keep animals may be affected by the lot size. (*Refer to Section 24*)

406.01 For lots served by an individual well and septic system, the allowable minimum lot area is 2 acres.

406.02 For lots served by a central water system, the allowable minimum lot area is 1 acre.

406.03 For lots served by central water, a one-acre minimum lot area is required for a detached accessory dwelling unit (ADU). (*Amended 6/24/25*)

- 406.04 For lots served by individual groundwater well, a two-acre minimum lot area is required for a detached accessory dwelling unit (ADU). *(Amended 6/24/25)*

407 Maximum Gross Density

The gross density shall not exceed one (1) dwelling per 10 acres and may be less due to required infrastructure or dedication, or environmental constraints.

408 Minimum Setbacks

Lot Size	SETBACK FROM:			
	Street	Side Lot Line	Rear Lot Line	115+KV Power Line
LESS than 2.3	regional/maj. arterial: 100' other: 25'	15'*	25'* accessory: 15'	100'
2.3-4.49 ac.	regional/maj. arterial: 100' other: 25'	25'*	25'*	100'
4.5-8.9 ac.	regional/maj. arterial: 100' other: 50'	25'*	25'*	100'
9+ ac.	100'	50'	50' accessory: 25'	100'

*Schools and buildings within recreation areas shall be set back 50'

The setback is measured from the lot line to the wall of the structure horizontally and perpendicular to the lot line. (See illustration in the Definition section.) The setback from the POWER LINE is measured from the closest edge of the easement to the structure.

409 Encroachments

- 409.01 A cornice, canopy, eave, fireplace, wing wall or similar architectural feature may extend 3 feet into a required setback.
- 409.02 A covered or uncovered deck or porch may extend 6 feet into a required setback, except for a side setback. *(Amended 3/8/22)*
- 409.03 Foundation anchoring and foundation repair systems may be located within a required setback. *(Amended 3/8/22)*
- 409.04 A building permit shall not be issued for any structure which is to be located within an easement unless written approval by the easement holder(s) is provided.
- 409.05 Utility distribution lines and related equipment commonly located along property lines may be located within a required setback. A neighborhood substation or gas regulator/meter station shall meet required setbacks.

410 Building Height

Maximum building height: 35 feet

The maximum building height shall not apply to belfries, cupolas, penthouses or domes not used for human occupancy, roof-mounted church spires, chimneys, skylights, ventilators, water tanks, silos, parapet walls, cornices, antennas, utility poles and necessary mechanical appurtenances usually carried above the roof level.

410.01 The maximum height of a roof-mounted church spire/steeple shall not exceed 1.62 times the height of the church measured from the lowest finished floor to the roof peak. The height of the roof-mounted spire shall be measured from the top of the spire to the finished floor of the lowest walkout level of the church. *(refer to Section 36 building height definition - spire height calculation)*

410.02 The height of an antenna shall be no greater than the distance to the nearest lot line. *(refer to Section 27A for cell sites and Section 21 for telecommunication facilities)*

411 Water - Refer to Section 18A of this Resolution *(Amended 03/13/02)*

412 Street Standards

Construction of streets in accordance with the Master Plan, Roadway Design and Construction Standards, Storm Drainage Design and Technical Criteria manual, and other applicable County regulations.

413 Parking Standards

The minimum off-street parking spaces required: 8 spaces per lot in accordance with the Douglas County Roadway Design and Construction Standards. *(refer to Section 28 for non-residential parking standards) (Amended 4/24/02)*

414 Fencing Standards

414.01 Fences, walls, or hedges shall not be erected in the public right-of-way, but shall be allowed within the setback, on private land.

414.02 Fences, walls, or hedges shall be erected and maintained in a manner which does not obstruct the vision of automobile traffic on the adjacent streets, rights-of-way, or driveways in accordance with the Douglas County Roadway Design and Construction Standards manual.

414.03 A building permit is required for any retaining wall greater than 4 feet in height or any fence or wall greater than 6 feet in height, or as required by

the Building Code, as amended and adopted by Douglas County. *(Amended 12/18/12)*

414.04 Fences, walls or hedges shall be maintained in good structural or living condition. The landowner is responsible for the repair or removal of a fence, wall or hedge, which constitutes a safety hazard, by reason of inadequate maintenance, dilapidation, obsolescence or abandonment, or which constitutes a zoning violation.

414.05 Barbed wire or electrically charged fences shall be allowed. Any electrically charged fence shall be clearly and conspicuously posted to warn those outside the fence that it is electrically charged. Concertina or razor wire is prohibited.

414.06 Swimming pools shall be enclosed by a fence or wall that meets or exceeds the requirements of the Building Code, as amended and adopted by Douglas County. *(Amended 12/18/12)*

415 Signs Standards - Refer to Section 29 of this Resolution

416 Lighting Standards - Refer to Section 30 of this Resolution

SECTION 21 USE BY SPECIAL REVIEW

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2101 Intent

To provide for uses in specific zone districts that shall require a public notice and hearing and the approval of the Board of County Commissioners subject to such conditions and safeguards as may be imposed by the Board, and to establish procedures for amending an approved use by special review based on the anticipated impact of the change.

2102 Approval Standards

A use by special review shall be approved only if the Board of County Commissioners finds that the proposed use:

- 2102.01 Complies with the minimum zoning requirements of the zone district in which the special use is to be located, as set forth in this Resolution.
- 2102.02 Complies with the requirements of this Section 21.
- 2102.03 Complies with the Douglas County Subdivision Resolution.
- 2102.04 Will be in harmony and compatible with the character of the surrounding areas and neighborhood.
- 2102.05 Will be consistent with the Douglas County Comprehensive Master Plan, as amended.
- 2102.06 Will not result in an over-intensive use of land.
- 2102.07 Will provide roadway capacity necessary to maintain the adopted roadway level-of-service for the proposed development concurrently with the impacts of such development.
- 2102.08 Will provide public facilities and services necessary to accommodate the proposed development concurrently with the impacts of such development.
- 2102.09 Will not cause significant air, water, or noise pollution.
- 2102.10 Will be adequately landscaped, buffered, and screened.
- 2102.11 Complies with the following standards regarding water supply:
 - 2102.11.1 If it is demonstrated that the use by special review will not generate any ongoing water demand, no proof of water supply shall be required and no other provisions of Section 18A, Water Supply Overlay District, herein, shall be applicable. *(Amended 5/26/2015)*

2102.11.2 If it is demonstrated that the use by special review, when located on a conforming parcel within the A-1 or LRR zone district, will generate a water demand not to exceed three (3) acre-feet per year, and that the demand can be supplied by a groundwater well which has or is capable of receiving a permit from the Colorado Division of Water Resources for such use, this standard shall be met and no other provisions of Section 18A, Water Supply Overlay District, herein, shall be applicable. Water demands shall be estimated in accordance with the Minimum Water Demand Standards defined in Section 18A, Water Supply Overlay District, herein. *(Amended 5/26/2015)*

2102.11.3 For all other use by special review applications, the applicant shall demonstrate conformance with Section 18A, Water Supply Overlay District, herein. *(Amended 5/26/2015)*

2102.12 Will not otherwise be detrimental to the health, safety, or welfare of the present or future inhabitants of the County.

2103 Length of Approval

A use by special review shall be permitted for a duration of time specified by the Board or until the land use changes or is terminated, whichever occurs first. The use by special review may transfer with the sale of the land.

2104 Annual Review

Each use by special review is subject to yearly review, or as often as the Board deems appropriate, to ensure compliance with the approval standards and conditions of approval.

2105 Amendment of An Approved Use by Special Review

An amendment to an approved use by special review may be considered in accordance with the procedures identified herein for either a use by special review amendment or an administrative use by special review amendment.

2106 General Provisions

2106.01 The Board may establish lesser setbacks than those required in this Section, and heights greater than those allowed in the underlying zone district, if the Board determines that adequate buffering is or will be provided to mitigate such concerns as noise, visual, dust, or other social or environmental impacts. The burden of proof is on the applicant to demonstrate such adequate mitigation measures.

2106.02 Outdoor storage areas shall be screened by a solid wall or fence of an appropriate height unless otherwise provided for herein. *(Amended 3/26/24)*

2106.03 A use by special review may be permitted on nonconforming parcels when such use is permitted, as a use by special review, in the zone district to which the parcel conforms in size.

2107 Allowed Uses by Special Review *(Amended 8/28/18)*

The Development Plan for a specific Planned Development District shall set forth the permitted uses by special review and any additional requirements therein.

The following uses are listed as uses by special review within the zone districts of this Resolution, and are subject to additional requirements as noted herein:

2107.01 Agritourism center: LRR zone district

2107.02 Animals – nondomestic, exotic: A-1 and LRR zone districts provided that:

- a security fence surrounds the enclosures to prevent the animals from leaving the premises; and
- the applicant shall contact the Denver Zoo Curator and State Division of Wildlife to determine the enclosure size needed and any special conditions for species on the site. Each enclosure shall have adequate water and drainage.

2107.0~~32~~ Bar or Lounge: CMTY and MI zone districts

2107.0~~43~~ Batch plant – concrete, asphalt or mortar: LI and GI zone districts

2107.0~~54~~ Bed and Breakfast: A-1, LRR, RR, ER, and MI zone districts

2107.0~~65~~ Campground: A-1 zone district provided that all uses and structures are located at least 100 feet from all property lines

2107.0~~76~~ Cemetery: A-1 zone district

2107.0~~87~~ Chemical/hazardous material storage, transfer, or disposal facility: GI zone district, provided such use complies with all State and federal regulations and is located at least 500 feet from all lot lines

2107.0~~98~~ Church with a seating capacity, in the main worship area, greater than 350: A-1, LRR, RR, ER, SR, MF, and MH zone districts, provided that such uses are located at least 50' from all lot lines or the zone district minimum setback, whichever is greater

2107.1~~09~~ Club or Country Club: CMTY, D, and MI zone districts

2107.1~~10~~ College or University extension office: CMTY and D zone districts

2107.1~~24~~ Cultural facility: A-1 and LRR zone districts

2107.1~~32~~ Day-care center, preschool, or day-care home – large: A-1, LRR, RR, ER, SR, MF, and MH zone districts provided that such uses shall be situated on a lot of not less than 10,000 square feet and that a solid fence or wall 6 feet in height shall completely surround the yard used for playground purposes (*Amended 3/26/24*)

2107.1~~43~~ Dude ranch: A-1 zone district

2107.1~~54~~ Event Center: CMTY and D zone districts, subject to the following additional requirement:

2107.1~~54~~.1 A noise study shall be submitted demonstrating compliance with the limits established in Section 1703A of the Noise Overlay District.

A-1 zone district, subject to the following additional requirements:

2107.1~~54~~.2 Structures used for the event center shall be of a scale and design that is compatible with the surrounding rural environment.

2107.1~~54~~.3 Structures, outdoor assembly areas, and parking lots used for the event center shall be setback a minimum of 200 feet from all adjacent property lines.

2107.1~~54~~.4 Noise generated by the event center use shall not result in noise levels which exceed 40 dB(A) between 7:00 a.m. and 7:00 p.m., and 35 dB(A) between 7:00 p.m. and 7:00 a.m., measured in accordance with Section 1705A.

2107.1~~54~~.5 A noise study shall be submitted demonstrating compliance with the event center noise standard.

2107.1~~54~~.6 In addition to the management plan components specified in Section 2112, operational limitations for the event center shall address the following:

- (1) Maximum number of event patrons.
- (2) Frequency of events including times of day and days of week.
- (3) The number of outdoor and indoor events.
- (4) Specific mitigation measures to limit the impacts of any exterior lighting.

- (5) Specific limitations or mitigation measures to ensure compliance with the noise standards consistent with the noise study.

2107.1~~54~~.7 In addition to the information required for the project narrative specified in Section 2111, the event center narrative shall include a discussion of the following:

- (1) The ability of the existing or proposed structures to comply with building and fire code requirements for public assembly uses.
- (2) The ability to provide sanitation service for the proposed use by connection to a sanitary sewer or provision of on-site wastewater treatment.
- (3) The ability to connect to a central water provider or to obtain a well permit for the proposed use.

2107.1~~65~~ Feed yard – confinement center: A-1 zone district, provided that such use is located at least 500 feet from all property lines, and that such use is approved by the Douglas County Health Department (*Amended 3/26/24*)

2107.1~~76~~ Firing range – outdoor: A-1 and GI zone districts provided that the use is located at least 100 feet from all property lines; an indoor range may be permitted as an accessory use to an outdoor range in the A-1 zone district

2107.1~~87~~ Golf course legally established as a Use by Special Review prior to June 22, 2005: A-1, LRR, RR, ER, and SR zone districts subject to the following:

- (1) Such use may be amended in accordance with the provisions established herein.
- (2) No amendment shall have the effect of changing the boundary of the area subject to the legally established Use by Special Review as it existed on June 22, 2005. (*Amended 2/12/19*)

2107.1~~98~~ Greenhouse: A-1 zone district

The following may be restricted based upon compatibility with the surrounding land uses:

- Location, size, height and use of structures
- Number of vehicle trips
- Lighting and hours of operation
- Location and type of materials stored outside
- Retail sale of items
- Parking area setbacks

2107.~~2019~~ Group Residential Facility: A-1, LRR, MF, MH, B, C, and LI zone districts provided that the Group Residential Facility does not include more than 1 registered sex offender over the age of 18 (*Amended 5/14/03*)

All requests shall be submitted to the Placement Alternative Commission as a referral.

2107.~~210~~ Group Home for registered sex offenders: A-1, B, C, and LI zone districts, provided the facility is located a minimum of 1,500 feet from a school, park, playground, child-care facility, and youth camp.

All requests shall be submitted to the Placement Alternative Commission as a referral.

2107.~~221~~ Heliport: B, C, LI, and GI zone districts:

- The FAA shall be notified regarding approval of airspace.
- A management plan shall be submitted with the application that addresses the following:
 - type and use of aircraft for which the facility is intended;
 - number of planes to be stationed on the site;
 - frequency of flights and diagram of flight patterns; and
 - hours of operation.

2107.~~232~~ Home occupation: A-1, LRR, and RR zone districts pursuant to Section 2310, herein. No outside storage shall be allowed. (*Amended 8/23/22*)

2107.~~243~~ Horse boarding or training facility: A-1, LRR, RR, and ER zone districts where the number of boarded horses exceeds the maximum number of horses permitted by right or by administrative review, or the number of lessons for non-owned horses, or riders not related to the landowner or lessee, exceeds 14 per week.

The applicant shall demonstrate a minimum water supply of 20 gallons per horse per day. The applicant must obtain the necessary well permits from the State Division of Water Resources.

On the Plan Exhibit, the applicant shall identify areas of allowable devegetation, pastures proposed for horse grazing, the pasture grazing schedule, manure storage areas, and the method and frequency of manure disposal.

2107.~~254~~ Horse rental stable: A-1 and LRR zone districts provided that all uses are located at least 100 feet from all lot lines

2107.~~265~~ Hotel: CMTY and D zone districts

2107.27~~6~~ Hunting or fishing club: A-1 zone district; hunting clubs shall be located on a minimum of 160 acres

2107.28~~7~~ Jail/correctional facility: GI zone district – Security for the facility may include barb, electric, or concertina wire when located a minimum of 6' 6" in height measured from the ground level outside the fence.

2107.29~~8~~ Junk, scrap metal, or auto wrecking yard: GI zone district provided all such uses are screened by a solid wall or fence at least 6 feet in height (*Amended 3/26/24*)

2107.30~~29~~ Kennel: A-1 and LRR zone districts provided that all uses are located at least 100 feet from all lot lines

2107.31~~0~~ Landfill – public or private: A-1 and GI zone districts provided that such use is approved by the Douglas County Health Department and is located 500 feet from all lot lines or 1,000 feet from any existing residential land use, whichever is greater. (*Amended 3/26/24*)

Prior to applying for a use by special review, the applicant must first receive a recommendation of approval for the certificate of designation from the Colorado Department of Health. Any proposal must be in compliance with the Douglas County Comprehensive Master Plan, as amended.

2107.32~~4~~ Landing Field, Private: A private, non-commercial landing field or helipad for fixed or rotary wing craft is permitted as an accessory use in the A-1 and GI zone districts provided:

- Minimum lot/parcel area: 35 acres.
- Minimum setback for landing area: 200' from the sides of the landing strip, and 400' from the ends.
- The landing field shall be for the exclusive use of the landowner and guests.
- Any commercial use, flight training, ground school, or sales, are prohibited.
- Aircraft noise may not exceed 78 db(A) for more than 5 minutes in a 1-hour period.
- The FAA shall be notified regarding approval of airspace.
- The landing strip shall be oriented such that aircraft landing and takeoff do not pass directly over dwellings, schools, churches, or other places of public assembly.
- Minimum setback from existing residences (except landowner's): 1/2 mile from either end of the runway.
- A management plan shall be submitted with the application that addresses the following:

- type and use of aircraft for which the facility is intended;
- number of planes to be stationed on the site;
- frequency of flights and diagram of flight patterns; and
- hours of operation.

2107.332 Mining, quarry, sand and gravel operation, or similar extractive land use: A-1 and GI zone districts, subject to the following:

2107.332.1 The use is judged by the twelve criteria for approval of a use by special review, and the goals and policies of the Douglas County Comprehensive Master Plan, as amended and its Mineral Extraction element, and may be approved with conditions derived from the extraction plan submittals listed herein.

2107.332.2 Exemptions from these regulations may be approved by the Director of Community Development in accordance with an approved grading permit, for any one of the following:

- (1) Earthwork performed within public rights-of-way
- (2) Earthwork performed which is consistent with an approved site plan or an approved and recorded final plat
- (3) Earthwork performed as part of construction per an approved building permit
- (4) Borrow site

2107.332.3 A narrative that addresses all items listed in Section 2111, herein, and the following:

- (1) a discussion of the quantity and quality of the deposit and its relationship to the supply and demand information contained in the Douglas County Master Plan for Mineral Extraction
- (2) a discussion of the positive and negative impacts of the operation

2107.332.4 A plan exhibit prepared in accordance with Section 2112, herein, and shows the following:

- (1) The relationship of the mine site to other uses/structures in the area
- (2) The location of all buildings, equipment, on- and off-site haul roads, ancillary facilities, staging areas, and stockpiles
- (3) The limits of the mine site and the extent of areas to be disturbed
- (4) The location and dimension of buffers against noise and visual impact to be left in place or created
- (5) Identified aquifer recharge areas, wetland areas, lakes, rivers

- (6) Wildlife impact areas as designated in the Douglas County Comprehensive Master Plan, as amended, and areas considered significant by the Colorado Division of Wildlife
- (7) Areas identified, through independent assessment, as having historic, archaeological, or paleontological resources
- (8) All Douglas County Comprehensive Master Plan designations

2107.3~~32~~.5 An operational plan shall be submitted that at a minimum addresses the following:

- (1) Start and end dates and the hours of operation
- (2) A program for initial air-quality measurements and an ongoing monitoring program, including dust from equipment and stockpiles
- (3) A program for initial water quality and quantity measurements, including well tests in the area, and an ongoing water-quality monitoring program
- (4) Sources and quantities of water needed on site
- (5) A drainage and erosion control plan in compliance with the Douglas County Storm Drainage Design and Technical Criteria manual
- (6) A program for initial noise measurement, an ongoing noise monitoring program, and a noise abatement program
- (7) Proposed methods and timing of site restoration and their relationship to visual and air-quality impacts
- (8) A phasing plan that:
 - designates areas to be disturbed and the proposed timing or extraction for each area;
 - illustrates the timing of site restoration for each area including revegetation, contouring, and grading;
 - limits the total land area to be disturbed at any one time; and
 - links the availability of adequate transportation facilities to the scope of the operation, specifically identifies off-site infrastructural improvements required for the project, and specifies the time frame for construction in relation to phases of on-site operation.
- (9) A transportation plan that:
 - designates transportation routes (*existing or proposed*) that avoid residential areas and limit the use of local roads;
 - gives traffic counts and the projected level of service along haul routes, at bridges and culverts, and at key intersections both at the start and at peak operation;
 - specifies the hours when material will be transported off site;
 - lists the improvements necessary for the transportation system to accommodate expected traffic;

- addresses the construction of needed transportation improvements; and
 - lists the actions to be taken at the staging area to allow only safe, clean, and covered trucks onto the transportation system.
- (10) A blasting plan that:
- Identifies noise and vibration-sensitive uses/structures/activities in the area;
 - includes a pre-blast inspection program for identified structures;
 - includes a program for initial seismic and noise monitoring during the first blast;
 - incorporates a method of reviewing data from the initial blast and provisions for amending the blasting program accordingly; and
 - specifies the times and the atmospheric conditions when blasting is permitted.
- (11) An end-state, land-use plan that shows:
- areas to be returned to a natural state;
 - areas to be restored for wildlife habitat, *if applicable*;
 - areas that are appropriate for open space, trails, parks and recreational uses, and are identified on the County's open space and recreational plans;
 - the site's final topography;
 - proposed post-mining land uses, consistent with the zoning of the land; and
 - site restoration phases.
- (12) A site evaluation including:
- wildlife impact analysis conducted in conjunction with the Colorado Division of Wildlife;
 - independent assessment of the historic, archaeological, or paleontological value of the site;
 - drainage studies as required by the Public Works Department, including an erosion and sedimentation control plan, a Phase I drainage report at initial submittal, and a Phase III drainage report prior to each phase;
 - a transportation study that identifies transportation routes, number of trips, critical intersections, traffic volumes, and transportation system improvements necessitated by the application;
 - a visual analysis that documents the visibility throughout the life of the operation; identifies visually sensitive areas and the expected impact at those locations; and lists visual impact mitigation measures; and

- a copy of all information submitted to the Division of Minerals and Geology, Colorado Department of Natural Resources.

2107.3~~43~~ Motel: CMTY and D zone districts

2107.3~~54~~ Motorsports Facility, Private: A-1 zone district (*Amended 4/26/16*)

2107.3~~54~~.1 All components of the Private Motorsports Facility shall be located a minimum of 200 feet from all property lines. Additional setbacks may be required if necessary to mitigate noise impacts.

2107.3~~54~~.2 Noise generated by the Private Motorsports Facility use shall comply with the limits established in Section 1703A of the Noise Overlay District ("noise standard").

2107.3~~54~~.3 A noise study shall be submitted demonstrating that the proposed facility can be designed and operated in such a manner as to ensure ongoing compliance with the noise standard.

2107.3~~54~~.4 Maximum land area devegetated, including devegetation resulting from the Private Motorsports Facility, shall comply with the limits established in Section 24, Animals.

2107.3~~54~~.5 In addition to the management plan components specified in Section 2112, operational limitations for the Private Motorsports Facility shall address the following:

- (1) Maximum number of concurrent motorsports vehicles in use
- (2) Hours and days of use
- (3) Specific mitigation measures to limit visual impacts of the Private Motorsports Facility from public roadways and abutting properties; and
- (4) Specific limitations or mitigation measures to ensure compliance with the noise standard and recommendations of the noise study.

2107.3~~65~~ Natural Medicine Business. A Natural Medicine Business shall be located a minimum of 1,500 feet from any: (*Amended 6/24/25*)

- A residential zone district (LRR, RR, ER, SR).
- Dwelling.
- Church, park, or library.
- State-licensed day-care facility.
- School or educational facility, serving persons age 18 or younger.
- Property within an incorporated area.

The distance between any Natural Medicine Business and any dwelling, church, park, library, day-care facility, school, residential zone district, or incorporated area shall be measured in a straight line, without regard to intervening structures or objects, from the nearest portion of the building or structure used as part of the premises where the Natural Medicine Business is conducted to the nearest lot line of the premises of the dwelling, church, park, library, day-care facility, or school or the nearest boundary of a residential zone district or incorporated area.

2107.3~~65~~.1 Healing Center: B, C, LI, and GI zone districts.

- Additional Requirements:

- Hours of Operation: Between 8:00 a.m. and the next 5:00 p.m.
- Days of Operation: Monday through Friday
- A Healing Center shall be located no further than 5 miles from a hospital, emergency medical care center, urgent care center, or other such medical treatment facility, unless such services are available at the Healing Center.
- Within 14 days of the Director's execution of the approval certificate for a new Healing Center, staff shall provide written notice of the approval to the Douglas County Sheriff's Office, Douglas County Health Department, and any facility providing emergency medical care located within 5 miles of the Healing Center.

2107.3~~65~~.2 Cultivation Facility: LI and GI zone districts.

- Additional Requirements:

- Hours of Operation: Between 8:00 a.m. and the next 5:00 p.m.
- Days of Operation: Monday through Friday.

2107.3~~65~~.3 Products Manufacturer: LI and GI zone districts.

- Additional Requirements:

- Hours of Operation: Between 8:00 a.m. and the next 5:00 p.m.
- Days of Operation: Monday through Friday.

2107.3~~65~~.4 Testing Facility: LI and GI zone districts.

- Hours of Operation: Between 8:00 a.m. and the next 5:00 p.m.
- Days of Operation: Monday through Friday.

2107.3~~65~~.5 Any other Natural Medicine Business licensed by the State Licensing Authority: LI and GI zone districts.

- Additional Requirements:

- Hours of Operation: Between 8:00 a.m. and the next 5:00 p.m.
- Days of Operation: Monday through Friday.

2701.3~~76~~ Oil or gas drilling operation: A-1 zone district provided such use is located a minimum of 100 feet from any lot line

2107.3~~87~~ Propane distribution/storage: GI zone district

2107.3~~98~~ Recreation facility – community: A-1, LRR, RR, ER, SR, MF, MH, CMTY, and D zone districts, provided all structures within A-1, LRR, RR, ER, SR, and MF zone districts are located at least 50' from all lot lines or the zone district minimum setback, whichever is greater

2107.4~~039~~ Recreation facility – indoor: CMTY and D zone districts

2107.4~~10~~ Recreation facility – neighborhood: CMTY and D zone districts

2107.4~~24~~ Recreation facility – outdoor: CMTY and D zone districts

2107.4~~32~~ Recreation facility – private: CMTY and D zone districts

2107.4~~43~~ Recycle/trash transfer facility: LI and GI zone district provided all recycling or trash transfer activities are conducted within an enclosed structure.

2107.4~~54~~ Residence:

For new residential units in the B, C, LI, GI, or MI zone districts, school and park land dedications shall be provided in accordance with the Douglas County Subdivision Resolution, as amended.

- Caretaker – LRR zone district – 1 per lot
- Mobile home – 1 per parcel/lot in the A-1 zone district when a principal dwelling does not exist on the property
- Multifamily – B, C, and MI zone districts
- Single-family attached or multifamily – LI and MI zone district

2107.4~~65~~ Religious retreat: A-1 zone district.

2107.4~~76~~ Satellite earth station: A-1 zone district, and in LI and GI zone districts when the equipment exceeds the height limitation or the minimum health standards.

2107.4~~76~~.1 In addition to the exhibit requirements contained in this Section and Section 27, a report describing the satellite earth station shall be included with the application. The report shall include the following:

- (1) Discussion of proposed number, height, and types of satellite dishes to be accommodated
- (2) Description of output frequency, number of channels and power output per channel for each proposed antenna (if applicable)

- (3) A letter from the applicant stating that an intermodulation study, if required, has been conducted and concludes that no interference problems are predicted
- (4) A five-year plan for the use and estimated life of the proposed telecommunication facility
- (5) A narrative from the applicant identifying technologically feasible locations (search ring or rings) for the proposed facility, and justifying the proposed location to the satisfaction of the County
- (6) A copy of the FCC license and a commitment statement from the applicant to maintain compliance with all FCC regulations, standards, and requirements regarding both radio frequency interference (RFI) and radio frequency radiation (RFR)
- (7) Statement that the proposed facility will be in compliance with all FAA regulations and applicable federal requirements including, but not limited to, those associated with the National Environmental Protection Act (NEPA) as amended, and the National Historic Preservation Act (NHPA) as amended

2107.4~~87~~98 Sawmill – portable: A-1 and LRR zone districts, provided that such use is located at least 100 feet from all lot lines. A portable sawmill is permitted only as accessory to a principal use.

2107.4~~98~~98 Septic waste and domestic sludge application: A-1 and LRR zone districts, with the approval of the Colorado Department of Health, when any of the following apply:

2107.4~~98~~98.1 Liquid dewatered or semi-dewatered sludge, as defined by the Colorado Department of Health Domestic Sewage Sludge regulations, would be applied on the soil surface or would be incorporated into the soil at a depth which does not completely cover the sludge. Dried sludge is not subject to this provision.

2107.4~~98~~98.2 More than 10 delivery vehicles would be transporting sludge to the site in any 24-hour period.

2107.4~~98~~98.3 More than 50,000 gallons of liquid sludge, or 200 cubic yards of any sludge, not defined or transported as a liquid, would be applied to the site in any 24-hour period.

2107.4~~98~~98.4 Permanent structures or facilities for further processing, treating or dewatering sludge would be constructed or associated with the site and the application of sludge material.

2107.~~5049~~ Telecommunication facility: A-1 zone district; and in LI and GI zone districts when the equipment exceeds the height limitation or the minimum health standards.

2107.~~5049~~.1 In addition to the exhibit requirements contained in this Section, a report describing the telecommunication facility shall be included with the application. The report shall include the following:

- (1) Description of the height, design and elevation of the proposed support tower with a cross section view and description, and a statement as to whether the tower will be structurally designed to accommodate future antennas
- (2) Description of height for all potential mounting positions for antennas. If the support tower is designed for collocation, the minimum separation distances should be shown and noted as possible future antenna locations
- (3) Discussion of proposed number, height, and types of antennas to be accommodated through this application
- (4) A letter from the applicant stating that an intermodulation study, if required, has been conducted and concludes that no interference problems are predicted
- (5) A description of the use and estimated life of the proposed telecommunication facility including additional development and coverage anticipated to meet projected service needs
- (6) A narrative from the applicant identifying and justifying technologically feasible locations (search ring or rings) for the proposed service, and demonstrating to the satisfaction of the County, that the proposed service cannot be accommodated on an existing or approved support tower located within a five mile radius
- (7) The results of the RF drive test, certified as currently in calibration and traceable to National Institute of Standards and Technology, if it was undertaken to verify technologically feasible locations
- (8) Copy of the FCC license and a commitment statement from the applicant to maintain compliance with all FCC regulations, standards, and requirements regarding both radio frequency interference (RFI) and radio frequency radiation (RFR)
- (9) Statement that the proposed facility will be in compliance with all FAA regulations as demonstrated by the response to the "Notice of Proposed Construction or Alteration" or equivalent, unless certified by a qualified, licensed engineer that FAA review and approval is not required
- (10) Statement that the proposed facility will be in compliance with applicable federal requirements including, but not limited to, those associated with the National Environmental Protection

Act (NEPA) as amended, and the National Historic Preservation Act (NHPA) as amended

- (11) When required, a letter of intent, in a form approved by the County, committing the support tower owner, its successors or assigns, to allow collocation of the facility under market terms, rates, and conditions
- (12) A Visual Impact Assessment (VIA) demonstrating that the proposed location is in compliance with the criteria contained in Subsection 2107.37.3
- (13) The County may require that an independent, outside consultant be retained, at the applicant's expense, to perform evaluations pertaining to compliance with regulations, standards and requirements stipulated
- (14) The Director may waive or modify one or more of the aforementioned information requirements based on design, size, or overall impact of the proposed facility

2107.~~5049~~.2 A Visual Impact Assessment (VIA) shall be prepared in accordance with the VIA process contained in Appendix D of this Zoning Resolution.

2107.~~5049~~.3 In addition to the approval standards stipulated in Subsection 2102, proposed telecommunication facilities shall be located and designed in accordance with the following criteria:

- (1) Proposed telecommunication antennas shall be located on existing support towers where feasible and where the visual impacts are minimal.
- (2) The facility shall be sited to minimize impact on the environment and wildlife in the region.
- (3) The facility shall be sited to fade into the predominant backdrop of the vicinity by complementing other features and forms in the backdrop landscape.
- (4) All elements of the facility shall be designed and constructed to result in minimal visual impact. Elements shall be constructed of non-reflective materials that are typical in style and color to area buildings, structures or the backdrop landscape.
- (5) All elements of the facility, including but not limited to the accessory equipment, shall be camouflaged or screened from viewer groups as identified in the VIA. Where proposed, fencing shall be designed to minimize visual impacts.
- (6) Access to the facility shall be designed to minimize land disturbance, (including cut and fill), and visual impacts.
- (7) The height of any tower or structure shall be no greater than the distance to the nearest lot line or lease area, except engineered

structures which shall be in compliance with the zone district setback.

2107.5049.4 The property owner shall be responsible for removing all elements of the telecommunication facility including, but not limited to, antennas, buildings, accessory equipment, driveways and fencing if the facility becomes technologically obsolete or ceases to perform its intended function for a period of 180 consecutive days. This removal shall be completed within 90 days of the end of such 180-day period. The site shall be restored to replicate the existing surrounding vegetation.

2107.519 Theater – indoor or outdoor: CMTY and D zone districts

2107.524 Utility – Major Facility: In all zone districts, except GI, provided that the setback requirements of the zone district in which the facility is proposed to be located are met, or such additional setbacks or requirements as the Board determines necessary. Maximum heights and lot area shall be determined through the use by special review process specific to each site.

Final action by the Board must be rendered within 90 days after the submittal date for a Utility Major Facility of a public utility providing electric or natural gas service, unless the provider and the County reach agreement on an amended time period. [§29-20-108 C.R.S.]

Wastewater Facility: Site approval is required by the Colorado Department of Public Health and Environment.

Water Storage/Treatment Facility and/or Appurtenance(s), except for Major Reservoirs, located within the following areas are exempt from the requirement for a use by special review application:

- Municipal Planning Areas (MPAs) designated by Douglas County Comprehensive Master Plan;
- Separated Urban Areas (SUAs) designated by the Douglas County Comprehensive Master Plan;
- Primary Urban Area (PUA), designated by the Douglas County Comprehensive Master Plan;
- Potential Town Urban Service Area as depicted in the Castle Rock and Douglas County Intergovernmental Agreement;
- Urban Service Area as depicted in the Town of Parker and Douglas County Intergovernmental Agreement;
- Facilities approved as part of a special district's service plan, which are located and serve property within the boundaries of such special

district described in its service plan and any subsequent inclusion orders.

2107.5~~32~~ Veterinary clinic or hospital: A-1, LRR, and RR zone districts, provided that such uses are located 100 feet from all lot lines

2107.5~~43~~ Wind energy conversion systems up to 100 kilowatts: A-1, LRR, and RR zone districts as follows:

2107.5~~43~~.1 In addition to the plan exhibit required in Section 2112, herein, the plan exhibit shall include the following:

- Location of all above ground utility lines
- Location of trees or other vegetation on site, described by size and type

2107.5~~43~~.2 The maximum tower height shall be 120 feet. The minimum distance for any portion of the rotor or blades from the ground beneath the system shall be 30 feet.

2107.5~~43~~.3 The supporting tower shall be set back from all property lines and overhead utility lines at least the height of the tower, except engineered structures which shall be in compliance with the zone district setback.

2107.5~~43~~.4 Climbing access to the structure shall be limited either by means of a 6 foot high fence around the tower base with a locking gate, or by limiting tower climbing apparatus to no lower than 12 feet above the ground.

2107.5~~54~~ Zoo: C zone district

2108 Submittal Prerequisite

The applicant shall attend a presubmittal meeting with the Planning Services Division to discuss the request and the submittal process and requirements for a new use by special review or an amendment to an approved use by special review.

A proposed amendment to an approved use by special review may be considered in accordance with the procedures identified herein. An amendment to a use by special review shall be considered through an administrative process when the Director determines that the change does not represent a substantial increase in the intensity of the use or impacts to the neighborhood. This type of amendment shall be referred to as an administrative use by special review amendment.

If the Director determines that the proposed amendment to an approved use by special review does represent a substantial increase in the intensity of the use or impacts to the

neighborhood, the proposed amendment shall be subject to the same submittal and process requirements as required for a new use by special review application. This type of amendment shall be referred to as a use by special review amendment. When making the determination, the Director shall consider the proposed degree of change to the site improvements and management plan as reflected on the approved Plan Exhibit, with specific consideration for potential increased impacts to the surrounding community.

The applicant may appeal the Director's determination on the amendment process for an approved use by special review to the Board of Adjustment in accordance with Section 26A.

2109 Submittal Process

The following shall apply to a use by special review or a use by special review amendment. The application shall be submitted only after the presubmittal meeting(s) has been completed and the applicant has received the written staff comment summary from the presubmittal meeting. For a request for a use by special review or a use by special review amendment, the submittal is processed as follows:

- 2109.01 The applicant shall submit the required submittal information to the Planning Services Division. The submittal shall be reviewed by staff and a determination of completeness shall be made within 15 working days. The applicant shall be notified in writing if the submittal is incomplete, and any inadequacies shall be specifically identified. An incomplete submittal will not be processed.
- 2109.02 Once the submittal is determined complete, staff will notify the applicant in writing of the number of copies of the submittal information required for distribution to referral agencies. Staff will identify in the written notice which referral agencies are regulatory referral agencies and which referral agencies are advisory referral agencies. The mailing addresses of the referral agencies shall be provided to the applicant. Electronic distribution is preferred. Otherwise, referral packets shall be provided by the applicant in unsealed manila envelopes, without postage, addressed to the appropriate referral agency, with submittal information properly folded and compiled. Staff shall include a referral response sheet and distribute the referral packets to the referral agencies.
- 2109.03 Staff shall send a courtesy notice of an application in process and applicable contact information to all abutting landowners and owners of land separated by 300 feet or less from the property by a platted tract. In Nonurban Areas, staff shall send a courtesy notice of an application in process to the entity or entities responsible for ownership and maintenance of a shared private access. The applicant shall reimburse the County for the cost of materials. Errors in the courtesy notice shall not

negatively impact the determination of public notice compliance set forth herein. *(Amended 4/13/2021)*

- 2109.04 If the referral agencies elect to comment, they shall comment within 21 calendar days from the date the referral packets were mailed or electronically distributed, unless the applicant grants, in writing, an extension of no more than 30 calendar days. After the 21 calendar days, if no extension is granted, any referral agency responses received will be accepted for informational purposes only and provided to the applicant, Planning Commission, and the Board. For projects that are critical to public safety, referral agencies shall comment within 10 days of receiving a referral packet.

All referral agency comments shall be provided by staff to the applicant upon receipt. The applicant shall be given an opportunity to address the comments of all regulatory referral agencies received within the 21 calendar day referral period, or as extended by the applicant, by identifying in writing the extent to which the project has been revised in response to the comments. The applicant is strongly encouraged to provide staff a written response to timely comments of all advisory referral agencies and any comments received as a result of the courtesy notice.

The applicant is encouraged to meet with the referral agencies and staff to address any concerns. The applicant is required to pay those fees assessed by regulatory referral agencies.

- 2109.05 Staff will review the referral agency comments, discuss the concerns with the applicant, schedule a public hearing before the Planning Commission, notify the applicant in writing of the hearing date and time, and prepare a staff report for the Planning Commission. The applicant is responsible for public notice of the hearing in accordance with Section 2118 herein.
- 2109.06 The Planning Commission shall evaluate the use by special review request, staff report, referral agency comments, applicant responses, and public comment and testimony, and make a recommendation to the Board to approve, approve with conditions, continue, table for further study, or deny the use by special review request. The Planning Commission's decision shall be based on the evidence presented, compliance with the adopted County standards, regulations, policies, and other guidelines.
- 2109.07 Following the recommendation by the Planning Commission, staff shall schedule a public hearing before the Board, notify the applicant in writing of the hearing date and time, and prepare a staff report for the Board. The hearing shall be scheduled for the earliest available time taking into consideration the 14-day public noticing requirement but no later than 120 days after the final Planning Commission hearing. The applicant is

responsible for public notice of the hearing in accordance with Section 2118 herein.

- 2109.08 For applications that propose a water supply from a District, at least 21 days prior to the Board hearing, the applicant shall submit evidence of inclusion of the property into the District. An inclusion agreement may be contingent on approval of the use by special review by the Board.
- 2109.09 The Board shall evaluate the use by special review request, staff report, referral agency comments, applicant responses, the Planning Commission recommendation, and public comment and testimony, and shall approve, approve with conditions, continue, table for further study, remand to the Planning Commission, or deny the use by special review request. The Board's action shall be based on the evidence presented, compliance with the adopted County standards, regulations, policies, and other guidelines.
- 2109.10 If denied by the Board, a resubmittal of a use by special review request for the same or substantially same request, as determined by the Director, shall not be accepted within 60 days of such denial. The applicant may appeal the decision of the Director, in writing, to the Board of Adjustment pursuant to Section 26A of this Resolution. The submittal of a new application and processing fee shall be required to pursue a proposed use by special review.
- 2109.11 Following approval by the Board, the applicant shall submit a signed and notarized Plan Exhibit to the Planning Services Division. Staff shall verify that all conditions of approval have been met and all technical corrections have been made to the satisfaction of Douglas County, prior to the Director's execution of the approval certificate on behalf of the Board. The applicant shall submit the final signed Plan Exhibit no later than 90 days from the date of Board approval, unless the Board allows for a longer period of time as part of its approval of the use by special review. The Director may grant a one-time extension of no more than an additional 90 days. Further extensions shall be submitted for the Board's consideration.
- 2109.12 For applications that propose a water supply from a New Special District that will enter into an intergovernmental agreement with an Established District as described in Section 18A, Water Supply Overlay District, herein, the applicant shall submit evidence of creation of the New Special District, evidence of execution of the intergovernmental agreement by both parties, and evidence of inclusion of the property into the New Special District prior to approval of the Plan Exhibit. *(Amended 5/26/2015)*
- 2109.13 For applications that propose a water supply from a District or from a New Special District that has entered into an intergovernmental agreement with an Established District as described in Section 18A, Water Supply Overlay

District, herein, the applicant shall submit evidence that the water rights necessary to serve the development have been conveyed to the Established District, and/or that the water credits to serve the development have been purchased from the Established District, prior to approval of the Plan Exhibit. *(Amended 5/26/2015)*

2110 Withdrawal of an Application

A request to withdraw an application shall be submitted, in writing, to the Planning Services Division, staff planner. Withdrawal of the application shall preclude reactivation. The submittal of a new application and processing fee shall be required in order to pursue the proposed use by special review.

2111 Submittal Requirements

The following submittal requirements shall apply to a use by special review and use by special review amendment:

- 2111.01 Completed land-use application *(available from the Planning Office)*
- 2111.02 Application fee *(available from the Planning Office)*
- 2111.03 Proof of ownership that includes an updated or current title insurance policy or title commitment, or other acceptable form of title verification, no more than thirty days old from the date of application
- 2111.04 A notarized letter of authorization from the landowner permitting a representative to process the application
- 2111.05 Narrative to describe the following:
 - (1) General project concepts
 - (2) Zoning of the land and compliance with the zone district requirements and any additional requirements for the use by special review as defined in Section 2107
 - (3) Define overall impacts of the proposed use on the adjoining lands
 - (4) Compliance with the Douglas County Comprehensive Master Plan, as amended
 - (5) Compliance with appropriate agency regulations and any necessary permits
 - (6) Proof of water availability
 - (7) Method of wastewater treatment
 - (8) Type or method of fire protection
 - (9) Impacts to existing vegetation and wildlife
 - (10) Impacts on air and water quality
 - (11) Impacts on peace and quiet of neighborhood

- (12) Provision of buffering, including additional landscaping
- (13) A description of the availability and adequacy of public services and facilities.
- (14) Other narrative details unique to the specific type of use by special review

2111.06 Plan Exhibit (*per 2112, herein*)

Plan Exhibit reductions (11"X17") may be required for public hearing packets for the Planning Commission and the Board.

2111.07 Development Reports, unless waived by Engineering Services:

- Phase III Drainage Report and Plan
- GESC Report and Plan
- Utility drawings(s)
- Off-site improvement plans, as required
- Engineering construction drawings
- Traffic Impact Study

An improvements agreement may be required to identify and financially secure the public and private improvements and other commitments required as part of the use by special review approval.

2111.08 Detailed technical studies, based upon the scale and impact of the application, as may be necessary to demonstrate compliance with the approval standards.

2111.09 Documentation of a sufficient water supply in accordance with Section 18A, Water Supply Overlay District, herein. (*Amended 3/26/24*)

For properties in the A-1 and LRR zone districts as identified in Section 2102.11.2 a copy of any existing well permits issued for the property may be requested as part of the submittal, along with an estimate of water demands.

2111.10 An analysis of the capacity related to level-of-service for the public facilities and services within the impact area.

2111.10.1 A traffic impact study in accordance with the Douglas County Roadway Design and Construction Standards.

2111.10.2 Documentation of capacity from the fire protection district in accordance with fire district level of service standards.

- 2111.10.3 For applications proposing additional residential uses, documentation of capacity from the school district in accordance with the school district capacity policy.

2112 Plan Exhibit

For a use by special review or use by special review amendment, a Plan Exhibit shall consist of both a site plan and management plan as required herein.

- 2112.01 The site plan shall be prepared in accordance with the subsections of Section 27, Site Improvement Plan of this Resolution listed below. All or portions of the required site plan elements may be waived by the Director if it is determined that the use by special review will occupy an existing structure or will not otherwise require significant public or private improvements:

- General Plan Requirements, except that title blocks and approval certificates shall follow Sections 2112.03 and 2112.04 herein.
- Site Plan
- Landscape Plan
- Grading and Drainage
- Building Elevations
- Lighting Plan

For Personal Wireless Communication Facilities, the Design Standards provided in Section 27A shall apply.

- 2112.02 The management plan shall be provided that addresses all aspects of the day-to-day operation of the use by special review. The degree of detail will depend upon the specific use. The following items shall be included in the plan. The management plan shall be appended to the Plan Exhibit prior to final approval.

- 2112.02.1 Number of clients/boarders/parishioners/animals
- 2112.02.2 Hours of operation – whether the use is seasonal and the number of days of the week
- 2112.02.3 Number of employees
- 2112.02.4 Required outside storage/parking/loading areas
- 2112.02.5 Permit requirements from other state, federal or local agencies
- 2112.02.6 Method of providing fire protection

2112.02.7 Other operational elements necessary to address the potential impacts for the specific special use

2112.03 Plan Exhibit Title

The exhibit title shall include the name and legal description of the proposed development, site acreage, and project file number. The business name shall not appear in the title, rather the title shall reference the legal description when subdivided or the street address as follows:

Subdivided land:

SPRUCE SUMMIT, Filing No. 3, Lot 14
NW¼ Section 11, Township 8 South, Range 67 West
Permit Area – 1 acre Total Area 5 acres
USR Plan Exhibit – US2010-002

Within a PD:

SPRUCE SUMMIT, Filing No. 3, Lot 14
NW¼ Section 11, Township 8 South, Range 67 West
Planning Area 63 – Permit Area – 1 acre Total Area – 5 acres
USR Plan Exhibit – US2010-002

When unplatted:

(STREET ADDRESS – Address available from County Addressing Specialist)
NW¼ Section 11, Township 8 South, Range 67 West
Permit Area – 1 acre Total Area 5 acres
USR Plan Exhibit – US2010-002

For a use by special review amendment:

SPRUCE SUMMIT, Filing No. 3, Lot 14 – **1st Amendment**
NW¼ Section 11, Township 8 South, Range 67 West
Permit Area – 1 acre Total Area – 5 acres
USR Amendment
US2010-002 (**Amendment to US2003-049**)

2112.04 Plan Exhibit Approval Certificate

Provide either a corporate/limited liability corporation (LLC) or individual approval certificate on the first sheet of the plan set, as follows.

APPROVAL CERTIFICATE

THE USE BY SPECIAL REVIEW AS DEPICTED HEREON WAS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS ON _____, 2 ____.

Director of Community Development

- The use by special review is subject to yearly review, or as otherwise defined by the Board of County Commissioners as part of its approval of the use by special review, to ensure compliance with the approval standards and conditions of approval.
- Construction shall commence pursuant to the use by special review within 3 years from the date of approval, or within the extended effective approval period, or the use by special review shall terminate.
- The use by special review shall terminate when the use of the land changes or when the time period established by the Board of County Commissioners through the approval process expires. The owner shall notify the Zoning Division of a termination of the use. When the Zoning Division is notified of a termination of use or observes that the use has been terminated during the annual review, a written notice of termination shall be sent to the landowner.
- Acceptance of site construction drawings by Douglas County Engineering shall be required (as applicable) prior to issuance of building permits. Acceptance of site construction drawings expires three (3) years after the date of signature.
- Signs shown hereon are NOT approved. All signs require approval of a sign permit in accordance with the Sign Standards section of the Douglas County Zoning Resolution.

The undersigned as the owner or owner's representative of the lands described herein hereby agree on behalf of itself, its successors and assigns to develop and maintain the property described hereon in accordance and compliance with this approved Plan Exhibit and the Douglas County Zoning Resolution.

(for Corporate or LLC owner, print corporation or LLC name)

By: _____ (signature)

Title: _____

Date: _____

ATTEST: (if corp.)

Secretary/Treasurer

STATE OF COLORADO)

) ss.

COUNTY OF _____)

Acknowledged before me this ____ day of _____, 20____, by _____ as _____ and _____ as _____ of _____, a _____ corporation/LLC.

My commission expires: _____

Witness my hand and official seal.

Notary Public

(For Individual Owner)

(signature of owner(s))

Acknowledged before me this _____ day of _____, 20____, by _____.

My commission expires: _____

Witness my hand and official seal.

Notary Public

An initial block is required on all subsequent Plan Exhibit sheets:

Approval Certificate

Planning	_____
	Initials/Date
Owner	_____
	Initials/Date
Lessee (if applicable)	_____
	Initials/Date

2113 Public Notice Requirements

The following requirements shall apply to a use by special review and use by special review amendment. The applicant shall be responsible for public notification. In calculating the time period for public notification the day of publishing, posting, or mailing shall be counted toward the total number of days required. The day of the hearing shall not be counted toward this total.

The degree of accuracy required for the information contained in these public notices shall be that of substantial compliance with the provisions of this section. Substantial compliance for these public notices shall be determined by the Planning Commission or the Board of County Commissioners for their respective public hearings.

2113.01 WRITTEN NOTICE

At least 14 days prior to the Planning Commission hearing and the Board hearing, the applicant shall mail a written notice of the hearing by first-class mail to the address of each abutting landowner as such address is shown in the records of the Douglas County Assessor's Office. The notice shall read substantially the same, as the published notice also required by this section.

At least 7 days prior to the hearing, the applicant shall provide the following to the Planning Services Division:

- alphabetical list of the landowners;
- map showing their relationship to the site;
- copy of the notice sent to the landowners; and
- certificate of mailing.

The person completing the mailing of the written notice shall execute a certificate of mailing. Such certificate shall read as follows:

CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the attached written notice was placed in the U.S. mail, first-class, postage prepaid this ____ day of _____, 20____, and addressed as follows:

(list of addresses)

(signature of person completing the mailing)

In the event the applicant fails to mail a notice to an abutting landowner or otherwise fails to comply with the written notice required in this section, the landowner who did not receive such complying notice may waive such notice by submitting a written waiver to Douglas County Planning prior to the hearing.

2113.02 PUBLISHED NOTICE

At least 14 days prior to the Planning Commission hearing and 14 days prior to the Board hearing, the applicant shall:

- publish a notice in at least 1 publication of a daily or a weekly legal newspaper of general circulation, printed or published in whole or in part in Douglas County; and
- provide a publisher's affidavit of said published notice to the Planning Services Division at least 7 days prior to the hearing. The notice shall read:

NOTICE OF PUBLIC HEARING BEFORE THE
(PLANNING COMMISSION OR BOARD OF COUNTY COMMISSIONERS)

A public hearing will be held on (date), at (time), in the Commissioners' Hearing Room, 100 Third Street, Castle Rock, CO, for approval of a use by special review for a *(name the specific use, i.e., church)* in the _____ zone district. The subject land is located approximately *(distance and direction from nearest major intersection)*. For more information call Douglas County Planning, 303-660-7460
File No./Name: _____

2113.03 POSTED NOTICE

At least 14 days prior to the Planning Commission hearing and 14 days prior to the Board hearing, the applicant shall post a notice on the land for which the use is requested. The notice shall consist of at least 1 sign facing each abutting public or private street open for travel, within 10 feet of the property line abutting such street, placed on posts at least 4 feet above ground level. In the event the staff planner determines a sign cannot be placed abutting such street and be visible from such street or that there is no abutting public or private street open for travel, the staff planner may require an alternate location for a sign. Additional signs may be required by the staff planner. Each sign shall measure not less than

3'X4'. Letter size shall be a minimum of three inches high, and a minimum of six inches high for the sentence that reads, "For more information call Douglas County Planning at 303-660-7460." (*Amended 11/6/2018*). Such notice shall read:

NOTICE OF PUBLIC HEARING BEFORE THE
(PLANNING COMMISSION OR BOARD OF COUNTY COMMISSIONERS)

This land shall be considered for a Use by Special Review for a (insert specific use) in the _____ zone district. The public hearing is (date), in the Commissioners' Hearing Room, 100 Third Street, Castle Rock, CO, at (time). For more information call Douglas County Planning, 303-660-7460.

File No./Name: _____

- 2113.03.1 An affidavit of sign posting shall be submitted by the applicant for the file in the Planning Services Division at least 7 days prior to the hearings. The sign(s) shall be photographed by the applicant and attached to the affidavit as follows:

(attach photo here)
(sign lettering must be legible in photo)

I, (applicant/representative/person posting sign), attest that the above sign was posted on (date) abutting (name of street).

_____ (signature) File No./Name: _____

STATE OF COLORADO)
) ss.
COUNTY OF _____)

Acknowledged before me this ____ day of _____, 20____ by _____ as _____.

My commission expires: _____

Witness my hand and official seal

Notary Public

- 2113.03.2 The sign shall be removed by the applicant within 2 weeks following the final decision by the Board, withdrawal, or closure of the file by the Community Development Department.

2114 Termination of Use

- 2114.01 Construction pursuant to approval of a use by special review Plan Exhibit shall be commenced within three years from the date of approval, unless otherwise specified by the Board, or the approval shall terminate. The

Director may grant an extension of time, for good cause shown, upon a written request by the applicant.

- 2114.02 The Director may grant time extensions to the effective period of a Plan Exhibit, not to exceed a total of three years beyond the date of original approval, upon written request by the applicant. As necessary, the Director may include conditions with the time extension in order to ensure that the use by special review remains in compliance with approval standards. Site construction drawings that have expired may require re-approval by Douglas County Engineering.

Further time extensions may be requested by the applicant and considered for approval by the Board at a public meeting.

- 2114.03 Where a use by special review brings an existing use into compliance with applicable regulations, or is designed to correct a Notice of Violation, all improvements depicted on the use by special review Plan Exhibit shall be completed within six months of approval, unless otherwise approved by the Board.

- 2114.04 A use by special review shall terminate when the use of the land changes or when the time period established by the Board through the approval process expires, whichever occurs first. The owner shall notify the Zoning Division of a termination of the use. When the Zoning Division is notified of a termination of use or observes that the use has been terminated during the annual review, a written notice of termination shall be sent to the landowner.

- 2114.05 The termination notice is appealable, in writing, to the Board of Adjustment pursuant to Section 26A of this Resolution.

2115 Inactive Files

Files that become inactive, because the applicant has not responded to staff's request for information or otherwise action in the submittal process, for a period of more than 6 months, shall become void and the resubmittal of a new application and fees shall be required to pursue the special use request. After 5 months of inactivity, staff shall notify the applicant in writing that the application will become void within 30 days. If the applicant fails to submit the required additional information or request a hearing date within 30 days, staff shall notify the applicant in writing that the application is void. This provision shall apply to all applications on file with the County upon the effective date of adoption and any application thereafter. The Director may grant an extension of time, of no more than 6 months, upon a written request by the applicant.

2116 Post Denial Application

If denied by the Board, a resubmittal of the same or substantially same use by special review application shall not be accepted within 60 days from the date of denial by the Board, or in the event of litigation, from the date of the entry of the final judgment. However, if evidence is presented to the Board showing that there has been a substantial change in physical conditions or circumstances, the Board may reconsider the use by special review. A new application and processing fee shall be required.

2117 Revocation

If noncompliance with the approved Plan Exhibit or conditions of approval is demonstrated, the Board may consider revocation of the use by special review at a public meeting. Written notice shall be provided to the landowner and/or lessee at least 14 days prior to the scheduled Board meeting.

2118 Administrative Use by Special Review Amendment

2118.01 Submittal Prerequisite

Prior to submittal of an administrative amendment, a presubmittal meeting shall be held with the Planning Services Division to discuss the request, to determine if it is eligible for an administrative process, and to provide information on the required submittal items and process steps.

2118.02 Approval Standards

Approval of an administrative use by special review amendment shall be in accordance with the approval standards in Section 2102.

2118.03 Submittal Process

2118.03.1 The applicant shall submit the required submittal information to the Planning Services Division. The submittal shall be reviewed by staff and a determination of completeness shall be made within 15 working days. The applicant shall be notified in writing if the submittal is incomplete, and any inadequacies shall be specifically identified. An incomplete submittal will not be processed.

2118.03.2 Once the submittal is determined complete, staff will notify the applicant in writing of the number of copies of the submittal information required for distribution to referral agencies. Staff will identify in the written notice which referral agencies are regulatory referral agencies and which referral agencies are advisory referral agencies. The mailing addresses of the referral agencies shall be provided to the applicant. Electronic distribution is preferred.

Otherwise, referral packets shall be provided by the applicant in unsealed manila envelopes, without postage, addressed to the appropriate referral agency, with submittal information properly folded and compiled. Staff shall include a referral response sheet and distribute the referral packets to the referral agencies.

Staff shall send a courtesy notice of an application in process and applicable contact information to all abutting landowners and owners of land separated by 300 feet or less from the property by a platted tract. The applicant shall reimburse the County for the cost of materials. Errors in the courtesy notice shall not negatively impact the determination of public notice compliance set forth herein.
(Amended 4/13/2021)

If the referral agencies elect to comment, they shall comment within the specified referral period, not to exceed 21 calendar days from the date the referral packets were mailed or electronically distributed.

- 2118.03.3 All referral agency comments shall be provided by staff to the applicant upon receipt. The applicant shall address the comments of all regulatory referral agencies in writing the extent to which the project has been revised in response to the comments. The applicant is strongly encouraged to provide staff a written response to comments of all advisory referral agencies and other public comments received.

The applicant is encouraged to meet with the referral agencies and staff to address any concerns. The applicant is required to pay those fees assessed by regulatory referral agencies.

- 2118.03.4 Following Planning and Engineering's review of the response to referral comments and any resubmitted items, staff will prepare a project assessment report for the Director's review. The Director will make a final determination to approve, approve with conditions, or deny the administrative USR amendment request within five (5) calendar days of the receipt of the assessment report, based upon demonstrated compliance with the approval standards.

- 2118.03.5 If an improvements agreement is required, it shall be approved by the County Manager prior to the Director's approval of the administrative amendment.

- 2118.03.6 If the administrative amendment is denied, written findings shall be provided by staff to the applicant within three (3) calendar days of the denial.

2118.04 Submittal Requirements

The applicant shall submit the following information to Planning Services. Incomplete applications shall not be accepted for processing.

- Completed land use application and fee
- Amended Plan Exhibit
- Updated development reports
- Updated technical studies, if applicable
- Current title commitment or other ownership verification as acceptable to staff
- Notarized letter of authorization from the property owner, if applicable
- Stamped addressed envelopes for courtesy notices
- A written narrative explanation of the proposed amendments

2118.05 Title and Approval Certificate

The project title for an administrative use by special review amendment shall be consistent with the original title, as provided in the following example:

SPRUCE SUMMIT, Filing No. 3, Lot 14 – **1st Amendment**
 NW¼ Section 11, Township 8 South, Range 67 West
 Permit Area – 1 acre Total Area – 5 acres
 Administrative USR Amendment
 US2010-002 (**Amendment to US2003-049**)

The following approval certificate shall accompany the required Plan Exhibit for an administrative use by special review amendment to an approved use by special review.

Administrative USR Amendment Approval Certificate

US ____ - ____ is hereby amended this ____ day of ____, 2____. The use by special review continues to meet all approval criteria and is subject to all original conditions of approval, unless specifically noted hereon.

 Director of Community Development

The undersigned as the owner or owner's representative of the lands described herein hereby agree on behalf of itself, its successors and assigns to develop and maintain the property described hereon in accordance and compliance with this approved Plan Exhibit and the Douglas County Zoning Resolution.

(for Corporate or LLC owner, print corporation or LLC name)

By: _____ (signature)
 Title: _____
 Date: _____

ATTEST: (if corp.)

Secretary/Treasurer

STATE OF COLORADO)

) ss.
COUNTY OF _____)

Acknowledged before me this ____ day of _____, 20____, by _____ as _____ and _____ as _____ of _____, a _____ corporation/LLC.

My commission expires: _____

Witness my hand and official seal.

Notary Public

(For Individual Owner)

(signature of owner(s))

Acknowledged before me this ____ day of _____, 20____, by _____.

My commission expires: _____

Witness my hand and official seal.

Notary Public

An initial block is required on all subsequent exhibit sheets:

USR Administrative Amendment Approval Certificate	
Planning	_____ Initials/Date
Owner	_____ Initials/Date
Lessee (if applicable)	_____ Initials/Date

2118.06 Notice of Final Action

The final status of an administrative use by special review amendment shall be set forth via the Notice of Action – Final Status using the following process:

2118.06.1 The date considered to be the final action on the administrative use by special review amendment shall be the date on the Notice of Action – Final Status.

2118.06.2 Should a discrepancy exist between the dates on the administrative use by special review amendment and Notice of Action – Final Status, the date of the Notice of Action – Final Status shall control.

- 2118.06.3 The Notice of Action – Final Status shall be mailed to the applicant, the abutting landowners who received courtesy notices, and any homeowner's associations that received courtesy notices, as described herein. The Notice of Action – Final Status shall be mailed via first class mail, within three (3) calendar days of final determination.
- 2118.06.4 An appeal of the Director's determination regarding A Notice of Action – Final Status for an administrative use by special review amendment may be submitted to the Board of Adjustment pursuant to Section 26A of this Resolution.
- 2118.06.5 If an administrative use by special review amendment is denied, any new amendment request shall require submittal of a new application and processing fee.

3601 Rules of Construction

- 3601.01 The particular controls the general.
- 3601.02 In case of any difference of meaning or implication between the text of this Resolution and the captions for each section, the text shall control.
- 3601.03 The word "shall" is always mandatory and not directory. The word "may" is permissive.
- 3601.04 Words used in the present tense include the future, unless the context clearly indicates the contrary.
- 3601.05 Words used in the singular number include the plural, and words used in the plural number include the singular, unless the context clearly indicates the contrary.
- 3601.06 A "building" or "structure" includes any part thereof. A "building or other structure" includes all other structures of every kind, regardless of similarity to buildings.
- 3601.07 The phrase "used for," includes "arranged for," "designed for," "intended for," "maintained for," and "occupied for."

3602 Definitions

As used in this Resolution, the following words shall be interpreted and defined in accordance with the provisions set forth in this Section or by further modification by the Board of County Commissioners.

Abutting: Having a common border with, or separated from such a common border by a right-of-way, alley or easement.

Accessory Dwelling Unit (ADU): An attached or detached unit situated on one (1) lot with an established principal dwelling which shall not be held in ownership by other than the owner of the principal dwelling. The ADU shall be arranged, designed, or intended for occupancy by not more than one (1) family in compliance with the County building code.
(Amended 6/24/25)

Attached ADU – An ADU that is attached to the principal dwelling unit as either an addition to the dwelling or a conversion of existing space within the dwelling.

Detached ADU – An ADU that is detached from the principal dwelling unit.

Accessory Equipment: An enclosed structure, cabinet, shed or box that houses power boxes, electrical equipment, and other related equipment of a telecommunication or personal wireless communication facility.

Accessory Structure: A subordinate structure detached from but located on the same lot as the principal structure, the use of which is incidental and accessory to that of the principal structure.

Accessory Use: A use naturally and normally incidental to, subordinate to and devoted exclusively to the principal use.

Adjacent: Having a common border with, or separated from such a common border by a right-of-way, alley or easement.

Agricultural Recreational Activities: Special activities related to livestock held for educational, instructional, or recreational purposes, including but not limited to horse shows, gymkhanas, training clinics, team ropings, rodeos, polo matches, endurance rides, hunts, or other activities involving livestock.

Agricultural Activities, Youth-Oriented: Special activities oriented toward children and held for educational, instructional or recreational purposes, including but not limited to: 4-H, pony club, and Little Britches. *(Amended 4/28/15)*

Agriculture: Land uses related to grazing or raising livestock or land uses which produce products that originate from the land's productivity, such as farming, ranching, forestry, tree farming, animal husbandry, ~~and~~ horticulture, silviculture, and bee keeping. Excluded from this definition is all marijuana prohibited by Douglas County per Resolution No. R-010-108 and Ordinance No. O-012-003. *(Amended 1/28/14)*

Agricultural Producer: A person or entity that raises or produces Agricultural Products on land that the person or entity farms and owns, rents, or leases. *(Amended 1/28/14)*

Agricultural Products: Products that originate from the land's productivity, such as fruits, vegetables, mushrooms, herbs, nuts, shell eggs, honey or other bee products, flowers, nursery stock, livestock products (including meat, milk, cheese and other dairy products), hay, grass, and grains. Excluded from this definition is any marijuana product, the cultivation or other processing of which is prohibited by Douglas County per Resolution No. R-010-108 and Ordinance No. O-012-003. *(Amended 1/28/14)*

Agricultural Worker: An individual employed in the operation of a farm or ranch.

Agritourism: The practice of engaging in activities, events, and services provided for recreational, entertainment, or educational purposes to allow participants to experience, learn about, and participate in various facets of agricultural industry, culinary pursuits, natural resources and environment, heritage, and rural lifestyle.

Agritourism Activity: An agritourism activity for which admission is made available to the general public, held on a one time or occasional basis that provides recreation, entertainment, or education for those in attendance.

Agritourism Activity, Accessory: An Agritourism Activity with a daily attendance of less than 100 persons.

Agritourism Activity, Minor: A center, buildings, and other improvements related to agriculture use which offer one or more agritourism activities throughout the year. Such use may include limited overnight accommodations for patrons who will participate in the agritourism activities offered on site.

Airport: Any area of land or water designed for the landing and take-off of aircraft for business or commercial purposes, including all necessary facilities for passenger and cargo loading, maintenance and fueling facilities and housing of aircraft.

Alley: A public or private vehicular passageway dedicated or permanently reserved as a means of secondary access to abutting property and designated an alley on a final plat. An alley shall not be considered to be a street.

Ambient Lighting: All available light surrounding a subject sign at any point in time with the subject sign light source extinguished. (*Amended 2/11/14*)

Ambient Noise Level: The average equivalent sound level (LEQ) occurring during a six-minute period as measured with a sound level measuring instrument. The ambient noise level shall be determined with the noise source at issue silent, and in the same location and approximate time as the measurement of the noise level of the source at issue.

Animal, Exotic: An animal introduced from another country not normally kept as a household pet or farm animal. (*See animal - nondomestic.*)

Animal, Household Pet: A small animal customarily permitted to be kept in a dwelling for company or pleasure, including, but not limited to, dogs, cats, pot-bellied pigs, gerbils, hamsters, tropical fish, or common house birds, provided that such animals are not kept to supplement food supplies or for any commercial purpose. A limit of one (1) litter, brood, or offspring is permitted, per household, per year.

Animal, Nondomestic: An animal not normally adapted to live and breed in a tame condition. (*See animal - exotic.*)

Antenna: A system of wires, rods, reflecting discs or similar devices used for the wireless transmission or reception of electromagnetic waves.

Directional (or panel or rectangular): A flat surface antenna used to achieve transmission or reception from a specific direction.

Parabolic: A round, often concave, antenna no greater than 24" in diameter used primarily for point-to-point transmission of radio signals.

Omnidirectional (or whip): A thin, self-supporting rod antenna that beams and receives a signal in all directions.

Satellite Dish: A ground mounted antenna, generally exceeding 24" in diameter, incorporating a solid, open mesh, or bar configured surface used to transmit or receive radio or electromagnetic waves.

Antenna Array: Groups of directional panel antennas designed to send and receive wireless transmissions.

Avigation Easement: An easement that allows the grantee the right to use the airspace. The easement may include restrictions regarding the height of structures, the use of reflective glass, or the interference of radio transmissions by the grantor and an acknowledgment by the grantor that airplanes flying overhead may present a physical danger, increase noise levels or cause pollution.

Base Flood: The flood having a 1% chance of being equaled or exceeded in any given year. *(Refer to Flood - 100 year)*

Batch Plant, Concrete, Mortar, or Asphalt: A site, together with its accessory facilities, where sand, gravel, cement and various petroleum derivatives are compounded to manufacture concrete, mortar or asphalt.

Bed and Breakfast: A dwelling where a maximum of five (5) guest units for overnight or otherwise short-term temporary lodging is provided and may include meals. The operator of the facility shall live on the property. *(This does not include hotels/motels.)*

Berm: Mound of earth used in landscaping for screening, definition of space, noise attenuation, or decoration.

Board or Board of County Commissioners: The Board of County Commissioners of Douglas County; the governing body of Douglas County.

Bordering: Touching at a boundary. *(Amended 3/26/24)*

Borrow Site: A site used for the extraction of earthen materials such as sand, gravel, rock, dirt, etc., where the material is removed from the legally described site and characterized by a short-term operation and a limited quantity of earthen material.

Buffer Area: An area of land established to separate and protect one type of land use from another; to protect from objectionable noise, smoke, or visual impact; or to provide for future public improvements or additional open space. *(Amended 3/26/24)*

Building: Any permanent structure, or portion thereof, built for the shelter or enclosure of human beings, animals, or property of any kind and excluding signs or fences.

Building Envelope: The portion of a lot within applicable setback requirements where building construction will be permitted, or other activities if so limited or described on the plat.

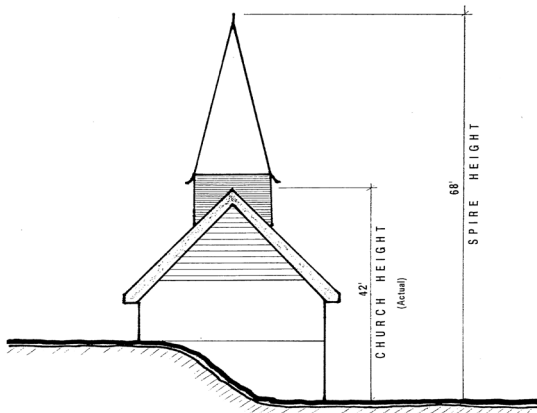
Building Face: The horizontal linear dimension of any side of a building as determined by measuring the exterior wall of any side of said building in a straight line. A side of any building shall contain only one building face. *(Amended 2/11/14)*

Building Height: The vertical distance above a reference datum measured to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitched or hipped roof. The reference datum shall be selected by either of the following, whichever yields a greater height of building:

- (1) The elevation of the highest adjoining sidewalk or ground surface within a five (5) foot horizontal distance of the exterior wall of the building when such sidewalk or ground surface is not more than 10 feet above the lowest grade.
- (2) An elevation 10 feet higher than the lowest grade when the sidewalk or ground surface described in number one (1) above is more than 10 feet above the lowest grade.
- (3) The height of a stepped or terraced building is the maximum height of any segment of the building. *(Amended 12/18/12)*

Spire Height Calculation *(see diagram)*

Spire Height Calculation



Campground: An area or tract of land on which accommodations for temporary occupancy (not to exceed 30 days in any one calendar year) are located including the parking or placement of camping and travel trailers, motor homes, truck campers or tents used for human occupancy.

Canopy: A roof like cover, including an awning that projects from the wall of a building over a door, entrance, or window; or a free-standing or projecting cover over an outdoor service area, such as at a gasoline station. *(Amended 2/11/14)*

Capacity: The maximum demand that can be accommodated by a public facility or service without exceeding the level of service as determined by the service provider. *(Amended 11/18/14)*

Capital Improvements: Large scale physical assets constructed or purchased to provide, improve, or replace a costly public facility. "Capital improvements" shall include physical assets providing additional capacity needed to accommodate the demand for public facilities generated by a development. *(Amended 11/18/14)*

Carrier: A company that provides personal wireless communication services.

Cellular Communication: A type of personal wireless communication service consisting of low-power mobile radio communication that occurs through a network of radio wave transmitting devices.

Centennial Airport Review Area (CARA): An overlay district intended to allow for compatible land-use planning in the vicinity of Centennial Airport. The overlay district includes three components; safety zones, noise zones, and height zones as depicted in Figure 19-1.

Central Water: Water service provided by a special district formed pursuant to the Special District Act, C.R.S. § 32-1-101, et. seq.

Central Sanitation: A centralized wastewater collection and treatment facility approved by Tri-County Health Department and the Colorado Department of Health including at a minimum, secondary wastewater treatment, subject to any waste discharge permits required by the State.

Channel: A natural or artificial watercourse of perceptible extent, with definite bed and banks to confine and conduct continuously or periodically flowing water. Channel flow is that water which is flowing within the limits of the defined channel.

Church: A building, where people regularly assemble for worship, or other type of religious practice, together with its accessory buildings and uses, maintained and controlled by an organization to sustain public worship. *(Amended 4/28/15)*

Clinic, Dental or Medical: A facility licensed and used for the provision of medical, dental, surgical or mental health care of the sick or injured, but excluding therefrom inpatient and overnight accommodations.

Club (Country Club): Individuals gathered for social, educational or recreational purposes, including buildings or facilities owned/operated by such organization, excluding a golf course unless specifically permitted in that zoning district.

Collocation: The circumstance occurring when one or more carriers install antenna arrays on the same single structure.

Commercial Storage Area: An outdoor area for the storage of items including but not limited to raw materials, supplies, finished or semi-finished products, goods, wares, merchandise, vehicles, or equipment. *(Amended 3/26/24)*

Commitment to serve: (as related to water supply) - A letter stating the water district's "intent to serve" the project, or at the time of final/minor development plat application, a letter stating that the water district "will serve" the area of the final/minor development plat.

Comprehensive Master Plan: The Douglas County Comprehensive Master Plan as adopted by Planning Commission resolution. The Douglas County Comprehensive Master Plan is the long-range plan intended to guide the growth and development of the County, and is inclusive of supplemental plans which may be adopted and incorporated by Planning Commission resolution.

Condominium: A legal form of ownership whereby an owner gains title to an interior air space dwelling unit, together with interest in the common areas and facilities appurtenant to such units.

Confinement Center: An animal feeding operation where livestock are kept and fed in close quarters until they are shipped to market.

Construction: Any and all activity incidental to the erection, demolition, assembling, altering, installing, or equipping of buildings, structures, roads, or appurtenances thereto, including land clearing, grading, excavating, and filling.

Convenience Store: A small retail or service commercial use, which provides limited food products, household items or other goods or services commonly associated with the same, which do not typically offer comparison shopping opportunities.

County: Douglas County, Colorado.

Cultural Facility: A building or area designed and intended for intellectual or artistic activities, including a museum, art gallery, outdoor amphitheater, fairground, sports stadium/arena, performing arts center, or similar facility.

dB(A): A sound level in decibels measured on the "A" scale of sound level having characteristics defined by the American National Standards Institute. [§25-12-102(2), C.R.S.]

Day-Care Center/Preschool: A commercial facility where care and training is provided for children or adults for periods of less than 24 consecutive hours.

Day-Care Home:

small - A residence in which care is provided for up to six (6) children or adults, including the provider's own children, plus two (2) additional children of

school age either before or after school hours, and on days during the regular school year when school is not in session, such as conference days/in-service days and holidays, including summer vacations or off-track periods in year-round schools when the child does not attend classes. If the applicant has an experienced Child Care Provider License, a maximum of nine children may be permitted in accordance with Colorado Department of Human Services regulations for child care facilities.

large - A residence in which care and training is provided for seven (7) to 12 children or adults, including the provider's own children, except as provided for above.

Day-Care Household Pets: A retail/service facility for the care of dogs or other household pets for periods of less than 24 consecutive hours. Overnight, indoor boarding may be permitted as an accessory use only. Outdoor holding facilities are prohibited in connection with the accessory use.

Decibel: A unit describing the relative amplitude of sound. A decibel is a unit of sound pressure level equal to 20 times the logarithm to the base 10 of the ratio of the sound pressure to the reference pressure of $2 \times 10^{-5} \text{ N/m}^2$ (Newton's/meter squared.) [§25-12-102(3), C.R.S.]

Density: The number of units per area of measure. For example, the number of dwelling units per acre.

Density, Gross: The total number of units divided by the total land area within the boundary of the project including publicly dedicated streets, open space or other public facilities.

Density, Net: The number of units divided by the land area within the boundary of the project excluding publicly dedicated streets, open space or other public facilities.

Department: The Douglas County Community Development Department.

Designated Elevation: The elevation above sea level determined at each airport in accordance with the approved airport guidelines.

Development: Any change to improved or unimproved real estate, including but not limited to: buildings, structures, mining, dredging, filling, grading, paving, excavation or drilling operations or any alteration to land, buildings or structures which falls under the purview of this Resolution.

Development Plan: A specific set of regulations establishing lot size, land use, density, lot coverage, open space or other standards and a map depicting land uses within a Planned Development District approved by the Board and recorded in the Office of the Clerk and Recorder. The current and future owners and their assigns are required to develop their property in accordance with this plan.

Director: The Director shall be as designated by the County Manager.

Driveway: A private vehicular access abutting a street, for the exclusive use of the owners and occupants of the lot, lots or project and their invitees, not considered to be a street.

Dude Ranch: A functioning ranch that offers guests the opportunity to participate in activities commonly associated with its operation. The recreational component shall be accessory to the principal ranching operation.

Dwelling: A building or portion thereof used exclusively for residential occupancy, including single-family, two-family and multi-family dwellings, but not including mobile homes, boarding houses, hotels, motels, recreational vehicles, or tents. Manufactured homes certified pursuant to the "National Manufactured Housing Construction and Safety Standards Act of 1974", 42 U.S.C. 5401 et seq., as amended and Section 30-28-115 of the Colorado Revised Statutes shall be deemed a dwelling unit. *(Amended 5/10/16)*

Dwelling, Multifamily: A dwelling situated on 1 lot and arranged, designed or intended for occupancy by two (2) or more families living independently of each other, including condominiums and duplexes, but excluding therefrom hotels and motels.

Dwelling, Single-Family: A dwelling situated on 1 lot and arranged, designed or intended for occupancy by not more than one (1) family in compliance with the County building code. The dwelling must function as a continuous enclosure without any impassable separation such as a wall or floor. Dwelling spaces joined by a garage or breezeway are considered to be a separate dwelling.

Dwelling, Single-Family, attached: A dwelling with primary ground floor access to the outside, which is attached to another unit by a party wall without openings, and is situated on one (1) lot. The term is intended primarily for such dwelling types as townhouses, cluster units, patio homes.

Easement: An acquired right of use, interest or privilege in land owned by another.

Enhanced Specialized Mobile Radio Service (ESMR): A type of communication technology that is used primarily by fleet-dispatched service providers and closed system mobile radio users.

Entertainment Event: A public presentation for which admission is made available to the general public, held on a one time or occasional basis that provides amusement for, or holds the attention of, those in attendance. *(Amended 4/28/15)*

Entertainment Event, Accessory: An Entertainment Event with a daily attendance of less than 100 persons.

Entertainment Event, Major: An Entertainment Event that exceeds the limitations placed on Minor Entertainment Events. *(Amended 1/28/14)*

Entertainment Event, Minor: An Entertainment Event that meets one of the following limitations:

- A one-day event, such as a concert, with a maximum daily attendance of 500 persons.
- A multi-day event, such as a festival, carnival, or revival, with a daily attendance of at least 100 persons, maximum daily attendance of but not more than 300 persons, and a duration of seven days or less. *(Amended 1/28/14)*

Equipment, Small: Vehicles/equipment not exceeding the following gross vehicle weights: Motorized - 18,000 lbs.; nonmotorized - 6,000 lbs.

Event Center: A facility consisting of structures or premises used to accommodate the assembly of persons for private meetings, parties, weddings, wedding receptions, reunions, birthday celebrations, charitable fundraisers, and other social engagement purposes, or similar such uses, in exchange for remuneration of any kind. Such use may include the provision of food, beverages, and entertainment. Event Center shall not include any use component of a sexually oriented business, as defined herein. *(Amended 4/28/15)*

Family: An individual or a group of persons, whether related or not, that habitually reside in a single dwelling unit and form a single residential unit, who share common living areas (e.g. laundry, kitchen, living room, garage, etc.) and expenses, and are at least partially dependent upon each other for care of the residential unit.

A family shall not include more than one (1) registered sex offender over the age of 18, unless related by blood, marriage, or legal adoption to all other occupants. *(Amended 5/10/16)*

Farm and Commercial Garden Building: A building or structure used to shelter or enclose livestock, poultry, feed, flowers, field equipment or similar uses.

Farmers Market: An outdoor market open to the public and operated by a governmental agency, a nonprofit corporation, or one or more Agricultural Producers; where the products offered for sale are Agricultural Products, Value-added Agricultural Products, and incidental sale of other items. *(Amended 1/28/14)*

Feedlot: Any tract of land or structure, pen/corral wherein cattle, horses, sheep, goats, swine, or similar livestock are maintained in close quarters for the purpose of feeding such livestock in order to fatten them prior to final shipment to market.

Fence: Any structure used as a barrier or a boundary. *(Amended 3/26/24)*

SECTION 22C Agritourism Activities

Section Contents

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2201C Intent

This section is intended to provide for the orderly control of Agritourism Activities. It establishes permit requirements and regulations for the review of Agritourism Activities.

Five levels of Agritourism Activities are established herein based upon the scale and duration of the requested activity. Minor Agritourism Activities shall be subject to administrative review and approval. Major Agritourism Activities shall be reviewed and approved by the Board of County Commissioners following a public meeting on the requested activity. Agritourism Activities with a daily attendance of less than 100 persons are accessory and do not require a permit under this section.

An Agritourism Center shall be permitted in the A-1 zoning district on conforming parcels, subject to a site improvement plan. An Agritourism Center shall be permitted in the LRR zoning district on conforming parcels, subject to a use by special review.

2202C Approval Standards

Agritourism Activity certifications and permits shall be approved based upon a finding that:

- 2202C.01 The proposed use is compatible with the intent of the zone district in which the activity is proposed.
- 2202C.02 The proposed use will not have a substantial adverse affect on adjacent uses, buildings, structures, or the natural environment.
- 2202C.03 The proposed use will not have a substantial adverse affect on public services or facilities.
- 2202C.04 The nature of the proposed use will not be detrimental to the health, safety, or welfare of the community.
- 2202C.05 The proposed use complies with the general requirements listed in Section 2203C, herein.
- 2202C.06 The site is suitable for the proposed use, considering flood hazard, drainage, and topography.

2203C General Requirements

- 2203C.01 Agritourism Activities shall be permitted in the Agricultural One and Large Rural Residential Zone Districts, subject to the processes established herein.

- 2203C.02 Agritourism Activity permits shall be subject to Section 1703A, Maximum Permissible Noise Levels, of the Douglas County Zoning Resolution unless otherwise specifically modified or excluded from these requirements through approval of an Agritourism Activity permit. Any Agritourism Activity requesting modification or exclusion from Section 1703A shall be processed as a Major Agritourism Activity.
- 2203C.03 Applicants proposing multiple Agritourism Activities at a single location throughout the year, or for multiple years, may apply for a single permit for all proposed Agritourism Activities. Any request for multiple Agritourism Activities at a single location shall be processed as a Major Agritourism Activity.
- If requested by the applicant, the Board may approve multiple-year Major Agritourism Activity permits limited to a maximum of five years, if no significant changes to the scope and duration of the activities are planned to occur over the requested permit duration. Multiple-year permits may be subject to periodic inspections by the County and other agencies. Proof of permits and approvals from applicable agencies and County departments shall also be submitted prior to the start of each year's activity.
- 2203C.04 The applicant shall provide evidence that adequate provisions have been made for access, on-site parking, and management of sewage, potable water, and refuse.
- 2203C.05 The applicant shall provide evidence that the Agritourism Activity will not cause undue traffic congestion or accident potential. A traffic control plan may be required.
- 2203C.06 The applicant shall provide evidence that all other required permits have been obtained. Other permits may include building permits, fire district approval, GESC permits, health department permits, access permits, or a liquor license. The permit holder shall be responsible for all sales tax, state, and federal taxes, licenses, etc., required by other agencies.
- 2203C.07 A banner sign shall be permitted for a period not to exceed two weeks. Alternatively, one temporary 32 square foot sign is permitted. Sign permits shall be required in accordance with Section 29, Sign Standards, of this Resolution.
- 2203C.08 Lighting shall comply with Section 30, Lighting Standards.
- 2203C.09 Agritourism Activity permits shall be valid for the property and permittee identified on the permit and may not be transferred upon sale of the

property, or otherwise assigned to another person or business. The new landowner or lessee shall apply for a new permit.

2204C Certification Procedure – Minor Agritourism Activity

2204C.01 The landowner shall obtain a written Minor Agritourism Activity certification prior to commencement of the use.

- (1) The certification request shall be submitted by the landowner in the form of a written request and accompanying exhibit at least 30 days prior to the activity.
- (2) The narrative shall describe the activity including the number of days and anticipated number of participants.
- (3) The exhibit shall depict the property, points of access, and the location of the proposed activity in relation to existing structures and use areas.
- (4) Staff shall provide the landowner with contact information for agencies which may require other type of permits or approvals, such as the fire department, health department, building department, and liquor licensing authority.
- (5) The activity shall be operated in accordance with the approved certification.

2205C Permitting Procedure – Major Agritourism Activity

2205C.01 Following a presubmittal meeting with Planning Services, the applicant shall submit the information required in 2208C herein to Planning Services.

2205C.02 The following information shall be submitted to Planning Services, unless waived by the Director:

- (1) Completed land-use application form.
- (2) Proof of ownership, or written confirmation from the property owner(s) agreeing to the use of their property or right-of-way for the Agritourism Activity, or a copy of the lease agreement.
- (3) A notarized letter of authorization from the landowner permitting a representative to process the application.
- (4) A written description of the activity, including:
 - Description of proposed activities
 - Description of the proposed activity's compatibility with the intent of the zone district
 - Description of the proposed activity's expected impacts to the subject land and surrounding properties, and how adverse impacts on surrounding properties will be mitigated
 - Expected daily and total attendance

- Activity schedule (including setup) and daily hours of operation
 - Number of employees
 - Description of water requirements, including the source of water
 - Description of sanitation requirements, including the number and location of temporary toilets
- (5) A site plan depicting:
- Parcel boundary or lease area
 - Driveway access
 - Zoning and current use of the parcel and adjacent parcels
 - Location and dimension of existing and proposed structures
 - Setback from the property line
 - Location and surface material of proposed off-street parking areas
 - Food service and vendor information
 - Method of trash disposal and location of bins

2205C.03 The submittal shall be reviewed for completeness and the applicant notified of any inadequacies. Once the submittal is determined complete, Planning staff will send referral response requests to other agencies for review and comment on the application. Such agencies may include but are not limited to Engineering Services, the Douglas County Sheriff's Office, the affected fire district, the health department, and homeowners associations. The applicant will be asked to address all comments received.

2205C.04 Staff shall send a courtesy notice of an application in process and applicable contact information to all abutting landowners and owners of land separated by 300 feet or less from the property by a platted tract. In Nonurban Areas, staff shall send a courtesy notice of an application in process to the entity or entities responsible for ownership and maintenance of a shared private access. The courtesy notice shall include the scheduled public meeting date, time, and place at which the Agritourism Activity Permit will be considered by the Board. The applicant shall reimburse the County for the cost of materials. Errors in the courtesy notice shall not negatively impact the determination of public notice compliance set forth herein.

~~2205C.05 At least 14 days prior to the public meeting, the applicant shall mail, by first-class, a written notice of the public meeting to the address of each abutting landowner as such address is shown in the records of the Douglas County Assessor's Office. The notice shall read:~~

NOTICE OF PUBLIC MEETING BEFORE THE BOARD OF COUNTY COMMISSIONERS

~~A public meeting will be held on (date), at (time), in the Commissioners' Hearing Room, 100 Third Street, Castle Rock, CO, to consider an agritourism activity proposed at (address or nearest intersection). For more information call Douglas County Planning at 303-660-7460.~~

~~File No./Name: _____~~

~~The person completing the mailing of the written notice shall execute a certificate of mailing. Such certificate shall read as follows:~~

CERTIFICATE OF MAILING

~~I hereby certify that a true and correct copy of the attached written notice was placed in the U.S. Mail, first class, postage prepaid this ____ day of _____, 20____, and addressed as follows:~~

~~(list of addresses)~~

~~_____
(signature of person completing the mailing)~~

~~In the event the applicant fails to mail a notice to an abutting landowner, the landowner that did not receive such complying notice may waive such notice by submitting a written waiver to Douglas County Planning prior to the meeting.~~

2205C.06 Major Agritourism Activity Permits shall be approved, approved with conditions, continued, tabled for further study, or denied by the Board of County Commissioners at a public meeting. The Board shall evaluate the Agritourism Activity request, staff report, applicant responses, and public comment and testimony. The Board's action shall be based on the evidence presented; compliance with adopted County standards, regulations and policies; and other guidelines.

2205C.07 If the conditions or restrictions imposed by this Section 22C, or by the Agritourism Activity Permit have not been complied with, the Director may take such action as is deemed necessary to remedy the noncompliance, including but not limited to revocation of the permit. The Director's action may be appealed to the Board of Adjustment pursuant to Section 26A of this Resolution.

MINOR AGRITOURISM ACTIVITY CERTIFICATION**Property Owner:****Applicant, if not property owner:****Property Address:****State Parcel #:****Date and Time of Activity or Event****Permitted Activities:****Project File #:**

A Minor Agritourism Activity certification is issued on the above property based upon the following:

1. The activity meets the definition of agritourism activity as defined in Section 36 of the Douglas County Zoning Resolution.
2. The activity will occur on a single day and include no more than 500 participants; or a multi-day activity with a daily attendance of at least 100 participants, but not more than 300 persons, and a duration of seven days or less.
3. The property is located on a conforming Agricultural One (A-1) or Large Rural Residential (LRR)-zoned parcel.
4. The applicant is the property owner or has provided written authorization from the property owner for the activity.
5. An activity narrative and site layout have been provided which describe the activity.
6. The activity is compatible with the intent of the zone district in which the activity is proposed.
7. The activity will not have a substantial adverse affect on adjacent uses, buildings, structures, or the natural environment.
8. The activity will not have a substantial adverse affect on public services or facilities.
9. The nature of the activity will not be detrimental to the health, safety, or welfare of the community.
10. The proposed activity complies with the general requirements listed in Section 2203C of the DCZR.
11. The property is suitable for the activity, considering flood hazard, drainage, and topography.

Director of Community Development_____
Date

The property owner or authorized applicant agrees to comply with requirements of Section 22C of the DCZR and to obtain all applicable permits, licenses, and approvals from other regulatory departments and agencies as may be necessary for the activity.

Owner or Applicant

Date

The following agency list is provided for your use. Please contact these agencies to discuss potential permits, licenses, and site inspections prior commencement of the activity.

Department or Agency	Inspections, Permits, or Approvals
Douglas County Building Division 1. Building or Structure inspection Rana Rasteh – rrasteh@douglas.co.us 303-660-7497	<i>Contact if any new buildings or electrical work is proposed.</i>
2. Electrical inspection Greg Lillmars – glillmar@douglas.co.us 303-660-7497	<i>Contact if any new buildings or electrical work is proposed.</i>
Douglas County Engineering Brad Jackson - bjackson@douglas.co.us 303-660-7490	<i>Contact if any site grading is proposed.</i>
Douglas County Health Department Skyler Sicard - eh@douglas.co.us Office - 720-643-2488	<i>Contact if any food trucks or portable restroom facilities are proposed.</i>
Douglas County Liquor Licensing Authority Scott Weeks – sweeks@douglas.co.us 303-660-7460	<i>Contact if liquor is proposed to be served.</i>
Fire Protection District / Department _____ _____ - _____ _____ - _____	<i>Contact for most type of activities. The fire district issues permits for any proposed tents.</i>

Approved Entertainment Event Permits

Event/ Activity Name	Approved as	Purpose (Fundraiser, Business)	Max Att.	Number of Days	Main Activities	Agricultural Linkage	Other permits approvals
Lone Creek Farms Fall Festival	Major EE	Business; Seasonal Entertainment; Agricultural-themed experience Owner offers school field trips to the “farm”	1,550	7 weekends in Sept. and Oct. and have now added Wed. and Thur. for a total of 35 days. Approved for 5 years.	Pumpkin patch/ maze, ag-themed rides, pig chase, Halloween themed activities, food trucks, corn crib, beverage sales, hayrides, panning for gold	Pumpkins, corn, hay, animals (not much produced on site, mostly imported). Ag tax status.	Liquor License, Fire permit, traffic study, uniformed traffic control, food truck licenses, portolets, building and elec. permits
PoloFest Festival	Major EE Polo without music festival has been considered AR – no process.	Fundraiser for separate equine/mental health non-profit-and education for polo	3,000 to 8,000	2	Music concert in addition to Polo	Polo (Horses); Ag tax status?	Liquor License, Fire permit, traffic study, uniformed traffic control, food truck licenses, portolets, building and elec. permits
Sedalia Elem. Parent Fundraiser	Minor EE	Fundraiser for school	200	1	Music, dinner and auction	Hosted by larger agricultural property owner	Liquor; Electrical; portolets
High Ground Music Festival	Major EE	Business; Entertainment	5,000	2	Music concert; food trucks; liquor sales	None	Liquor License, Fire permit, traffic study, uniformed traffic control, food truck licenses, portolets, building and elec. permits

Event/ Activity Name	Approved as	Purpose (Fundraiser, Business)	Max Att.	Number of Days	Main Activities	Agricultural Linkage	Other permits approvals
Cherokee Ranch Fall Festival (USR approved for cultural facility)	Minor EE	Business; Entertainment	300	4	Hay maze, music, food trucks, vendor sales for many different types of products (including non-ag)	Held on historic ag ranch property. Ag produce brought on site for the hay maze	Fire permit; traffic control; food truck; portolets; electrical permits
Happy Canyon Mini-Derby	Minor EE	Fundraiser for several equine therapy/mental health non-profits	200	1	Races with Mini horses, viewing of Derby race, Music, Food trucks; Liquor License	Horses; Ag tax status	Fire permit; liquor; food truck; portolets; electrical permits
CO Scottish Festival	Major EE	Education/Promotion of Scottish heritage; Entertainment (non- profit group)	5,000	2 (5-year approval)	Music, Food trucks; Liquor License	Property being leased has ag tax status and on-site equestrian uses	Liquor License, Fire permit, traffic study, traffic control, food truck license, portolets, building or elec. permit
Happy Dog Ranch Fundraiser	Minor EE	Fundraiser for their equine non-profit	250	1	Music, Food trucks; sit down dinner, Liquor sales, non- profit booths	Horses; Ag tax status	Fire permit; food truck; portolets; electrical permits
Happy Dog Ranch Open House	N/A Met Ag Recreation definition – no process required	Education surrounding horses and equine therapy for their non-profit	250	1	Horse demonstration, non-profit booths	Horses; Ag tax status	
10997 Spruce Mtn Rd. Farm Dinner	Minor EE	Business	100	1	Farm dinner	Ag tax status. No indication that food was grown onsite	Fire permit

Event/ Activity Name	Approved as	Purpose (Fundraiser, Business)	Max Att.	Number of Days	Main Activities	Agricultural Linkage	Other permits approvals
Tipi Raisers – Cherokee Ranch (USR approved for cultural facility)	Minor EE	Education surrounding Native American practices and culture for teens	250	1	Powwow; Education; Riding demonstration	Hosted by Cherokee Ranch; Horses (brought in)	Fire permit; food truck license; portolets
Rocky Mtn. Wildlife Alliance Fundraiser (USR approved for exotic birds)	Minor EE	Fundraiser for their nonprofit; Education surrounding bird and wildlife rescue	125	1	Educational animal demonstrations	Cherokee Ranch has ag status; Native wildlife housed (including some exotic birds – birds of prey)	Portolets
Lowell Ranch	N/A Met the Ag Recreation definition – no process required	Fundraiser for CALF; Education related to agriculture and livestock	1,000	1	Educational agriculture demonstration; food trucks	Ag status; Animals, Ag products (like pumpkins)	Staff told them about food truck license and suggested they contact Fire
Zumas – Rock the Ranch (USR approved for horse boarding/training, vet clinic, and camping)	Major (Part of event series)	Fundraiser for their non-profit	300-400	4	Live music, hayrides	Horses, ag status	Liquor, fire, food truck, portolets; fire
Zumas - Halloween (USR approved for horse boarding/training, vet clinic, and camping)	Major (Part of series), Minor (when not a part of series)	Fundraiser for their nonprofit	300	1	Live music, hayrides, costume contest	Horses, ag status	Liquor, fire, food truck, fire, portolets

Event/ Activity Name	Approved as	Purpose (Fundraiser, Business)	Max Att.	Number of Days	Main Activities	Agricultural Linkage	Other permits approvals
Zumas - Christmas Market (have also done easter egg hunt event) (USR approved for horse boarding/training, vet clinic, and camping)	Major (Part of series), Minor (when not a part of series)	Fundraiser for their nonprofit	400	1	Craft vendors, hayrides, children's crafts	Horses, ag status	Liquor, fire, food truck, portolets; fire
Gilly's Pumpkin Patch	Minor EE (2023/2024), Major (2025)	Business; Entertainment	250 (2023/2024), 500 (2025)	6 (2023/2024), 9(2025)	Pumpkin patch, children's activities, food vendors	Pumpkins (from Pueblo). Once tried to grow pumpkins (cottage food)	Food truck, portolets; fire permit
O.K for Veterans Mental Health	Minor EE	Fundraiser for veterans' mental health non-profit, education	300	1	Presentations, live music, liquor and food, horse therapy demonstration	Horses; property has ag status	Liquor license, fire permit, food vendors, building inspections
Forever Colorado BBQ	Minor EE	Fundraiser for Colo Cattleman's Association, entertainment, education	350	1	Welcome reception, dinner, silent and live auction, fundraiser, and live music	Colorado Cattlemen's Association. Hosted on large ag ranch	Liquor license, food vendors, fire permit for tent

Event/ Activity Name	Approved as	Purpose (Fundraiser, Business)	Max Att.	Number of Days	Main Activities	Agricultural Linkage	Other permits approvals
Tough Mudder	Major EE	Fundraiser	8,200 Sat. 1,550 Sun.	2	Obstacle courses, music, food, vendors	None	Liquor license, SMFR Special Use, Electrical, GESC, Floodplain Development, Special Events on Public ROW, Temporary Access, State Patrol Special Event