

Clear Creek County Zoning Regulations: Section 12

SECTION 12 SPECIAL USE PERMITS

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1201 GENERAL PROVISIONS

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1201.1 PURPOSE

The purpose of these provisions is to provide a permit review process that evaluates those uses listed as "special uses" within zoning districts to ensure their compatibility with other uses in the same zoning district. Special use permits are issued upon the recommendation of the Planning Department and the approval of the Planning Director and/or Board of County Commissioners. Special Use Permit applications will not be accepted for land activities that are subject to County Board of Adjustment approval pursuant to Section 13 - Variances of these Regulations. A Special Use Permit shall not be used as a substitute for rezoning to the appropriate zoning district.

1201.2 APPLICABILITY

A parcel of land may be determined to be suitable for uses additional to those enumerated in the "Use Regulations," the "Permitted Principal Uses," or the "Accessory Uses" sections of the applicable zoning district regulation. Uses requiring a Special Use Permit include those described in the "Uses Requiring Special Use Permit" section of the applicable zoning district.

Special Use Permits shall be granted when:

1201.2.1 The proposal is consistent with the Section 1 - Title, Authority, and Interpretation, Subsection E. Purposes, of these Regulations; and

1201.2.2 Authorized by a resolution of the Board of County Commissioners as a "use in compliance" as specified in and pursuant to an approved form; or

1201.2.3 Authorized by the Planning Department as an "Administrative Special Use Permit," with written findings of fact as specified in an approved form.

If the proposed use is approved or conditionally approved, the Board of County Commissioners or Planning Department may impose such conditions and safeguards to ensure compliance with the requirements, standards and conditions of this section. The violation of any condition, safeguard, or commitment of record shall be sufficient grounds for revocation of the permit by the Board, following a ten (10) day written notice sent by certified mail, return receipt requested, to the applicant, and public hearing.

1201.3 CRITERIA FOR CLASSIFICATION

There are five (5) types of Special Use Permits that are classified as the following:

1201.3.1 SPECIAL USE PERMIT

Special Use Permits are designed for long-term or permanent changes to the use of the land, and shall not terminate upon sale of the property unless otherwise stipulated. A use permitted under this Section may be established in a zoning district only upon approval of the Board of County Commissioners, after review and action by the Planning Commission, and subject to the conditions set forth in a resolution approving the use by the Board.

1201.3.2 TEMPORARY SPECIAL USE PERMIT

Uses qualifying for consideration for a Temporary Special Use Permit are traditionally a period of three (3) years or less. A use permitted through Temporary Special review may be established in a zoning district only upon approval of the Board of County Commissioners, and subject to the conditions set forth in an approval by the Board.

1201.3.3 ADMINISTRATIVE SPECIAL USE PERMIT

Uses qualifying for consideration for an Administrative Special Use Permit are limited to a term of one (1) year or less. Certain temporary uses may qualify for

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an Administrative Special Use Permit, to be approved by the Planning Department upon reaching written findings of fact which confirm compliance with this Section and other relevant County land use laws. Administrative Special Use Permits can only be granted on a one-time basis for a specific use.

1201.3.4 **MOBILE FOOD VEHICLE PERMIT**
A Mobile Food Vehicle Permit is valid for 1 Calendar year. A Mobile Food Vehicle Permit may be renewed each Calendar year for a reduced fee if the use has not been discontinued for more than 12 months.

1201.3.5 **TEMPORARY RECREATIONAL AND NON-RECREATIONAL VEHICLE CAMPING PERMITS**
The Planning Department may issue a temporary RV or non-RV camping permit for periods over fourteen (14) days per year but not to exceed thirty (30) days per year. The applicant must guarantee that during the permit period an approved sanitary facility is available at all times. For periods longer than thirty (30) days, a Special Use Permit must be applied for. A new temporary RV or non-RV camping permit cannot be issued until thirty (30) days from the expiration of the previous year's permit.

1202 SPECIAL USE PERMIT

1202.1 PURPOSE

Special Use Permits are designed for long-term or permanent changes to the use of the land, and shall not terminate upon sale of the property unless otherwise stipulated. A procedure for review by the Planning Department every three (3) years, or sooner at the discretion of the Board of County Commissioners, shall be a part of every Special Use Permit, to ascertain whether the use is still being operated in compliance with the terms of the agreement.

1202.2 APPLICABILITY

A use permitted under this Section may be established in a zoning district only upon approval of the Board of County Commissioners, after review and a recommendation by the Planning Commission, and subject to the conditions set forth in a resolution approving the use by the Board.

1202.3 PRE-APPLICATION CONFERENCE

Prior to submittal of an application, the applicant shall meet with a Planning Department staff member to determine whether the request meets the criteria as stated above for a Special Use Permit process, and to explain the procedure and submittal requirements. The applicant should bring applicable documentation for review.

1202.4 SUBMITTAL PROCESS

1202.4.1 A complete application and appropriate documentation must be submitted to the Planning Department by the applicant. If the requested use relates to a proposed or existing building permit, a construction schedule will be required. Additional information may be required later in the process.

1202.4.2 The submittal shall be reviewed in a timely manner for completeness by the Planning Department. The applicant shall be notified of any inadequacies, missing, or incomplete documentation. An incomplete submittal will not be processed.

1202.4.3 The Planning Department will notify adjacent property owners within 300 feet of the boundaries of the subject parcel(s) and any referral agencies that may be

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affected by the proposal. The applicable agencies shall be determined on a case by case basis. Adjacent property owners and referral agencies shall be given twenty-one (21) calendar days prior to the Planning Commission public hearing to comment.

- 1202.4.4 The Planning Department will publish a notice in a newspaper of general circulation in the county fourteen (14) calendar days prior to the Planning Commission's public hearing. The applicant will be notified of the public hearing date, time, and place.
- 1202.4.5 At least fourteen (14) calendar days prior to the Planning Commission public hearing, the applicant shall post and maintain notice on the parcels under consideration. Notice shall be placed within ten (10) feet of the property line and visible from the right-of-way. Signs will be provided by the Planning Department.
- 1202.4.6 The Planning Department will prepare a Site Characteristics Analysis, and a visit to the site will be made by Staff.
- 1202.4.7 Based upon the submittal documentation, site characteristics analysis, and comments received, the Planning Department will prepare a staff recommendation/report and draft resolution for the Planning Commission public hearing.
- 1202.4.8 During the public hearing, the Planning Commission shall evaluate the submittals, referral comments, staff report, and public testimony, and make a recommendation to the Board of County Commissioners (BOCC) to approve, approve with conditions, or deny the application.
- 1202.4.9 The applicant may be required to provide additional information prior to the BOCC public hearing based on conditions/stipulations recommended by the Planning Commission.
- 1202.4.10 The Planning Department will publish a notice in a newspaper of general circulation in the county a minimum of fourteen (14) calendar days prior to the BOCC public hearing. The applicant will be notified of the public hearing date, time, and place.
- 1202.4.11 Based upon the submittal documentation, site characteristics analysis, comments received, and the Planning Commission's recommendation, the Planning Department will prepare a staff recommendation/report and draft resolution for the BOCC public hearing.
- 1202.4.12 During the public hearing, the BOCC shall evaluate the submittals, referral comments, staff report, Planning Commission recommendation, and public testimony, and shall approve or deny the application.
- 1202.4.13 The Planning Department will notify the applicant of what is required to finalize the decision of the BOCC following the public hearing.
- 1202.4.14 If granted, the Special Use Permit will be monitored for compliance by the Planning Department. If all conditions and stipulations of the Resolution are not met timely, a hearing will be scheduled before the BOCC to determine if the permit should be revoked. The holder of the permit shall be notified of the

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hearing date and time. A permit may be revoked for non-compliance with ten days written notice to the applicant.

- 1202.4.15 The Board of County Commissioners (BOCC) may impose a condition that renders a Special Use Permit null and void when an approved Permit is inactive or no longer in use for a period greater than one (1) year.

1202.5 GENERAL SUBMITTAL REQUIREMENTS

A complete application and appropriate documentation must be submitted to the Planning Department by the applicant, including:

- 1202.5.1 Completed application form
- 1202.5.2 Application fee
- 1202.5.3 Scaled site plan, of which the number of copies will be determined by case manager. One (1) copy of the final site plan will be required after the review process is complete. The Site Plan shall, at minimum, depict the following:
- 1202.5.3.1 Title block, a written and graphic scale, and north arrow designated at true north.
 - 1202.5.3.2 Boundaries of the subject property(s).
 - 1202.5.3.3 Boundaries of adjacent parcels or portions of those boundaries that are in immediate proximity of the subject property(s).
 - 1202.5.3.4 All existing and proposed roads, driveways, easements, buildings, structures, structural screening elements, rights-of-way, streams, utilities, signage/outside advertising, exterior lighting, other features, and site modifications.
 - 1202.5.3.5 Existing and proposed wells, water supply systems, and wastewater treatment systems.
- 1202.5.4 Location map that indicates the location of the subject property in relation to roads, streams, utilities, adjacent properties and other features.
- 1202.5.5 Vicinity map that indicates the location of the subject property in relation to the general context of the county.
- 1202.5.6 Copy of deed / proof of property ownership.
- 1202.5.7 A narrative explaining the nature of the proposal and how it meets the following Criteria for Approval;
- 1202.5.7.1 The proposed use will comply with the zoning requirements of the district in which the use is to be established, and will also comply with all other applicable requirements;
 - 1202.5.7.2 The use is in harmony with the character of the neighborhood and compatible with the surrounding area;
 - 1202.5.7.3 The use will not have an undue burden on available

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- infrastructure;
 - 1202.5.7.4 The use will not result in undue traffic congestion or traffic hazards;
 - 1202.5.7.5 The use will not cause significant air, odor, water, noise, or light pollution;
 - 1202.5.7.6 All sanitation requirements will be met;
 - 1202.5.7.7 Parking is adequately provided;
 - 1202.5.7.8 Adequate buffering and screening is provided, when appropriate;
 - 1202.5.7.9 The use shall demonstrate compliance with the County's Best Management Practices (BMP's); and
 - 1202.5.7.10 The use will not otherwise be detrimental to the health, safety, or welfare of the present or future inhabitants of Clear Creek County, nor inconsistent with Section 1 - Title, Authority, and Interpretation, Subsection E. Purposes, of these Regulations.
- 1202.5.8 Additional Activity Specific Criteria Standards may be applied to specific uses. Please refer to Section 1207 if the proposed use is classified as one of the following:
- 1202.5.8.1 Bed and Breakfast
 - 1202.5.8.2 Small Wind Energy Systems
 - 1202.5.8.3 Distributed Solar Energy Systems
- 1202.5.9 Completed landowner authorization if applicant is not the owner of the property
- 1202.5.10 Supplemental material, such as elevation drawings, parking layout, water supply plan, ISDS plan, etc., as determined by case manager.
- 1202.5.11 If requested use relates to a proposed or existing building permit, a construction schedule will be required.
- 1202.5.12 Additional information may be required later in the process.
- 1202.6 **FINANCIAL GUARANTEE REQUIRED**
If a time limit is set by the Board of County Commissioners for this Special Use Permit, a financial guarantee to ensure termination of the use and removal of associated structures, and reclamation and/or revegetation when appropriate, in a form approved by the County Attorney, shall be a condition of the permit. Additionally, a financial guarantee may also be required by the BOCC to assure any 'Conditions of Approval' are met.

1203 TEMPORARY SPECIAL USE PERMIT

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1203.1 PURPOSE

A use permitted through temporary special review may be established in a zoning district only upon approval of the Board of County Commissioners, and subject to the conditions set forth in an approval by the Board. A time frame for terminating the event shall be stipulated by the Board, and a financial guarantee in a form approved by the County Attorney, shall be required to ensure termination of the use and removal of associated structures, and reclamation and/or revegetation when appropriate, for those uses which are described as temporary.

1203.2 APPLICABILITY

Uses qualifying for consideration for a Temporary Special Use Permit are traditionally for a period of three (3) years or less.

1203.3 PRE-APPLICATION CONFERENCE

Prior to submittal of an application, the applicant shall meet with a Planning Department staff member to determine whether the request meets the criteria as stated above for a Temporary Special Use Permit process, and to explain the procedure and submittal requirements. The applicant should bring applicable documentation for review.

1203.4 SUBMITTAL PROCESS

1203.4.1 A complete application and appropriate documentation must be submitted to the Planning Department by the applicant. If the requested use relates to a proposed or existing building permit, a construction schedule will be required. Additional information may be required later in the process.

1203.4.2 The submittal shall be reviewed in a timely manner for completeness by the Planning Department. The applicant shall be notified of any inadequacies, missing, or incomplete documentation. An incomplete submittal will not be processed.

1203.4.3 The Planning Department will notify adjacent property owners within 300 feet of the boundaries of the subject parcel(s) and any referral agencies that may be affected by the proposal. The applicable agencies shall be determined on a case by case basis. Adjacent property owners and referral agencies shall be given fourteen (14) calendar days prior to the BOCC public hearing to comment.

1203.4.4 The Planning Department will publish a notice in a newspaper of general circulation in the county fourteen (14) calendar days prior to the Board of County Commissioner's (BOCC) public hearing. The applicant will be notified of the public hearing date, time, and place.

1203.4.5 At least fourteen (14) calendar days prior to the BOCC public hearing, the applicant shall post and maintain notice on the parcels under consideration. Notice shall be placed within ten (10) feet of the property line and visible from the right-of-way. Signs will be provided by the Planning Department.

1203.4.6 The Planning Department will prepare a Site Characteristics Analysis, and a visit to the site will be made by Staff.

1203.4.7 Based upon the submittal documentation, site characteristics analysis, and comments received, the Planning Department will prepare a staff recommendation/report and draft resolution for the Board of County Commissioners (BOCC) public hearing.

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- 1203.4.8 During the public hearing, the Board shall evaluate the submittals, referral comments, staff report and public testimony, and shall approve or deny the application.
- 1203.4.9 The Planning Department will notify the applicant of what is required to finalize the decision of the Board following the public hearing.
- 1203.4.10 If granted, the Temporary Special Use Permit will be monitored for compliance by the Planning Department. If all conditions and stipulations of the Resolution are not met timely, a hearing will be scheduled before the BOCC to determine if the permit should be revoked. The holder of the permit shall be notified of the hearing date and time. A permit may be revoked for non-compliance with ten days written notice to the applicant.
- 1203.4.11 The Board of County Commissioners (BOCC) may impose a condition that renders a Special Use Permit null and void when an approved Permit is inactive or no longer in use for a period greater than one (1) year.

1203.5 GENERAL SUBMITTAL REQUIREMENTS

A complete application and appropriate documentation must be submitted to the Planning Department by the applicant, including:

- 1203.5.1 Completed application form
- 1203.5.2 Application fee
- 1203.5.3 Scaled site plan, of which the number of copies will be determined by case manager. One (1) copy of the final site plan will be required after the review process is complete. The Site Plan shall, at minimum, depict the following:
- 1203.5.3.1 Title block, a written and graphic scale, and north arrow designated at true north.
 - 1203.5.3.2 Boundaries of the subject property(s).
 - 1203.5.3.3 Boundaries of adjacent parcels or portions of those boundaries that are in immediate proximity of the subject property(s).
 - 1203.5.3.4 All existing and proposed roads, driveways, easements, buildings, structures, structural screening elements, rights-of-way, streams, utilities, signage/outside advertising, exterior lighting, other features, and site modifications.
 - 1203.5.3.5 Existing and proposed wells, water supply systems, and wastewater treatment systems.
- 1203.5.4 Location map that indicates the location of the subject property in relation to roads, streams, utilities, adjacent properties and other features.
- 1203.5.5 Vicinity map that indicates the location of the subject property in relation to the general context of the county.
- 1203.5.6 Copy of deed /proof of ownership

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- 1203.5.7 A narrative explaining the nature of the proposal and how it meets the following Criteria for Approval;
- 1203.5.7.1 The proposed use will comply with the zoning requirements of the district in which the use is to be established, and will also comply with all other applicable requirements;
- 1203.5.7.2 The use is in harmony with the character of the neighborhood and compatible with the surrounding area;
- 1203.5.7.3 The use will not have an undue burden on available infrastructure;
- 1203.5.7.4 The use will not result in undue traffic congestion or traffic hazards;
- 1203.5.7.5 The use will not cause significant air, odor, water, noise, or light pollution;
- 1203.5.7.6 All sanitation requirements will be met;
- 1203.5.7.7 Parking is adequately provided;
- 1203.5.7.8 Adequate buffering and screening is provided, when appropriate;
- 1203.5.7.9 The use shall demonstrate compliance with the County's Best Management Practices (BMP's); and
- 1203.5.7.10 The use will not otherwise be detrimental to the health, safety, or welfare of the present or future inhabitants of Clear Creek County, nor inconsistent with Section 1 - Title, Authority, and Interpretation, Subsection E. Purposes, of these Regulations.
- 1203.5.8 Additional Activity Specific Criteria Standards may be applied to specific uses. Please refer to Section 1207 if the proposed use is classified as one of the following:
- 1203.5.8.1 Bed and Breakfast
- 1203.5.8.2 Small Wind Energy Systems
- 1203.5.8.3 Distributed Solar Energy Systems
- 1203.5.9 Completed landowner authorization if applicant is not the owner of the property
- 1203.5.10 Supplemental material, such as elevation drawings, parking layout, water supply plan, ISDS plan, etc., as determined by case manager.
- 1203.5.11 If requested use relates to a proposed or existing building permit, a construction schedule will be required.
- 1203.5.12 Additional information may be required later in the process.

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1203.6 FINANCIAL GUARANTEE REQUIRED

A financial guarantee in a form approved by the County Attorney shall be required to ensure termination of the use and removal of associated structures, and reclamation and/or revegetation when appropriate, for those uses which are described as temporary. Additionally, a financial guarantee may also be required by the BOCC to assure any 'Conditions of Approval' are met.

1204 ADMINISTRATIVE SPECIAL USE PERMIT

1204.1 PURPOSE

Certain temporary uses may qualify for an Administrative Special Use Permit, to be approved by the Planning Department upon reaching written findings of fact which confirm compliance with this Section and other relevant County land use laws. Administrative Special Use Permits can only be granted on a one-time basis for a specific use. A financial guarantee to ensure termination of the use and removal of associated structures, and reclamation and/or revegetation when appropriate, in a form approved by the County Attorney, shall be a condition of the permit.

1204.2 APPLICABILITY

Uses qualifying for consideration for an Administrative Special Use Permit are limited to a term of one (1) year or less, and may include the following:

- 1204.2.1 Construction or office trailers, temporary living quarters, or other temporary structures/temporary buildings that are not in conjunction with a building permit for the project utilizing the temporary structure.
- 1204.2.2 Minor Structures without an existing permitted principal use.
- 1204.2.3 Seasonal Temporary uses of land, not to exceed 6 months, that require no permanent structural foundations; that are consistent with the character of the neighborhood and the applicable zoning district; that do not increase impacts upon water quality, storm drainage, or traffic to the site more than that associated with permitted principal uses within the applicable zoning district. Such use shall not create a significant visual impact to the surrounding properties and/or community.
- 1204.2.4 For youth projects for individuals under the age of eighteen (18), pursuant to Section 10 - Animals of these Regulations.

1204.3 SUBMITTAL PROCESS

- 1204.3.1 A complete application and appropriate documentation must be submitted to the Planning Department by the applicant. If the requested use relates to a proposed or existing building permit, a construction schedule will be required. Additional information may be required to complete the process.
- 1204.3.2 The submittal shall be reviewed in a timely manner for completeness by the Planning Department. The applicant shall be notified of any inadequacies, missing, or incomplete documentation. An incomplete submittal will not be processed.
- 1204.3.3 The Planning Department shall prepare a Site Characteristics Analysis, and a visit to the site will be made by Staff.
- 1204.3.4 The Planning Department will notify any referral agencies that may be affected

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by the proposal. The applicable agencies shall be determined on a case by case basis. Referral agencies shall be given fourteen (14) calendar days to comment prior to the administrative decision.

- 1204.3.5 All applications will be reviewed by the Clear Creek County Environmental Health Inspector regarding required or proposed sanitation for the Administrative Special Use Permit (ASUP).
- 1204.3.6 All applications will be reviewed by the Clear Creek County Site Development Inspector regarding required or proposed site development for the ASUP.
- 1201.3.7 All applications will be reviewed by the Clear Creek County Zoning Enforcement Officer Zoning Specialist regarding zoning for the ASUP.
- 1204.3.8 After the fourteen (14) days referral comment period, staff will review submittal documentation, site characteristics analysis, and comments received in order to approve, approve with conditions, or deny the application.
- 1204.3.9 The Case Manager will notify the applicant of what is required to finalize the Planning Department's decision.
- 1204.3.10 If granted, the Administrative Special Use Permit will be monitored for compliance by the Planning Department. If all conditions and stipulations in the Planning Department's ASUP Permit are not met timely, a hearing will be scheduled before the Planning Director to determine if the permit should be revoked. The holder of the permit shall be notified of the hearing date and time. A permit may be revoked for non-compliance with ten days written notice to the applicant.
- 1204.3.11 The County Planning Director may impose a condition that renders a Special Use Permit null and void when an approved Permit is inactive or no longer in use for a period greater than one (1) year.

1204.4 GENERAL SUBMITTAL REQUIREMENTS

A complete application and appropriate documentation must be submitted to the Planning Department by the applicant, including:

- 1204.4.1 Completed application form
- 1204.4.2 Application fee
- 1204.4.3 Scaled site plan, of which the number of copies will be determined by case manager. One (1) copy of the final site plan will be required after the review process is complete. The Site Plan shall, at minimum, depict the following:
 - 1204.4.3.1 Title block, a written and graphic scale, and north arrow designated at true north.
 - 1204.4.3.2 Boundaries of the subject property(s).
 - 1204.4.3.3 Boundaries of adjacent parcels or portions of those boundaries that are in immediate proximity of the subject property(s).
 - 1204.4.3.4 All existing and proposed roads, driveways, easements,

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- buildings, structures, structural screening elements, rights-of-way, streams, utilities, signage/outside advertising, exterior lighting, other features, and site modifications.
- 1204.4.3.5 Existing and proposed wells, water supply systems, and wastewater treatment systems.
- 1204.4.4 Location map that indicates the location of the subject property in relation to roads, streams, utilities, adjacent properties and other features.
- 1204.4.5 Vicinity map that indicates the location of the subject property in relation to the general context of the county.
- 1204.4.6 Copy of deed/proof of ownership
- 1204.4.7 A narrative explaining the nature of the proposal and how it meets the Criteria for Approval. Special uses will be allowed only if the proposed use meets the following criteria for approval:
- 1204.4.7.1 The proposed use will comply with the zoning requirements of the district in which the use is to be established, and will also comply with all other applicable requirements;
- 1204.4.7.2 The use is in harmony with the character of the neighborhood and compatible with the surrounding area;
- 1204.4.7.3 The use will not have an undue burden on available infrastructure;
- 1204.4.7.4 The use will not result in undue traffic congestion or traffic hazards;
- 1204.4.7.5 The use will not cause significant air, odor, water, noise, or light pollution;
- 1204.4.7.6 All sanitation requirements will be met;
- 1204.4.7.7 Parking is adequately provided;
- 1204.4.7.8 Adequate buffering and screening is provided, when appropriate;
- 1204.4.7.9 The use shall demonstrate compliance with the County's Best Management Practices (BMP's); and
- 1204.4.7.10 The use will not otherwise be detrimental to the health, safety, or welfare of the present or future inhabitants of Clear Creek County, nor inconsistent with Section 1 - Title, Authority, and Interpretation, Subsection E. Purposes, of these Regulations.
- 1204.4.8 Completed landowner authorization if applicant is not the owner of the property
- 1204.4.9 Supplemental material, such as elevation drawings, parking layout, water supply

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plan, ISDS plan, etc., as determined by case manager.

1204.4.10 If requested use relates to a proposed or existing building permit, a construction schedule will be required.

1204.4.11 Additional information may be required later in the process.

1204.5 FINANCIAL GUARANTEE REQUIRED

A financial guarantee in a form approved by the County Attorney shall be required to ensure termination of the use and removal of associated structures, and reclamation and/or revegetation when appropriate, for those uses which are described as temporary.

1204.6 APPEALS TO ADMINISTRATIVE DECISIONS ON SPECIAL USE PERMITS

Appeals may be filed by any affected party and must be submitted in writing to the Planning Department within fourteen (14) calendar days following recording of the Planning Director's decision. The appeal shall state with specificity (1) the grounds on which the objector asserts to be an "affected party" and (2) the issue to which objection is made. The appeal will be heard by the Board of County Commissioners in a public hearing.

1204.6.1 The Board of County Commissioners (BOCC) shall first determine, during the public hearing, whether the objector is an affected party.

1204.6.2 The BOCC shall hear, and make a decision on only the specific objection(s) timely filed, and not on the entire case.

1204.6.3 One (1) public hearing shall be scheduled to hear all objections regardless of the number of objections filed.

1205 MOBILE FOOD VEHICLE PERMIT

1205.1 APPLICABILITY

Mobile Food Vehicles as defined in Section 23 – Definitions, of these regulations.

1205.1.1 A Mobile Food Vehicle Permit is valid for 1 Calendar year.

1205.1.2 A Mobile Food Vehicle Permit may be renewed each Calendar year for a reduced fee if the use has not been discontinued for more than 12 months.

1205.2 EXCEPTIONS

A Mobile Food Vehicle does not need a Mobile Food Vehicle Permit, as described in these regulations, if the Vehicle is permitted through a County Special Event Process. Additionally, a Mobile Food Vehicle may operate in any zoning district, and/or in the public right of way, if permitted through the County Special Event Process.

1205.3 SUBMITTAL REQUIRMENTS

1205.3.1 Completed Permit and Agreement Form.

1206 TEMPORARY RECREATIONAL VEHICLE AND NON-RECREATIONAL VEHICLE CAMPING PERMITS

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1206.1 APPLICABILITY

The Planning Department may issue a temporary RV or non-RV camping permit for periods over fourteen (14) days per year but not to exceed thirty (30) days per year. The applicant must guarantee that during the permit period an approved sanitary facility is available at all times. For periods longer than thirty (30) days, a Special Use Permit must be applied for. A new temporary RV or non-RV camping permit cannot be issued until thirty (30) days from the expiration of the previous year's permit

1206.2 SUBMITTAL REQUIREMENTS

1206.2.1 Completed Permit and Agreement Form

1207 ACTIVITY SPECIFIC CRITERIA AND STANDARDS

1207.1 STANDARDS FOR BED AND BREAKFASTS

1207.1.1 Demonstration of conformance of all criteria for approval shall be made.

1207.1.2 A maximum of five (5) guest rooms shall be allowed;

1207.1.3 No meals prepared within the residence shall be served to anyone other than guests. Cooking facilities are not allowed in the guest rooms;

1207.1.4 The length of stay by any guest is limited to a maximum of one (1) month;

1207.1.5 Off street parking shall be provided pursuant to Section 14 - Off-Street Parking Requirements of these Regulations, and as follows:

1207.1.5.1 Three (3) spaces for the host's portion of the dwelling

1207.1.5.2 One (1) space for each guest room

1207.1.6 The host must reside on the premises of the bed and breakfast establishment;

1207.1.7 Signage shall be limited in size to six (6) square feet, as specified in Section 10 - Signs and Outdoor Advertising Devices of these Regulations;

1207.1.8 The Planning Department may verify compliance with the approved Special Use Permit at any time.

1207.2 CRITERIA FOR SMALL WIND ENERGY SYSTEMS

1207.2.1 The system shall be reviewed based on its visual impact on the natural features or neighborhood character of the surrounding area that could include significant viewsheds from adjacent residences.

1207.2.2 If at all possible, systems should be sited to take advantage of existing land forms and vegetation to aid in blending in with the surrounding built and natural environment.

1207.2.3 Consideration shall be made in the location and/or design of the system to avoid or minimize silhouetting on viewable ridgelines. Self-supporting designs (no

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guy wires) shall be considered. All systems shall be non-reflective.

- 1027.2.4 Evaluation of other, less obtrusive forms of renewable energy, such as solar or geothermal energy systems, may be requested to be reviewed to determine the most feasible method to utilize renewable energy on the property in the least obtrusive means possible.

1207.3 CRITERIA FOR DISTRIBUTED SOLAR ENERGY SYSTEMS

- 1207.3.1 No part of a freestanding system shall exceed thirty-five (35) feet in height.
- 1207.3.2 Such Systems accessory to and part of a building shall be an appurtenance and comply with the maximum height allowances for appurtenance.
- 1207.3.3 Such systems shall not be lighted.
- 1207.3.4 Systems shall be located or designed to minimize glare onto other properties and roadways.
- 1027.3.5 Systems shall be designed so as to avoid the creation of artificial wildlife habitat.
- 1207.3.6 If a system ceases to perform its originally intended function for more than 12 consecutive months, the system shall be removed no later than 90 days after the end of the 12 month period.

1208 REVISIONS AND MODIFICATIONS

Action on changes to an approved Special Use Permit shall be taken by the authority that approved the original Special Use Permit. Revisions and Modifications shall comply with the provisions of this section. However, if the Planning Director determines changes to be minor in nature, they may be approved by the Planning Director. Changes shall be considered minor if they meet the following criteria:

- 1208.1. Does not increase the amount of square footage, site disturbance, or unit count by more than 10% of the total approved in the original Special Use Permit.
- 1208.2. They do not result in noncompliance with zoning regulations including use regulations and development regulations and standards.
- 1208.3. Does not change the location of uses, or the layout of streets, trails, or pathways except for minor adjustments within areas approved for development or within approved rights-of-way.
- 1208.4. Does not include the addition of a drive-through in which the patron's automobile is accommodated from which the occupants may receive a service or in which products purchased from the establishment may be consumed.
- 1208.5. Is not a detriment to public health, safety, and welfare.