

Ordinance 1521, Series 2026

Exhibit A-7

Unified Development Code, Chapter 7 (Definitions)



# Woodland Park Unified Development Code

## Chapter 7: Definitions

### 7.01 Purpose

To provide definitions for certain words and phrases and certain provisions used within this UDC.

### 7.02 Secondary Resources

- A. For words, terms and phrases used in this UDC that are not defined by this Chapter or elsewhere in this UDC, the Director may consult secondary resources related to the planning profession, such as *A Survey of Zoning Definitions - Planning Advisory Service Report Number 421*, edited by Tracy Burrows, (American Planning Association, Chicago, Ill. 1989), and *The Complete Illustrated Book of Development Definitions*, by Harvey S. Moskowitz and Carl G. Lindbloom (Center for Urban Policy Research, Rutgers University, N.J. 1992), for technical words, terms and phrases; or *Webster's Third New International Dictionary (Unabridged)* (Merriam-Webster, Inc., Springfield, Mass. 1986), to determine the meaning of such words, terms or phrases.

## 7.03 Words and Terms

A

### **Accelerated Erosion**

"Accelerated Erosion" means any increase over the rate of natural erosion as a result of land-disturbing activities.

### **Accessory Structure**

"Accessory Structure" means a structure naturally and normally incidental to, subordinate to, and devoted exclusively to the main use of the land or buildings. Accessory buildings shall not be larger than the main or principal building; otherwise they shall be considered a main or principal building. Accessory buildings shall be constructed only if construction of the principal building has commenced.

### **Accessory Use**

"Accessory Use" means a use naturally and normally incidental to, subordinate to, and devoted exclusively to the main use of the land or buildings. Accessory buildings shall not be larger than the main or principal building; otherwise they shall be considered a main or principal building. Accessory buildings shall be constructed only if construction of the principal building has commenced.

### **Adequate Erosion Control Device**

"Adequate Erosion Control Device" means one which controls the soil material within the land area under responsible control of the persons conducting the land-disturbing activity.

### **Adjacent Property Owner**

"Adjacent Property Owner" means the person identified in the Teller County Tax Assessor records as the fee title owner of a parcel of land that is within two hundred (200) feet of any portion of the perimeter of the subject lot. Said distance shall be computed by direct measure from the nearest property line of such parcel to the nearest property line of the subject parcel.

### **Administrative Official**

"Administrative Official" means the legally designated officer in Woodland Park, Colorado, or authorized representative.

### **Adult Oriented Businesses (AOB)**

Definitions pertaining to Adult Oriented Businesses include designation of (AOB):

### **(AOB) Adult Oriented Business**

"Adult Oriented Business" means an adult arcade, adult bookstore, adult cabaret, adult novelty store, adult video store, nude model studio, adult motel, or adult motion picture theater.

### **(AOB) Adult Arcade**

"Adult Arcade" means any commercial establishment or private club where, for any form of consideration, one (1) or more still or motion picture projectors, slide projectors, or similar machines, or other image producing machines, for viewing by five (5) or fewer persons per machine at any one time, are used to regularly show films, motion pictures, video cassettes, slides, or other photographic reproductions or mechanically, electronically, chemically, or digitally reproduced visual materials characterized by an emphasis upon the depiction, display or exhibition of specified sexual activities or specified anatomical areas.

### **(AOB) Adult Bookstore, Adult Novelty Store, or Adult Video Store**

"Adult Bookstore, Adult Novelty Store, Adult Video Store" means a commercial establishment that devotes a significant or substantial portion of its business to any one or more of the following:

1. The sale, rental or viewing, for any form of consideration, of books, magazines, periodicals or other printed matter or photographs, films, motion pictures, video cassettes, slides or other photographic reproductions or mechanically, electronically, chemically, or digitally reproduced visual materials which are characterized by an emphasis upon the depiction, display or exhibition of specified sexual activities or specified anatomical areas;
2. The sale or rental of instruments, devices, or paraphernalia which are designed for use or marketed primarily for engaging in specified sexual activities; or
3. A significant or substantial portion of its business is shown by characteristics including, but not limited to, some or all of the following:
  - a. A significant or substantial portion of its stock in trade consists of the items listed in subsections 3.a-d herein; or
  - b. A significant or substantial portion of its revenues is derived from the rental or sale of items listed in subsections 3.a-d herein; or
  - c. A significant or substantial portion of its floor space, shelf space or storage space is devoted to the items listed in subsections 3.a-d herein; or

- d. A significant or substantial portion of its advertising is devoted to the items listed in subsections 3.a-d herein.

**(AOB) Adult Cabaret**

"Adult Cabaret" means a nightclub, bar, restaurant, concert hall, auditorium, or other commercial establishment or private club which regularly features or presents live adult entertainment.

**(AOB) Adult Entertainer**

"Adult Entertainer" means a person who performs, dances, or otherwise entertains while nude or semi-nude in an adult oriented business regardless of whether or not said person is paid a salary, wage, or other compensation for said performance.

**(AOB) Adult Entertainment**

"Adult Entertainment" means any exhibition, display, activity or dance that involves the appearance or exposure to view of specified anatomical areas.

**(AOB) Adult Motion Picture Theater**

"Adult Motion Picture Theater" means a commercial establishment or private club, where for any form of consideration, films, motion pictures, video cassettes, slides or similar photographic reproductions or mechanically, electronically, chemically, or digitally reproduced visual materials are regularly shown characterized by an emphasis upon the depiction, display or exhibition of specified sexual activities or specified anatomical areas. An establishment meeting the definition of an adult arcade is not an adult motion picture theater.

**(AOB) Nude Model Studio**

"Nude Model Studio" means any place where a person who appears semi-nude, in a state of nudity, or who displays specified anatomical areas, is provided to be observed, sketched, drawn, painted, depicted in sculpture, photographed, or similarly depicted by other persons. Nude model studio shall not include a proprietary school licensed by the State of Colorado or a college, junior college or university supported entirely or in part by public taxation; a private college or university which maintains and operates educational programs in which credits are transferable to a college, junior college, or university supported entirely or partly by taxation; or a business in a structure:

4. That has no sign visible from the exterior of the structure and no other advertising that indicates a nude or semi-nude person is available for viewing; and

5. Where in order to participate in a class a student must enroll at least three (3) days in advance of the class; and
6. Where no more than one (1) nude or semi-nude model is on the premises at any one (1) time.

**(AOB) Nudity or State of Nudity**

"Nudity or State of Nudity" means the appearance or display of specified anatomical areas.

**(AOB) Semi-Nude**

"Semi-Nude" means the showing of the female breast below a horizontal line across the top of the areola at its highest point or the showing of the male or female buttocks. This definition shall include the entire lower portion of the human female breast, but shall not include any portion of the cleavage of the human female breast, exhibited by a dress, blouse, skirt, leotard, bathing suit or other wearing apparel, provided the areola is not exposed in whole or in part.

**(AOB) Specified Anatomical Areas**

"Specified Anatomical Areas" means and includes any of the following:

1. Less than completely and opaquely covered human genitals, pubic region, buttocks, anus, or female breasts below a point immediately above the top of the areolae; or
2. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

**(AOB) Specified Criminal Act**

"Specified Criminal Act" means any offense which is included in the definition of "unlawful sexual behavior" under Section 16-22-102, C.R.S., Sex Offender-Definitions, as the same may be amended from time to time, or any offense committed in another state that, if committed in the State of Colorado, would constitute an offense involving unlawful sexual behavior, or any offense that has a factual basis of one of the offenses specified in the definition of "unlawful sexual behavior." Specified criminal act also includes any offense involving soliciting for prostitution, prostitution, patronizing a prostitute, pandering, pimping, public indecency, or the distribution or possession of obscene materials.

### **(AOB) Specified Sexual Activities**

"Specified Sexual Activities" means and includes any of the following:

1. The fondling or other intentional touching of human genitals, pubic region, buttocks, anus, or female breasts;
2. Sex acts, actual or simulated, including intercourse, oral copulation, masturbation, or sodomy;
3. Flagellation, mutilation or torture for purposes of sexual arousal, gratification, pleasure, or abuse;
4. Human genitals in a state of sexual stimulation, arousal, or tumescence; or
5. Excretory functions as a part of or in connection with any of the activities set forth in this section.

### **Agricultural and Gardening Sales**

"Agricultural and Gardening Sales" means retail establishments engaged in selling farm, ranch, lawn, and garden supplies to the general public for personal or household consumption and rendering services incidental to the sale of such goods.

### **Airport, Heliport, or Helistop**

"Airport, Heliport, or Helistop" means any area of land, water, or portion of a structure which is used or intended for the landing and taking off of aircraft and helicopters. Includes any appurtenant areas which are used or intended for use for airport buildings or other airport facilities or rights-of-way, as well as areas for parking, maintenance, fueling, and repair of aircraft. This includes all necessary runways, taxiways, aircraft storage and tie-down areas, hangars, public terminal buildings and parking, helicopter pads, support activities such as airport operations and air traffic control, and other necessary buildings and open spaces.

### **Alley**

"Alley" means a public right-of-way which is used primarily as a secondary means of vehicular access to the back or side of properties which may be used for public utility purposes.

### **Ambulance Service Business**

"Ambulance Service Business" means an establishment whether operated as a governmental service or private business which provides ambulance services to a community, to include administrative functions.

## **Apartment**

"Apartment" means a room or group of rooms used as a dwelling unit for one (1) household with cooking facilities therein located in a building where other dwelling units are located.

## **Apartment Building**

"Apartment Building" means a building containing a room or group of rooms used as a dwelling unit for one (1) household with cooking facilities therein located in a building where other household dwelling units are located.

## **Arterial Street**

"Arterial Street" means any street serving major traffic movements which is designed primarily as a traffic carrier between various sections of the city, which forms part of a network of through streets and which provides service and access to abutting properties only as a secondary function. An arterial street is a through street.

## **Arts and Culture Facility**

"Arts and Culture Facility" means a building designed for showing movies or the live performance of plays, operas, music, and similar events. May also include art galleries, performing arts centers, and other similar cultural uses.

## **Attached**

"Attached" means, when used to describe dwelling units, dwelling units that are within the same building; e.g., duplex, tri-plex, four-plex, townhouses or apartment buildings. Dwelling units connected only by decks, porches, carports, or features not structurally integral to the dwelling units are not attached.

## **B**

### **Bar, Lounge, or Nightclub**

"Bar, Lounge, or Nightclub" means premises used primarily for the sale or dispensing of alcohol for on-site consumption and where food may be available for consumption on the premises as accessory to the principal use; and where the premises is licensed pursuant to the existing Colorado state liquor laws.

### **Bar or Lounge, Accessory**

"Accessory Bar or Lounge" means premises incidental to the operation of an associated principal use for the sale or dispensing of alcohol for on-site consumption; and where the

premises is licensed pursuant to the existing Colorado state liquor laws. Principal uses may include a hotel, motel, suite, lodge, inn, or restaurant.

### **Bed and Breakfast**

"Bed and Breakfast" means a residence used primarily as a private residence which offers sleeping accommodations to guests for a fee.

### **Bicycle Trail**

"Bicycle Trail" is a separate trail or path upon which motor vehicles are prohibited and which is for the shared use of bicycles, pedestrians and other non-motorized means of transportation except horses. Where such trail or path forms a part of a highway, it may be separated from the roadway for motor vehicles traffic by physical separation such as a landscaped area or barrier.

### **Block Front**

"Block Front" means all of the property on one side of a street between two (2) intersecting streets.

### **Borrow**

"Borrow" means fill material which is required for on-site construction and is obtained from other locations.

### **Brewery**

"Brewery" means a retail establishment that manufactures not more than 1,860,000 gallons of malt liquor on its licensed premises or licensed alternating proprietor licensed premises, combined, each calendar year, as defined by Section 44-3-103, Colorado Revised Statutes, as amended.

### **Buffer Zone**

"Buffer Zone" means the strip of land adjacent to a lake or watercourse, the width of which is measured from the edge of the water or watercourse to the nearest edge of the disturbed area, with the twenty-five (25) percent of the strip nearer the land-disturbing activity containing natural or artificial means of confining visible siltation.

### **Building**

"Building" means any structure with a roof supported by walls or columns, designed or intended to shelter, enclose, or protect persons, animals, or property.

## **Building Envelope**

"Building Envelope" is that area of a lot that encompasses all development including but not limited to excavation, fill, grading, storage, demolition, structures, buildings, decks, roof, overhang, porches, patios, terraces, pools, any area of disturbance and parking. Walkways and driveways may occur outside of the building envelope.

## **Building Height**

"Building Height" means the vertical distance from the finished grade (average finished elevation of the ground around the structure) to the highest point of the roof.

## **Building Line**

"Building Line" means that line parallel to the frontage, imaginary or otherwise, superimposed upon a lot to indicate the point of setback, forward of which no part of the principal building may be constructed; except that uncovered porches or stoops and their appurtenant steps may be constructed forward of this line.

## **Business Services**

"Business Services" means establishments primarily engaged in rendering services to business establishments on a fee or contract basis, such as quick copy printing, blueprinting, photocopying, or other reproduction services, mailing, telephone answering, messenger service, and similar services, as well as printing, blueprinting, bookbinding, photoengraving, electrotyping, stereotyping, publishing, engraving, or other reproductive services.

C

## **Campground**

"Campground" means an area specifically designated and designed to accommodate, for a fee, the temporary parking or placement of camping trailers, truck campers, motor homes, and tents for human occupancy on a transient basis. Included in this definition are those facilities relating to the accommodation of campers.

## **Car Wash (Passenger)**

"Car Wash (Passenger)" means a facility where passenger vehicles are washed by automatic equipment or by customers. Does not include facilities for washing commercial trucks or buses.

## **Care Facility**

“Care Facility” means any facility which is maintained and operated to provide residential care or rehabilitation services for elderly adults in need of personal assistance essential for sustaining the activities of daily life or for the protection of the individual, but which for any reason cannot be furnished in the person’s own home. This use includes common types of facilities such as nursing homes, convalescent homes, rest homes, and homes for the aged.

## **Cemetery**

“Cemetery” means a place dedicated to, used and intended to be used for the permanent interment of the human dead, and shall include burial plots for earth interments, mausoleums for vault or crypt interments, columbarium for cinerary interments, or a combination of one (1) or more of the above.

## **Child Care Center**

“Child Care Center” means a non-residential facility, by whatever name known, which is maintained for the whole or part of a day but for less than twenty-four-hour (24) care and supervision of five or more children not related to the owner, operator, or manager thereof and generally located in an office or commercial zone district. The term includes facilities commonly known as a "child care centers," "child nurseries," "nursery schools," "kindergartens," "preschools," "play groups," "school age programs," "centers for developmentally disabled children," "day treatment centers," "extended day programs," and "summer playground programs."

## **City**

"City," as used in this UDC, refers to the municipal entity of the City of Woodland Park.

## **Civic Space**

"Civic Space" means any public land available for recreational, educational, cultural, or aesthetic use, such as public parks and playground facilities.

## **Clustered Residential Development**

"Clustered Residential Development" means a residential land development project that concentrates the number of lots allowable on a parcel of land in specific areas of the parcel to allow the remaining land to be used for open space, recreation, and preservation of features or structures with environmental, historic, cultural, or other significance.

### **Collector Street**

"Collector Street" is a street which has the primary function of providing for the distribution of traffic within neighborhoods, and which carries through traffic and provides access to abutting property. A collector street is also a through street.

### **Comprehensive Plan**

"Comprehensive Plan," for the City of Woodland Park, Colorado means the plan which has been officially adopted to provide long range development policies for the City and which includes, among other things, the plan for land use, circulation and public facilities.

### **Conditional Use Permit**

"Conditional Use Permit (CUP)" means a permit issued by the City Council that authorizes the applicant to use a property in accordance with the requirements of this UDC and conditions imposed by the City Council.

### **Condominium**

"Condominium" means a building having two (2) or more dwelling or business units connected by common fire walls which exist on a parcel of land with each unit owner holding a full title to a unit within the building and a joint ownership in the land on which the building is located, and in common areas associated with the building. To qualify as a condominium, the structure must comply in all respects with the City building code including fire separation requirements for each unit.

### **Contractor and Construction Services**

"Contractor and Construction Services" means any business which performs a construction or repair oriented service such as building, well drilling, plumbing, electrical, heating, construction or appliance repair, and requires less than two thousand (2,000) square feet of open storage area.

### **Convenience Store**

"Convenience Store" means any retail establishment offering for sale prepackaged food products, household items, newspapers and magazines, and sandwiches and other freshly prepared foods, such as salads. Also, may or may not include the sale of motor fuels.

### **Crematory**

"Crematory" means a place containing properly installed, certified apparatus for use in the act of cremation.

## **Cul-de-sac**

"Cul-de-sac" is a local street having one end open to vehicular traffic and having one end closed and terminated by a turnaround.

## **Cultural Facility**

"Cultural Facility" means building, place, or institution for the use, but not sale, of literary, musical, artistic, or reference materials, as well as the acquisition, conservation, study, exhibition, and educational interpretation of objects having scientific, historical, or artistic value, and could include accessory sales.

D

## **Days**

"Days", when used to establish time limits or constraints of actions, refers to calendar days. When a time limit or constraint in terms of calendar days falls on a Saturday, Sunday, or City or State holiday, the constraint will be extended to nearest following day that is a non-holiday weekday.

## **Distillery**

"Distillery" means a retail establishment whose primary purpose is selling and serving food and alcohol beverages for on-premises consumption, and that ferments and distills not more than 875,000 liters of spirituous liquor on its licensed premises each calendar year, as defined by Section 44-3-103, Colorado Revised Statutes, as amended.

## **Dwelling, Duplex**

"Dwelling, Duplex" means a single building on a single lot, parcel, or tract of land with two (2) independent dwelling units under one roof, each of which is occupied by one (1) household and contains a primary heat source and living facilities for sleeping, cooking, eating, and sanitation.

## **Dwelling, Manufactured Home**

"Dwelling, Manufactured Home" means a single household dwelling unit that is:

- A. Partially or entirely manufactured in a factory;
- B. Built on a permanent chassis;
- C. Designed to be used as a dwelling unit;
- D. Certified to be in compliance with the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 USC 5401 et seq., as amended;
- E. Built to withstand typical Colorado snow loads and wind shear factors; and

F. Installed on a permanent foundation.

The term does not include mobile homes, modular dwellings, tiny house dwellings, park model dwellings, travel trailers, camper trailers, campers, self-contained motor homes or camper buses.

### **Dwelling, Mobile Home**

"Dwelling, Mobile Home" means a manufactured home built prior to the implementation of the HUD Code before June 15, 1976.

### **Dwelling, Modular**

"Dwelling, Modular" means a dwelling unit that is manufactured in a factory and is then assembled into a complete dwelling unit on site, provided that the assembled dwelling unit is installed on an engineered permanent foundation, and complies with the City of Woodland Park Municipal Code Section 15.2 - Adoption of the Pikes Peak Regional Building Code. The term does not include manufactured homes, mobile homes, tiny house dwellings, park model dwellings, travel trailers, camper trailers, campers, self-contained motor homes, or camper buses.

### **Dwelling, Multi-Household**

"Dwelling, Multi-Household" means one (1) or more buildings on a single lot, parcel, or tract of land, with each building containing three (3) or more individual dwelling units which share common walls in a multi-floor building, where each dwelling unit is occupied by one (1) household living independently of other dwelling units and maintaining separate cooking facilities and where each dwelling unit has an individual entrance to the outdoors or to a common hallway.

### **Dwelling, Park Model**

"Dwelling, Park Model" means a single-household dwelling unit that is manufactured in a factory, classified as an RV, designed for long-term placement in campgrounds or RV parks, is built to the standards of the American National Standards Institute (ANSI) and is inspected and certified by the RV Industry Association (RVIA).

### **Dwelling, Single-Household Attached**

"Dwelling, Single-Household Attached" means a single-household dwelling unit attached to one (1) or more single-household dwellings by a common vertical wall on one (1) or both sides, and where habitable spaces of different units are arranged in a side-by-side rather than in a stacked

configuration each with a direct entrance to the outdoors, where each unit contains a primary heat source and living facilities for sleeping, cooking, eating, and sanitation, with each unit located on its own lot.

### **Dwelling, Single-Household Detached**

“Dwelling, Single-Household Detached” means a single-household dwelling unit that is not attached to any other dwelling by any means, that contains a primary heat source and living facilities for sleeping, cooking, eating, and sanitation and that complies with the International Residential Code. This use also includes a modular dwelling that meets the definition in this UDC.

### **Dwelling, Tiny House**

“Dwelling, Tiny House” means a single-household dwelling unit that is permanently constructed on a vehicle chassis; is not self-propelled; is designed for long-term residency; contains less than four hundred (400) square feet of gross floor area; includes electrical, mechanical, or plumbing services that are fabricated, formed, or assembled at a location other than the site of the completed home; is constructed to the International Residential Code as adopted by the Building Codes and Standards program of the Colorado Division of Housing; and has affixed to it a metal plate insignia certifying that it is built to those standards. This use does not include park model dwellings, recreational park trailers (as defined in C.R.S. 24-32-902), or recreational vehicles (as defined in C.R.S. 24-32-902).

### **Dwelling Unit**

“Dwelling Unit” means a single unit providing complete, independent living facilities for one (1) or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation, including units constructed on-site and units all or part of which are constructed in an off-site facility and then transported to and assembled into completed dwelling units on-site.

### **Dwelling Unit, Accessory (ADU)**

“Dwelling Unit, Accessory (ADU)” means a clearly subordinate habitable dwelling unit added to, or created within a single-household detached dwelling or attached garage, or created within a detached garage accessory to a single-household detached dwelling, provided the habitable dwelling unit is located on the upper level of the detached garage.

## E

### **Easement**

"Easement" is authorization by a property owner for use by the public, a corporation, or persons, of any designated part of the property for specific purposes.

### **Engineering Specifications**

"Engineering Specifications" means a set of design, material and construction standards for public works improvements, including water, sewer, streets, drainage, concrete construction, excavation, trails, sidewalks, bikeways and parking.

### **Equipment Sales or Rental**

"Equipment Sales or Rental" A commercial facility that sells, leases, or rents tools, machinery, or equipment for residential, commercial, agricultural, or industrial use. Typical items include construction tools, lawn and garden equipment, small machinery, trailers, and may include farm equipment, backhoe loaders, front-end loaders, compactors, aerial lifts, motor graders, and similar products.

### **Equipment Repair or Service**

"Equipment Repair or Service" means establishments engaged in maintenance or repair of construction, industrial, or landscaping equipment or machinery. Does not include repair of vehicles licensed for road use.

### **Erosion**

"Erosion" means the wearing away of land surface by the action of wind, water, gravity, or any combination thereof.

### **Essential Services and Utilities**

"Essential Services and Utilities" means the construction, alteration, or maintenance, by public utilities or municipal or other governmental agencies, of underground or overhead gas, electrical, steam or water transmission or distribution systems, collection, communication, supply or disposal systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, and other similar equipment and accessories in connection therewith, reasonably necessary for the public health or safety or general welfare, but not including buildings.

## **Events**

“Events” mean types of activities with a scheduled period of operation and participation, such as (but not limited to) political campaigns, garage sales, farmer’s markets, and arts fairs. Events are not open ended and may not operate in perpetuity but instead must have designated start and finish times or dates.

## **F**

### **Family**

"Family" means an individual, or two or more persons related by blood, marriage, adoption, as guardian and ward, or similar legal relationship, who need not be related by blood, marriage or adoption living together in a dwelling unit. .

### **Family Child Care Home**

“Family Child Care Home” shall mean a private residence in a single unit dwelling or dwelling unit in a multiple unit dwelling for the purpose of providing day care for not more than twelve (12) children, and operated by a person who resides in the same dwelling where the care is provided for periods of less than twenty-four hours of care per day.

### **Farmers Market**

"Farmers Market" means a temporary outdoor market consisting typically of a collection of vendors selling wares and farm products from booths whose operations may not exceed a designated period of time.

### **Farming or Ranching**

“Farming or Ranching” means any agricultural use, including farming, agriculture, horticulture, floriculture, viticulture, ranching, dairying, and pasturage.

### **Financial Institution**

“Financial Institution” means a business where the primary occupation is financial services such as banks, brokerage companies, mortgage companies, credit bureaus, and other financial services.

### **Floor Area, Usable**

"Usable Floor Area" means the area included within the surrounding exterior walls of a building or portion thereof, exclusive of vent shafts, vents, courts and cellars.

## **Frontage**

"Frontage" means a line defined by that part of the property abutting upon one (1) side of a street measured along the right-of-way.

## **Funeral Services Facility**

"Funeral Services Facility" means funeral parlors, mortuaries, and other buildings that provide funeral services, and may include crematories and facilities on the premises for embalming and performing of autopsies or other surgical procedures.

## **G**

### **Garage, Private Residential**

"Private Residential Garage" means a structure that is accessory to a residential building and that is used for the parking and storage of vehicles owned and operated by the residents thereof and that is not a separate commercial enterprise available to the general public.

### **Geologic Hazard**

"Geologic Hazard" means a geologic phenomenon which is so adverse to past, current, or foreseeable construction or land use as to constitute a significant hazard to public health and safety or to property.

### **Golf Course and Clubhouse**

"Golf Course and Clubhouse" means a tract of land laid out with at least nine (9) holes for playing a game of golf and improved with trees, greens, fairways, and hazards. May include any accessory clubhouse, driving range, offices, restaurant, concession stand, picnic tables, pro shop, maintenance facilities, or similar accessory uses or structures.

### **Government Administration Use**

"Government Administration Use" means public and semipublic facilities owned and operated by governments, excluding those of an industrial nature such as garages, repair shops, and warehouses.

### **Government Operations Use**

"Government Operations Use" means facilities owned and operated by a government entity that support essential public services, maintenance, or infrastructure functions. This includes uses of an industrial or logistical nature such as public works yards, vehicle and equipment storage, repair garages, utility service centers, and warehouses.

## **Grading Plan**

"Grading Plan" is a plan that needs to show the existing and proposed contours and any other information needed to adequately determine the feasibility and extent of the land disturbing activity necessary to accommodate the proposed plan.

## **Greenbelt**

"Greenbelt" an open area that may be cultivated or maintained in a natural state surrounding development or used as a buffer between land uses or to mark the edge of an urban or developed area.

## **Greenhouse, Commercial**

"Commercial Greenhouse" means a building whose roof and sides are made largely of glass or other transparent or translucent material and in which the temperature and humidity can be regulated for the cultivation of delicate or out-of-season plants.

## **Greenway**

"Greenway" (1) a linear open space established along either a natural corridor such as a stream valley, or ridge line or over land along a railroad right-of-way converted to recreational use, a canal, a scenic road or other route; (2) any natural or landscaped course for pedestrian or bicycle passage; (3) an open space connector linking parks, natural reserves cultural features or historic sites with each other and with populated areas; and (4) locally, certain strip or linear parks designated as a parkway or greenbelt.

## **Grocery Store, Small-Scale**

"Grocery Store, Small-Scale" means A retail establishment primarily engaged in the sale of food and household goods for off-site consumption, typically serving a neighborhood or small trade area. Small-scale grocery stores generally occupy less than 10,000 square feet of gross floor area and may include specialty markets, convenience-focused grocers, or urban-format stores. Limited prepared foods and accessory uses such as small cafés or pickup counters may be included.

## **Grocery Store, Large-Scale**

"Grocery Store, Large-Scale" means A retail establishment primarily engaged in the sale of a wide variety of food, beverages, and household goods for off-site consumption. Large-scale grocery stores typically occupy more than 10,000 square feet of gross floor area and may

include full-service departments such as deli, bakery, pharmacy, floral, and on-site dining. This category includes supermarkets and warehouse-format grocery retailers.

### **Group Home**

“Group Home” means a community-based home or residential building that is licensed as a residential care facility by the state and other appropriate agencies to house service-dependent people living with professional staff and to provide room and board, personal care, habilitation services, or supervision in a family setting. Group homes may provide for needed medical care or services.

### **Groundcover**

"Groundcover" means any natural vegetation growth or other material which renders the soil surface stable against accelerated erosion.

## H

### **Habitable Living Unit**

“Habitable Living Unit” means that there are contained within the unit the basic requirements for living, sleeping, cooking (i.e., complete kitchen area with cook stove, oven, refrigerator and sink) and sanitation.

### **Health Club or Fitness Center**

"Health Club or Fitness Center" is a building or portion of a building designed and equipped for the conduct of sports, exercise, physical fitness, leisure time activities or other customary and usual recreational activities, operated for profit or not for profit and which can be open only to bona fide members and guests of the operating organization or open to the public for a fee.

### **Home Occupation**

"Home Occupation" means any occupation or profession conducted entirely within a dwelling unit.

### **Hospital**

"Hospital" means a facility or an institution providing health services, and medical, dental, or surgical care of the sick or injured, including as an integral part of the institution, such related facilities as laboratories, outpatient departments, training facilities, central service facilities and staff offices. Hospitals may include ambulance services as an accessory use.

## **Hotel or Motel**

“Hotel or Motel” means a facility under single management offering transient lodging to the general public and may provide additional services, such as restaurants, meeting rooms, entertainment, and recreational.

## **Household**

“Household” means

- A. Any of the following:
  - 1. A single person occupying a dwelling unit;
  - 2. A family occupying a dwelling unit;
  - 3. Any number of people occupying a dwelling unit as a single housekeeping unit; or
  - 4. Any group of persons whose right to live together under conditions similar to other types of households of the same size is protected by the provisions of the federal Fair Housing Amendments Act of 1988, as defined in that Act and interpreted by the courts, or by any similar legislation of the State of Colorado.
- B. The number of persons occupying each dwelling unit described above shall not exceed the maximum permitted by the applicable building code or safety code or by any applicable state or federal law or regulation.

## **Household Living**

“Household Living” means residential occupancy of a dwelling unit by a family or a household where tenancy is arranged on a month to month or longer basis (lodging where tenancy may be arranged for a period of less than 30 days is classified under the lodging category). Common accessory uses include recreational activities, raising pets, gardens, personal storage buildings, hobbies, and parking of the occupants’ vehicles.

## **HUD (Department of Housing and Urban Development) Code**

“HUD Code” means the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 USC Section 5401, et seq., as amended.

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## **Improvement Guarantee**

“Improvement Guarantee” is in a form of security including a cash deposit, escrow agreement or irrevocable letter of credit in an amount and form satisfactory to the City Council.

## **Improvements**

"Improvements" means all facilities constructed or erected by a subdivider within a subdivision to permit and facilitate the use of lots or blocks for a residential, commercial, or industrial purpose.

## **Institutional Use**

"Institutional Use" means a nonprofit, religious, or public use, such as a church, library, public or private school, hospital, or government owned or operated building, structure, or land used for public purpose.

J

## **Junkyard**

"Junkyard" means any building, structure, or parcel of land or a portion thereof used for the collecting, storage, or sale of solid waste, scrap metal, or discarded material; or for the collecting, dismantling, storage, salvaging, or demolition of vehicles, machinery, or other materials and including the sale of whole or parts thereof.

K

## **Keeping of Chickens or Domestic Fowl**

"Keeping of Chickens or Domestic Fowl" means a the keeping of any fowl, including any chicken, duck, goose, turkey, pigeon, or other fowl, excluding roosters or cocks.

## **Kennel, Commercial**

"Commercial Kennel" means the keeping of dogs and cats for the purpose of breeding, grooming, boarding or other activities associated with the care of dogs and cats for commercial purposes.

## **Kennel, Private**

"Private Kennel" means the keeping of four (4) or more dogs over the age of four (4) months; however, this shall not include breeding, grooming or boarding of other than the owner's dogs.

L

## **Lake or Natural Watercourse**

"Lake or Natural Watercourse" means any stream, river, brook, swamp, creek, run, branch, waterway, estuary, wetlands, and any reservoir, lake or pond, natural or impounded, in which

sediment may be moved or carried in suspension, and which could be damaged by accumulation of sediment.

### **Land-Disturbing Activity**

"Land-Disturbing Activity" means any human action that results in a change to the existing surface or vegetation cover, alters drainage conditions, or changes the topography of the site.

This includes but is not limited to any of the following:

1. Clearing, grubbing, grading, excavation, filling, or stockpiling;
2. Removal or disturbance of vegetation or topsoil;
3. Construction of roads, utilities, or drainage features;
4. Blasting, trenching, or soil compaction;
5. Any activity that changes site hydrology, increases erosion potential, or creates sediment transport.

### **Landscaping**

"Landscaping" means any combination of living plant materials, such as trees, shrubs, grass, and herbaceous plants and including associated decorative material such as gravel, rock and bark.

### **Limited Winery**

"Limited winery" means any establishment manufacturing not more than 100,000 gallons, or the metric equivalent thereof, of vinous liquors annually within Colorado, as defined by C.R.S. Section 44-3-103, as amended.

### **Liquor Store, with Drive-Thru Service**

"Liquor Store, with Drive-Thru Service" means an establishment or place of business primarily engaged in the sale for off-premise consumption of alcoholic liquors, including beer, wine, and distilled spirits with drive-thru service. Other items like dry goods and food products may be sold.

### **Liquor Store, without Drive-Thru Service**

"Liquor Store, without Drive-Thru Service" means an establishment or place of business primarily engaged in the sale for off-premise consumption of alcoholic liquors, including beer, wine, and distilled spirits. Other items like dry goods and food products may be sold.

### **Local Street**

"Local Street" means any street designated primarily to provide access to abutting property.

## **Lot**

"Lot" means a parcel of land occupied or intended for occupancy by a use permitted in this title, including one main building together with this accessory building, open spaces, and parking spaces required by this title, and having its principal frontage upon a street.

## **Lot, Hillside**

"Hillside Lot" means any lot with fifty (50) percent of its area having a slope of thirty (30) percent or greater, or any lot where more than fifty (50) percent of its front yard area has a slope of thirty (30) percent or greater.

## **Lot of Record**

"Lot of Record" means a lot or parcel of land, the deed to which has been recorded in the office of the county recorder prior to the adoption of the ordinance codified in this UDC.

## **Lot, Double Frontage**

"Double Frontage Lot" means a lot which runs through a block from street to street and which has two (2) nonintersecting sides abutting on two (2) or more streets.

## **Lot, Reverse Corner**

"Reverse Corner Lot" means a lot having its side right-of-way substantially a continuation of the front lot line of the first lot to its rear. The side setback along the street side of a reverse corner lot shall not be less than the required front setback for principal buildings along such a side street.

## **M**

## **Manufacturing and Industry, Light**

"Light Manufacturing and Industry" means a use engaged in the manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales, and distribution of such products, but excluding basic industrial processing. Light manufacturing and light industrial activities are carried out within an enclosed building; do not use water in the manufacturing or industrial operations either for processing, cooling, or heating; and do not emit smoke, noise, odor, dust, vibration, or fumes that are detectable beyond the walls of the building in which it is housed.

## **Manufacturing and Industry, Heavy**

"Heavy Manufacturing and Industry" means a use engaged in the basic processing, transformation, or fabrication of raw or bulk materials into finished or semi-finished products. This includes operations such as refining, smelting, chemical processing, heavy equipment manufacturing, and similar activities that may involve outdoor storage, use of water for processing, cooling, or heating, and the emission of smoke, noise, odor, dust, vibration, or fumes detectable beyond the walls of the building in which the activity occurs. Heavy manufacturing typically requires significant infrastructure and may have greater environmental or operational impacts than light manufacturing uses.

## **Manufactured Home Park**

"Manufactured Home Park" means a parcel of land under single ownership that has been planned and improved for the placement of more than one (1) manufactured home, park model dwelling, or tiny house dwelling for single-household dwelling purposes. Accessory uses include community meeting space, common laundry and recreational facilities, and vehicle parking for residents and staff.

## **Manufactured Home Park Service Building**

"Service Building" means a building housing toilet and bathing facilities for men and women, with laundry facilities and such other facilities as may be required by this UDC.

## **Manufactured Home Sales**

"Manufactured Home Sales" means establishments engaged in the sale of mobile, manufactured, or factory-built modular homes or residential structures as the principal use of a lot, but not including occupancy on site.

## **Marijuana Uses (MJ)**

Definitions pertaining to Marijuana Uses:

### **(MJ) Marijuana**

"Marijuana" means all parts of the plant of the genus cannabis whether growing or not, the seeds thereof, the resin extracted from any part of the plant, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or its resin, including marijuana concentrate. "Marijuana" does not include industrial hemp, nor does it include fiber produced from the stalks, oil, or cake made from the seeds of the plant, sterilized seed of the plant which is incapable of germination, or the weight of any other

ingredient combined with marijuana to prepare topical or oral administrations, food, drink, or other product.

**(MJ) Marijuana Accessories**

"Marijuana accessories" means any equipment, products, or materials of any kind which are used, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, composting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, vaporizing, or containing marijuana, or for ingesting, inhaling, or otherwise introducing marijuana into the human body.

**(MJ) Marijuana Center, Medical**

"Medical Marijuana Center" means a person or entity licensed to operate a business as described in the Colorado Medical Marijuana Code that sells medical marijuana and medical marijuana-infused products to registered patients or primary caregivers as defined in Article XVIII, § 14 of the Colorado Constitution, but is not a primary caregiver, and which a municipality is authorized to prohibit as a matter of law.

**(MJ) Marijuana Cultivation Facility**

"Marijuana cultivation facility" means an entity licensed to cultivate, prepare, and package marijuana and sell marijuana to retail marijuana stores, to marijuana product manufacturing facilities, and to other marijuana cultivation facilities, but not to consumers.

**(MJ) Marijuana Establishments**

"Marijuana establishments" means a marijuana cultivation facility, marijuana testing facility, marijuana product manufacturing facility, or retail marijuana store.

**(MJ) Marijuana Membership Club**

"Marijuana membership club" means any building or structure wherein two (2) or more people gather for the primary purpose of consuming marijuana or marijuana products, or any building or structure wherein club members meet with the ongoing practice of routinely or regularly consuming marijuana or marijuana products.

**(MJ) Marijuana Product Manufacturing Facility**

"Marijuana product manufacturing facility" means an entity licensed to purchase marijuana; manufacture, prepare, and package marijuana products; and sell marijuana and marijuana products to other marijuana product manufacturing facilities and to retail marijuana stores, but not to consumers.

### **(MJ) Marijuana Products**

"Marijuana products" means concentrated marijuana products and marijuana products that are comprised of marijuana and other ingredients and are intended for use or consumption, such as, but not limited to, edible products, ointments, and tinctures.

### **(MJ) Marijuana Testing Facility**

"Marijuana testing facility" means an entity licensed to analyze and certify the safety and potency of marijuana.

### **(MJ) Retail Marijuana Store**

"Retail marijuana store" means an entity licensed to purchase marijuana from marijuana cultivation facilities and marijuana products from marijuana product manufacturing facilities and to sell marijuana and marijuana products to consumers.

### **(MJ) Patient**

"Patient" shall have the same meanings as set forth in Article XVIII, Section 14(1) of the Colorado Constitution.

### **(MJ) Primary Caregiver**

"Primary Caregiver" shall have the same meanings as set forth in Article XVIII, Section 14(1) of the Colorado Constitution.

### **Medical Clinic**

"Clinic" means a facility or institution, whether public or private, principally engaged in providing services for health maintenance and the treatment of mental or physical conditions. A medical clinic may include a pharmacy as an accessory use.

### **Medical, Dental, or Optical Laboratories and Fabrication**

"Medical, Dental, or Optical Laboratories and Fabrication" means establishments providing support to the medical profession and patients, such as medical and dental laboratories, blood banks, oxygen, and miscellaneous types of medical supplies and services, including the fabrication of medical, dental, or optical related materials.

### **Micromobility Uses (MM)**

Definitions pertaining to Micromobility Uses:

### **(MM) Docking Hub or Station**

“Docking Hub or Station” means the site of one (1) or more micromobility vehicle parking spaces designated for the purpose of parking, storing, and recharging micromobility vehicles and any kiosks, structures, or signage associated with or under the control of a single micromobility-share operation.

### **(MM) Micromobility**

"Micromobility" means small, lightweight vehicles typically operated at speeds below 20 miles per hour and designed for individual use over short distances. These vehicles may be human-powered or electrically assisted and include bicycles, e-bikes, electric scooters, skateboards, and similar devices. Micromobility does not include vehicles that are required to be registered with the state as motor vehicles.

### **(MM) Micromobility Fleet**

"Micromobility Fleet" means a group or collection of micromobility devices—such as bicycles, e-bikes, or e-scooters—owned, managed, or made available by a single operator for shared public use, typically through rental or subscription services. Fleets may be docked or dockless and are often deployed in public spaces or on private property with public access

### **Mineral Extraction**

“Mineral Extraction” means any facility, land, or portion thereof, removal or recovery by any means whatsoever of sand, gravel, soil, rock, minerals, mineral substances or organic substances, other than vegetation, from water or land on or beneath the surface thereof, exposed or submerged.

### **Mini-Storage or Self-Storage**

"Mini-Storage or Self-Storage" means individual, secured, and self-contained storage units, lockers, or spaces for rent to the general public for the storage of personal property, household goods, or business items. The use does not include commercial or professional business operations, manufacturing, or vehicle repair.

### **Mixed-Use Development**

“Mixed-use Development” means a development characterized as a pedestrian-friendly development that blends two or more residential, commercial, cultural, institutional, and

industrial uses in the same building or within separate buildings on the same site or on nearby sites. It is traditionally thought of as having street-level retail with residential units above.

### **Mobile Home Park**

"Mobile Home Park" means any lot or parcel of land used for the location and habitation of mobile homes and manufactured homes regardless of whether or not a charge or leasing fee is made for each or any mobile home upon the parcel.

### **Mobile Home Space**

"Mobile Home Space" means a plot of ground within a mobile home park designated for the accommodation of one (1) mobile home.

### **Model Home**

"Model Home" means a dwelling unit used initially for display purposes which typifies the type of units that will be constructed in the subdivision.

## **N**

### **Natural Erosion**

"Natural Erosion" means the wearing away of the earth's surface by water, wind, or other natural agents under natural environmental conditions undisturbed by man.

### **Natural Medicine Business Uses (NM)**

Definitions pertaining to natural medicine businesses:

#### **(NM) Natural Medicine**

"Natural Medicine" means psilocybin or psilocyn and other substances described in the Natural Medicine Regulatory Act as "natural medicine."

#### **(NM) Natural Medicine Business**

"Natural Medicine Business" means any of the following entities licensed under the Natural Medicine Regulatory Act including a natural medicine healing center, a natural medicine cultivation facility, a natural medicine products manufacturer, and a natural medicine testing facility or another licensed entity created by the state licensing authority.

#### **(NM) Natural Medicine Healing Center**

"Natural Medicine Healing Center" means a facility where an entity is licensed by the state licensing authority that permits a facilitator as defined by the Natural Medicine

Regulatory Act, to provide and supervise natural medicine services for a participant as defined by the Natural Medicine Regulatory Act, which includes a participant consuming and experiencing the effects of regulated natural medicine or regulated natural medicine product under the supervision of a facilitator.

**(NM) Natural Medicine Product**

“Natural Medicine Product” means a product infused with natural medicine that is intended for consumption, as provided by the Natural Medicine Regulatory Act.

**(NM) Natural Medicine Regulatory Act**

“Natural Medicine Regulatory Act” means the Colorado Natural Medicine Code codified in Colorado Revised Statutes.

**(NM) Natural Medicine Services**

“Natural Medicine Services” means a preparation session, administrative session, and integration session, as provided by the Natural Medicine Regulatory Act.

**(NM) Participant**

“Participant” means an individual who is twenty-one (21) years of age or older who receives natural medicine services prescribed by and under the supervision of a facilitator, as provided by the Natural Medicine Regulatory Act.

**(NM) Regulated Natural Medicine**

“Regulated Natural Medicine” means natural medicine that is cultivated, manufactured, tested, stored, distributed, transported, or dispensed, as provided by the Natural Medicine Regulatory Act.

**(NM) Regulated Natural Medicine Product**

“Regulated Natural Medicine Product” means a natural medicine product that is cultivated, manufactured, tested, stored, distributed, transported, or dispensed, as provided by the Natural Medicine Regulatory Act.

**(NM) State Licensing Authority**

“State Licensing Authority” means the authority created under the Natural Medicine Regulatory Act for the purpose of regulating and controlling the licensing of the cultivation, manufacturing, testing, storing, distribution, transfer, and dispensation of

regulated natural medicine and regulated natural medicine product, as provided by the Natural Medicine Regulatory Act.

### **Nonconforming Sign**

See Sign, Legal and Illegal Nonconforming

### **Nonconforming Structure**

“Nonconforming Structure” means any building or structure the size, dimension, design, or location of which was lawful prior to the adoption, revision, or amendment of this UDC, but which fails to conform to the requirements of the development regulations applicable to the property by reasons of such adoption, revision, or amendment.

### **Nonconforming Use**

“Nonconforming Use” means any use of land that was legally in existence on the effective date of this UDC and has been in regular and continuous use, but which does not conform to the use regulations prescribed by this UDC.

○

### **Office**

"Office" means an establishment engaged in professional, semi-professional, business, government, philanthropic institutions, or client-oriented services. Offices do not include retail or wholesale activities which require the receiving, stocking, storing, displaying, manufacturing, selling, or renting of merchandise or equipment, except where specifically permitted as an accessory use.

### **Open Space**

"Open Space" means any parcel or area of land or water essentially unimproved and set aside in its natural state, dedicated or reserved for public or private use or enjoyment or for the use and enjoyment of owners, occupants and their guests of land adjoining or neighboring such open space. Open space may include active recreational facilities such as play equipment, ball fields, court games and picnic tables. However the improved recreation facilities would be only a small part of the overall open space.

### **Open Space, Common**

"Common Open Space" means land within or related to a development, not individually owned or dedicated for public use, that is designed and intended for the common use or enjoyment of

the residents and their guests of the development and may include such complementary structures and improvements as are necessary and appropriate.

### **Open Space, Private**

"Private Open Space" means common open space, the use of which is normally limited to the occupants of a private development or community.

### **Open Space, Public**

"Public Open Space" means open space owned by a public agency and maintained by it for the use and enjoyment of the general public.

### **Open Space Ratio**

"Open Space Ratio" means total area of open space divided by the total site area in which the open space is located.

### **Outdoor Vending**

"Outdoor Vending" means peddling, selling, serving, displaying, offering for sale or giving away services, goods, wares, merchandise, food, or beverages from a stationary and temporary location, including a food truck.

## **P**

### **Parks**

"Parks" means public or private land areas available for recreational, educational, cultural and aesthetic use which provide for family and small group activities that may include playgrounds, picnic facilities, shelters, restrooms, pond recreation, lawn games, horseshoe pits, shuffleboard activities, benches and similar recreational items.

### **Parks, Community**

"Community Parks" are larger, twenty (20) to fifty (50) acres in size. They allow for group activities and offer recreational opportunities that are not feasible at the neighborhood level, such as large picnics or athletic activities. The service area should be one-half to three-mile radius. Community parks should be designed for both active and passive recreation.

### **Parks, Mini**

"Mini Park" is the smallest park classification. These parks have also been described as vest pocket parks or tot lots. Typically, a mini park is between 1500 square feet and two (2) acres. A

"mini park" includes both active uses such as playgrounds and swings, and passive uses such as picnic areas and sitting areas.

### **Parks, Neighborhood**

"Neighborhood Park" remains the basic unit of the park system. They are developed for both active and passive recreation activities, geared toward residents who live within the service area. The neighborhood park site should be accessible by interconnecting trails, sidewalks or low volume residential streets. The size of the neighborhood park is two (2) to ten (10) acres. The size and location are often determined upon the types of recreational activities proposed for the neighborhood.

### **Parks, School**

"School Parks" site may serve in a number of capacities such as a neighborhood park, youth athletic field or a before-and-after school program. The optimum size of a school park site is dependent upon the intended uses, topography, configuration or other factors.

### **Parks, Special Use**

"Special Use Parks" classification covers a broad range of parks and facilities oriented toward a single purpose or use. Special use parks are so unique, there are no standards for site selection or facilities requirements.

### **Parks, Sports Complex**

"Sports Complex Park" classification consolidates heavily programmed athletic fields, usually baseball, softball and soccer.

### **Parking Facilities, Commercial**

"Commercial Parking Facilities" means any off-street parking operation that is operated as a business enterprise with a service charge or fee being paid by the vehicle operator. These types of operations may include an enclosed structure (other than a private garage) or open, hard surfaced area (other than a public street or private road), designed, arranged, and made available for parking vehicles.

### **Parking Lot**

"Parking Lot" means an area not within a building where motor vehicles may be stored for the purposes of temporary, daily, or overnight off-street parking. Parking lot includes a tract of land used for the temporary parking of motor vehicles when such use is not accessory to any other use. A parking fee may or may not be charged.

## **Parking Space**

"Parking Space" means an area designed to accommodate the parking of one (1) vehicle.

## **Person**

"Person" means any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, interstate body, or other legal entity of any type whatsoever.

## **Personal Services**

"Personal Services" means establishments primarily engaged in providing services involving the care of a person or personal goods or apparel. Examples of these types of services may include barber or beauty shop, shoe repair shop, interior decorator, photographic studio, dance or music studio, self-service laundry or dry cleaner, laundry and dry-cleaning pick-up station, tailor or dress-maker, artist studio, picture framing, caterers, and other services of a similar nature, as well as repairs or adjustments to bicycles, small appliances, watches, locks, musical instrument, and similar personal goods.

## **Pet Shop or Grooming**

"Pet Shop or Grooming" means retail establishments engaged in the sale of animals as pets or animal products and supplies to the general public for personal or household consumption. Pet Shops may also render services incidental to the sale of such goods, including pet or animal grooming services such as bathing, clipping, and combing.

## **Pharmacy**

"Pharmacy" means a place where drugs and medicines are prepared and dispensed.

## **Plant Nursery**

"Plant Nursery" means a facility where plants, trees, shrubs, and similar vegetation are grown, maintained, or stored for retail or wholesale sale. The use may include commercial greenhouses and sales of soil, fertilizers, pottery, and garden supplies.

## **Plat**

"Plat" means a map and supporting materials of certain described land prepared in accordance with subdivision regulations as an instrument for recording of real estate interests with the county clerk and recorder.

## **Playground**

"Playground" means the basic unit of the municipal recreation system used primarily by children.

## **Private Club or Lodge**

"Private Club or Lodge" means a facility or premises operated by a nonprofit or membership-based organization for the exclusive use of its members and their guests. Such uses may include meeting spaces, dining areas, lounges, recreational amenities, or event facilities. Private clubs or lodges are not open to the general public and are typically used for social, cultural, fraternal, or athletic purposes. This definition excludes nightclubs, bars, or similar establishments primarily operated for commercial entertainment.

## **Private Park or Recreation Facilities**

"Private Parks or Recreation Facilities" are those areas and facilities that are privately owned and operated by a home owners association or non-profit for the benefit of the residents or members.

## **Public Utility Provider Facilities**

"Public Utility Provider Facilities" means transmission substations, distribution stations, pump stations, transformer and regulator substations and any accessory use that requires an enclosed above ground structure or storage area.

## **Published Public Notice**

"Published Public Notice" means publication in the official city newspaper, or in compliance with Woodland Park City Charter, prior to the meeting at which the item is to be heard.

QR

## **Radio or Television Broadcasting Station**

"Radio or Television Broadcasting Station" means commercial and public communications uses including radio and television broadcasting and receiving stations and studios, with facilities located entirely within buildings.

## **Recreation Areas**

"Recreation Areas" means those public or private land areas to be used for picnicking and other recreational uses, including, but not limited to, athletic fields, tennis courts, public swimming areas, or playgrounds and sites for recreational facilities.

## **Recreation Facilities**

"Recreational Facilities" means a recreation facility or activity provided as an accessory use to a residential community or neighborhood either for public or private good, i.e., tennis courts, swimming pool, recreation centers, skateparks, etc.

## **Recreational Entertainment, Indoor**

"Indoor Recreational Entertainment" means an indoor commercial facility designed and equipped for the conduct of sports and leisure-time activities, i.e., arcades, bowling alleys, movie theaters, billiards, roller rinks, etc.

## **Recreational Entertainment, Outdoor**

"Outdoor Recreational Entertainment" means an outdoor commercial facility designed and equipped for the conduct of sports and leisure-time activities, i.e., recreation grounds, tennis courts, miniature golf courses, batting cages and similar recreational activities.

## **Recreational Park Trailer**

"Recreational Park Trailers" means a trailer-type unit that is primarily designed to provide temporary living quarters for recreational, camping, or seasonal use that is built on a single chassis mounted on wheels. Recreational park trailers are typically constructed in compliance with applicable American National Standards Institute (ANSI) standard A 119.5.

## **Recreational Vehicle Park**

"Recreational Vehicle Park" means a lot or parcel of land designated for legal use as a campground and recreation vehicle park on which two (2) or more recreational vehicles, camping trailers, recreational park trailers or campers, are parked, or any lot or parcel of land on which unoccupied recreational vehicles, camping trailers, recreational park trailers or campers, whether new or used, are parked for the purposes of inspection, sale, storage or repair.

## **Recreational Vehicle**

"Recreational Vehicle" means a vehicle which is manufactured, constructed, or equipped primarily for use as a self-propelled home, house car, or mobile living quarters, capable of being legally operated on the highways, and containing permanently installed essential living facilities for intermittent or short-term occupation of no more than one hundred eighty (180) days. This term shall not include any towed utility trailer, nor shall it include any vehicle defined in the license and registration laws as an automobile or passenger bus.

### **Recycling Facility**

“Recycling Facility” means a collection center that includes receptacles, trailers, or structures used for the collection of recyclable materials. For the purpose of this definition, “collection” means aluminum, steel, copper, plastic, glass, paper, bottles, cans, clothing, household goods and similar items which may be recycled for remanufacturing, reprocessing, or reuse.

### **Referral Agency**

“Referral Agency” means a department, agency, organization, or utility provider—internal or external to the local government—that is asked to review and comment on a land use application. Referral agencies provide technical input, identify potential conflicts, and ensure consistency with applicable regulations, plans, and service capabilities.

### **Religious Land Use**

“Religious Land Use” means churches, synagogues, or other semi-public institutions for worship including residential structures for religious personnel and accessory buildings.

### **Restaurants, with Drive-Thru Food Service**

"Restaurants, with Drive-Thru Food Service" means an establishment whose principal business is the sale of pre-prepared or rapidly prepared food directly to the customer either in-store or in a drive-thru. Food will be in a ready-to-consume state for consumption either within the restaurant building, in cars on the premises, or off the premises.

### **Restaurants, without Drive-Thru Food Service**

"Restaurants without Drive-Thru Food Service" means an establishment that generally provides a full-service menu and that prepares food after menu items are ordered and serves food and beverages primarily to persons seated within a building for consumption on-site.

### **Retailer, Large**

"Large Retailer" means establishments engaged in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods.

### **Retailer, Small**

"Small Retailer" means establishments engaged in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods that are located within a store or building less than 75,000 square feet in size.

## **Right-of-Way**

"Right-of-Way" means a dedicated tract of land, reserved for present or future use as matter of right, for the purpose of circulation or utilities.

## **Rooster**

"Rooster" means a mature, male domestic fowl. Roosters are also called cocks.

## **S**

### **School, Pre-K through 12**

"Pre-K through 12 School" means an educational institution that provides instruction for students in one or more grades from kindergarten through grade 12, operated and funded by private individuals and organizations or a public agency such as a school district, state education department, or other governmental authority.

### **School, Technical or Vocational**

"Technical or Vocational School" means a nonacademic establishment such as a trade school, where instruction is offered in secretarial, computer and data processing, drafting, electronic repair including radio or TV repair, commercial art, allied health care, real estate, banking, restaurant operation, or similar trades, or vocational training such as automobile body and engine repair, construction equipment operation, building trades, truck driving, and mechanical and electrical equipment or appliance repair.

### **School, University or College**

"University or College School" means a school providing higher education beyond grade 12, which offers either a two-year or four-year degree in specific disciplines.

## **Sediment**

"Sediment" means solid particulate matter, both mineral and organic, that has been or is being transported by water, air, gravity, or ice from its site of origin.

## **Setbacks**

"Setbacks" means the distance as prescribed in each zone district by which a building or structure, in whole or in part, is set back from the property line. The area within a setback shall be unobstructed by buildings or structures from the ground upward except that steps, terraces, unenclosed porches or entranceways may pierce a front or rear setback.

## **Short-Term Rental Unit Uses (STR)**

Definitions pertaining to Short-Term Rentals:

### **(STR) Non-Primary Residence Short-Term Rental Units**

“Non-Primary Residence Short-Term Rental Units” means the short-term rental unit is not the primary residence of the owner or operator.

### **(STR) Primary Residence**

Primary Residence means a residence which is the usual place of return for housing and where a person lives and spends a majority of the time during the year as established by two (2) or more of the following current and valid documents: (1) driver's license or Colorado state identification card; (2) voter registration; (3) motor vehicle registration; (4) document(s) designated a primary residence for income tax purposes. A person may have only one (1) primary residence for purposes of these regulations.

### **(STR) Primary Residence Short-Term Rental Units**

“Primary Residence Short-Term Rental Units” means the short-term rental unit is the primary residence of the owner or operator.

### **(STR) Short-Term Rental Business**

“Short-Term Rental Business” means the occupation of leasing or renting one (1) or more short-term rental units.

### **(STR) Short-Term Rental Unit**

“Short-Term Rental Unit” means a dwelling unit, or a portion thereof, that is rented or utilized for furnishing lodging accommodation and occupancy for any period less than thirty (30) consecutive days.

## **Sidewalks**

"Sidewalks" are of concrete construction and either attached to curb and gutter adjacent to the roadway or detached with a landscaped area between the roadway and sidewalk. Sidewalks are categorized into two (2) types, major and minor sidewalks. Major sidewalks are six (6) to eight (8) feet wide usually along arterial streets or highways. Minor sidewalks are five (5) to six (6) feet wide usually along collector or local streets.

## Sight Triangle

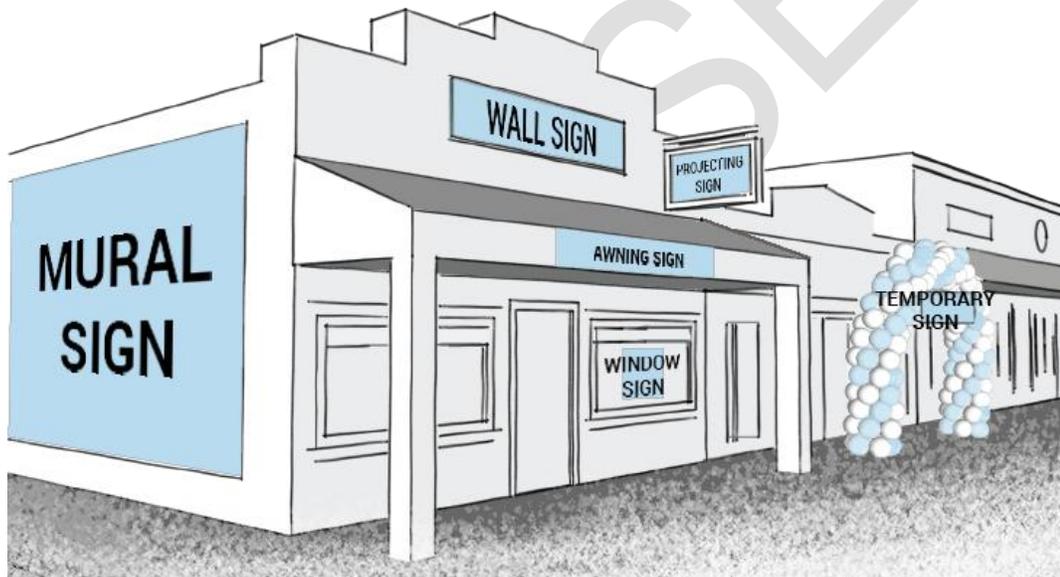
"Sight Triangle" means a triangular-shaped portion of land established at street intersections in which nothing is erected, placed, planted, or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection.

## Signs (SN)

Definitions pertaining to Signs:

### (SN) Sign

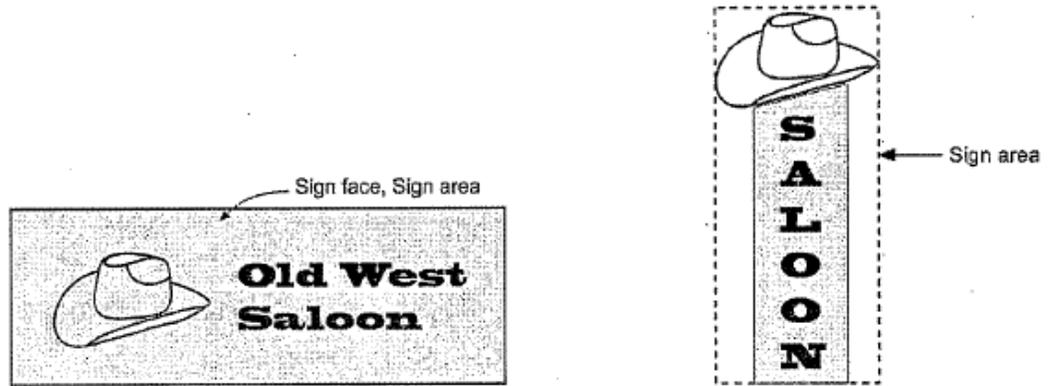
"Sign" means a lettered, numbered, symbolic, pictorial, or visual display that is designed to identify, announce, direct, or inform and is visible from a public right-of-way.



### (SN) Sign Area

"Sign Area" means:

- a. The area of the smallest single rectangle or circle within which the entire sign can fit excluding structural supports and architectural features, as shown below.



- b. Only one side of a double-faced sign shall be included in a computation of sign area.
- c. The sign area of a cylindrical sign shall be calculated using the following formula:  
 $\frac{1}{2} \pi dh$ , where d is the diameter and h is the height of the cylinder.

**(SN) Sign, Awning**

"Awning Sign" means a type of wall sign on a cloth, canvas-like, or other nonstructural covering that is either permanently attached to the wall of a building or can be raised or retracted to a position against the building when not in use.

**(SN) Sign, Canopy**

"Canopy Sign" means a sign that is attached to and erected parallel to a permanent roof-like structure that projects over a building entrance, such as at a hotel, theater, or fueling station, and is supported throughout its entire length by such canopy, and does not protrude more than twelve (12) inches from the face of such canopy.



**(SN) Sign, Detached Freestanding**

"Detached Freestanding Sign" means a sign not attached to a building.

### **(SN) Sign, Electronic Message Display**

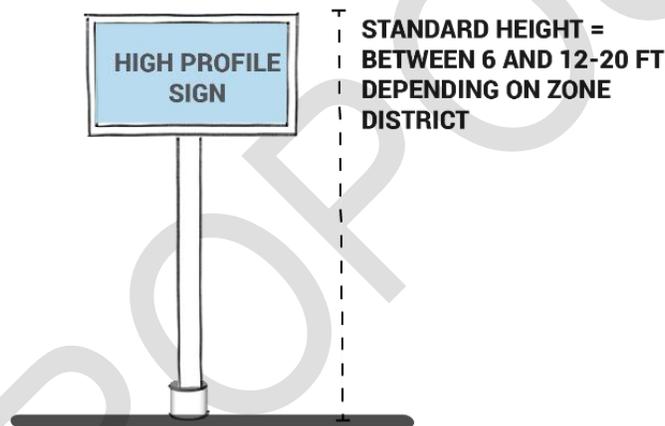
"Electronic Message Display" means a sign on which the alphabetic, numeric, pictographic, or symbolic informational content is composed of a series of lights that may be changed through electronic means.

### **(SN) Sign, Externally Illuminated**

"Externally Illuminated" means the illumination of a sign by an artificial source of light not contained within the sign itself or on the sign face. The sign itself does not emit artificial light.

### **(SN) Sign, High-Profile**

"High-Profile Sign" means a detached freestanding sign and support structure, the standard height of which exceeds six (6) feet, that is permanently affixed to the ground and independently supported by one (1) or more columns, poles, uprights, or braces.



### **(SN) Sign, Internally Illuminated**

"Internally Illuminated" means the illumination of a sign by self-illumination or by an artificial source of light either on the face of the sign, such as light emitting diodes (LEDs) or light bulbs, or contained within such sign, including, but not limited to, fluorescent and neon signs. The sign itself emits artificial light.

### **(SN) Sign, Illegal Nonconforming**

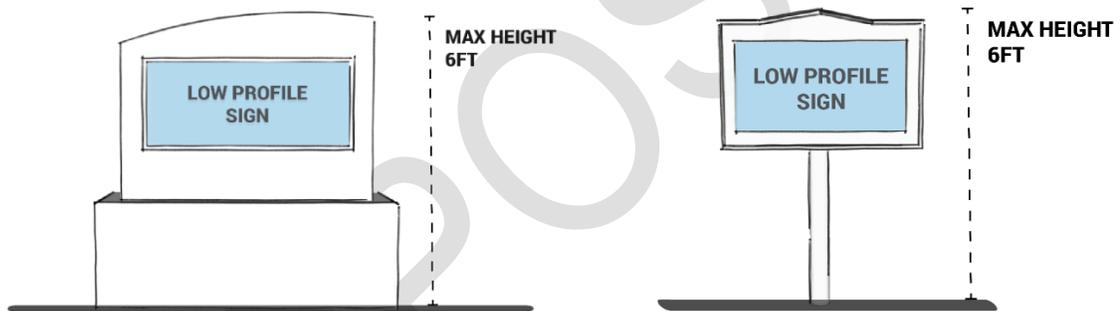
"Illegal Nonconforming Sign" means a sign that was illegally erected or maintained with respect to any laws or ordinances governing such sign at the time of its erection or maintenance.

### **(SN) Sign, Legal Nonconforming**

"Legal Nonconforming Sign" means a sign that was lawfully erected prior to the adoption or the amendment of this most current ordinance and (1) that was in compliance with all of the provisions of the previous sign ordinance then in effect, or (2) was issued a permit, regardless of whether it was in compliance with all of the provisions of the previous sign ordinance then in effect.

### **(SN) Sign, Low-Profile**

"Low-Profile Sign" means a detached freestanding sign and support structure, the standard height of which does not exceed six (6) feet, that is permanently affixed to the ground and independently supported by a masonry, timber, or other type of foundation or by one (1) or more columns, poles, uprights, or braces.



### **(SN) Sign, Manual Changeable Copy**

"Manual Changeable Copy Sign" means a sign on which the alphabetic, numeric, pictographic, or symbolic informational content can be changed or rearranged manually.

### **(SN) Sign, Mural**

"Mural Sign" means any scene or image painted, frescoed, tiled, or otherwise attached to a building exterior or window in which more than twenty-five (25) percent of the image (1) identifies or advertises a business, business activity, or product that is for sale on the premises, or (2) consists of a company name, symbol, or trademark designed to be readily identifiable as a logo which promotes a commercial transaction.

### **(SN) Sign, Nonilluminated**

"Nonilluminated Sign" means a sign that neither emits artificial light nor is lit by an external source of artificial light.

### **(SN) Sign, Off-Premises**

"Off-Premises Sign" means a sign that directs attention to an establishment, business, person, commodity, place, or service that is entirely or primarily located, conducted, sold, or offered elsewhere than on the premises where such sign is erected.

### **(SN) Sign, Projecting**

"Projecting Sign" means a sign that is attached to a building and extends outward at some angle.

### **(SN) Sign, Public**

"Public sign" means a sign that:

- a. Regulates traffic or provides general public information;
- b. Is required to be posted by law; or
- c. Is erected or posted by a governmental agency to protect the public health, safety, and welfare.

### **(SN) Sign, Ranch-Style Archway**

"Ranch-Style Archway" means a vertical structure forming a passage or entrance over a driveway or access point to a residential property, subdivision, or development that may include a sign area component along the peak of the arch.

### **(SN) Sign, Roof**

"Roof Sign" means a type of wall sign that is displayed above the eaves and does not extend more than three (3) inches above the primary peak of the roofline of a building.

### **(SN) Standard Height**

"Standard Height" means the height to the topmost point of a sign measured from the ground on an upslope relative to the adjacent road grade and measured from the adjacent road grade on a downslope.

### **(SN) Sign, Wall**

"Wall Sign" means a sign that is attached to and erected parallel to an outside wall of a building, an awning, or a roof; is supported along its length by such wall, awning, or roof; and does not protrude more than twelve (12) inches from the face or ends of such wall. A wall sign includes any awning sign, roof sign, any permanent window sign, and any sign that is painted directly on the exterior of a building.

### **(SN) Sign, Window**

"Window Sign" means a sign (1) mounted, (2) painted on, or (3) affixed to the glass of a window or door, or (4) placed inside a window facing the outside of the building to be seen from the exterior of the building but excludes merchandise and mannequins included in a window display.

### **Siltation**

"Siltation" means sediment resulting from accelerated erosion which is able to settle or removable by properly designed, constructed, and maintained control measures; and which has been transported from its point of origin within the site of a land-disturbing activity; and which has been deposited, or is in suspension in water.

### **Social Activities**

"Social Activities" means the use of any building and land for private or semiprivate club activities, including lodges, fraternities and similar activities, which cater exclusively to members and their guests, and whose facilities are limited to meeting, eating, and recreational uses, and whose activities are not conducted principally for monetary gain.

### **Solar Generation, Private**

"Private Solar Generation" means any privately owned structure designed to utilize solar energy as an alternative for, or supplement to, a conventional energy system. This use may not include large-scale, commercial operations.

### **Solid Waste Facility**

"Solid Waste Facility" means the burial, storage, or disposal of waste refuse or materials at a permanent site. This includes any facility, incinerator, landfill, materials recovery facility, municipal solid waste landfill, private or public solid waste management facility, recovered materials processing facility, sanitary landfill, or solid waste management facility.

### **Special Events**

"Special Events" means occurrences that are organized by one (1) or more parties and involve more than one (1) temporary use or temporary structure. By way of illustration, not limitation, special events include street fairs of any nature, flea markets, farmers' markets, parades, rodeos, craft shows, car shows, carnivals, circuses, motorcycle rallies, foot or bicycle races, and food, wine, art, or music festivals.

### **Special Planning Area**

"Special Planning Area" is an area designated by the city as an area subject to flooding, steep slopes, geologic hazards, natural wildlife, or other hazards or an area designated a historic, archaeological, ecological or other site requiring special planning.

### **Special Use Trails**

"Special Use Trails" usually exist within parks, greenways or open spaces. They can vary in design from hard surface to natural surface and provide for specific uses such as interpretive signage or fitness elements.

### **Spot Zoning**

"Spot zoning" means a zoning map amendment that applies to a particular parcel or small area and that is inconsistent with the surrounding zoning pattern or the applicable comprehensive plan, without a reasonable relationship to a legitimate public purpose or an overall planning objective.

### **Stable, Commercial**

"Commercial Stable" means a facility used for the boarding, training, rental, leasing, or riding of horses or similar large domesticated animals for compensation or commercial purposes. Such facilities may include riding arenas, training areas, or other amenities and are open to clients or the general public. This use includes equestrian centers, riding schools, and similar operations conducted as a business.

### **Stable, Private**

"Private Stable" means a structure or facility used for sheltering or keeping of horses or similar large, domesticated animals, owned exclusively and used primarily for personal or recreational purposes by the residents of the property. The facility is not open to the public and is not operated for commercial boarding, training, or rental purposes.

### **Storm Drainage Facilities**

"Storm Drainage Facilities" means the system of inlets, conduits, channels, ditches and appurtenances which serve to collect and convey stormwater through and from a given drainage area.

### **Storm, Five-Year**

"Five-Year Storm" means the surface runoff resulting from a rainfall of an intensity expected to be equaled or exceeded, on the average, once in five (5) years, and of a duration which will

produce the maximum peak rate of runoff, for the watershed of interest under average antecedent wetness conditions.

### **Storm, Ten-Year**

"Ten-Year Storm" means the surface runoff resulting from a rainfall of an intensity expected to be equaled or exceeded, on the average, once in ten (10) years, and of a duration which will produce the maximum peak rate of runoff, for the watershed of interest under average antecedent wetness conditions.

### **Stormwater Runoff**

"Stormwater Runoff" means the direct runoff of water resulting from precipitation in any form.

### **Story**

"Story" means that portion of a building other than a basement included between the surface of the floor next above it, or, if there is not floor above it, the space between the floor and the ceiling next above it.

### **Street**

"Street" means the entire width between the boundary lines of every way which provides for public use for the purpose of vehicular and pedestrian traffic. Streets are the private or public right-of-way, dedicated to public use, which affords a primary means of access to the abutting property and includes the terms "road," "highway," "land," "place," "avenue," or other similar designations.

### **Structural Alteration**

"Structural Alteration" means any change in structural members of a building, such as walls, columns, beams, or girders.

### **Structure**

"Structures" means anything constructed or erected, the use of which requires permanent location on the ground.

### **Subdivider**

"Subdivider" means any person, partnership, joint venture, association, or corporation who shall participate as owner or developer in the planning, platting or development of a subdivision.

## **Subdivision**

"Subdivision" means the division of a lot, tract or parcel of land into two (2) or more lots, plats, sites, or other divisions of land for the purpose, whether immediate or future, of sale or building development, whether residential, industrial, office, business, or other use. The term shall also include and refer to any division of land previously subdivided or platted.

## **Substantial Improvement**

"Substantial Improvement" means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure either (A) before the improvement or repair is started; or (B) if the structure has been damaged, and is being restored before the damage occurred. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

T

## **Temporary Structure**

"Temporary Structure" means anything constructed or erected of which the use requires location on the ground or attachment to something having a temporary, non-permanent location on the ground; and necessarily associated with and ancillary to a temporary use. By way of illustration, not limitation, temporary structures include: tents, canopies, stage or platforms, food vendor carts, and patio tables and chairs.

## **Temporary Use**

"Temporary Use" means a use which is temporary or transitory in character, approved by the Planning Director, or by the City Council as provided herein, and granted for a period of time determined by the specified reviewing authority within the limits provided by a temporary use permit, for the purposes provided by and pursuant to the requirements of Subsection 6.07.050 – Temporary Use Permit (TUP). By way of illustration, not limitation, temporary uses include: sidewalk cafés, food vendor carts, retail stands, and special events of all types. Temporary uses do not include street musicians or entertainers, household garage sales, door-to-door sales.

## **Through Street**

"Through Street" means every street or portion thereof on which vehicular traffic is given preferential right-of-way and at the entrances to which other vehicular traffic from intersecting

streets is required by law to yield the right-of-way to vehicles on such through streets in obedience to a stop sign, yield sign, or other official traffic control device.

### **Townhome**

See Single-Household Attached Dwelling

### **Tract**

"Tract" means all contiguous land in one ownership or contiguous land in diverse ownership being developed as a unit, although not necessarily all at one time.

### **Traffic Report**

"Traffic Report" is a written document to assess the development impacts on the capacity, safety and operations of adjacent streets and US or State Highways as applicable.

### **Transfer Station**

"Transfer Station" means a fixed facility where solid wastes are taken from collection vehicles, temporarily stored, and ultimately relocated to a permanent disposal site.

### **Trails**

"Trails" are a pathway designed for and used by equestrians, pedestrians, cyclist and other non-motorized uses. Various types, designs or designations of trails are described in the Parks, Trails, and Open Space Master Plan including regional trails, trail corridors, primitive trails, cross-county skiing trails, equestrian trails, trailheads and trail access points.

### **Transit Facilities**

"Transit Facilities" means transit or bus shelters, bus terminals, stations, and associated right-of-way. May include facilities that are designed and used primarily for the protection and convenience of transit passengers, as well as accessory vehicle or bicycle parking areas that are incorporated for the purpose of providing associated Park and Ride services.

### **Transportation Dispatching Station**

"Transportation Dispatching Stations" means taxi stands and dispatching stations that offer or facilitate transportation in passenger motor vehicles and vans in return for a service charge or fee being paid by the rider. These operations may include associated facilities for servicing, repairing, and fueling the taxicabs or vans.

## **Transportation Services**

"Transportation Services" means establishments primarily engaged in furnishing local and suburban passenger transportation, including taxicabs, passenger transportation charter service, school buses, and terminal and service facilities for motor vehicle passenger transportation.

## **Truck and Trailer Rental**

"Truck and Trailer Rental" means establishments engaged in renting trucks and trailers as the principal use of a lot for the purpose of moving belongings or materials between locations for short-term trips of limited duration.

## **U**

### **Uncovered**

"Uncovered" means the removal of ground cover from, on or above the soil surface.

### **Usable Floor Area**

"Usable Floor Area" means the specific space within a building a tenant or occupant can actually use for furniture, equipment, and personnel, measured from the inside of exterior walls and the tenant side of common walls, excluding areas like common public lobbies, stairwells, restrooms, and mechanical rooms.

## **V**

### **Variance**

"Variance" means a legal modification or variation of the provisions of this UDC as applied to a specific piece of property.

### **Vehicle**

"Vehicle" means A device in, on, or by which a person or property may be transported or drawn upon a roadway, including motorized and non-motorized devices. The term includes passenger vehicles, commercial vehicles, trucks, motorcycles, trailers, and similar conveyances unless otherwise specified.

### **Vehicle, Passenger**

"Passenger Vehicle" means a vehicle designed primarily for the transport of people, typically including cars, pickup trucks, sport-utility vehicles, vans, and similar light-duty vehicles with a gross vehicle weight rating (GVWR) commonly under 10,000 pounds. The term excludes heavy

trucks, buses, commercial fleet vehicles, recreational vehicles, and equipment vehicles unless specifically listed.

### **Vehicle Body, Paint, and Collision Repair**

“Vehicle Body, Paint, and Collision Repair” means a facility engaged in repairing, reshaping, repainting, or restoring motor vehicles damaged by collisions or accidents. The use may include welding, frame repair, surface preparation, spray painting, and replacement of vehicle components. This does not include routine mechanical repair, auto sales, or fueling.

### **Vehicle Fueling Station**

“Vehicle Fueling Station” means a facility where gasoline, diesel, or alternative fuels are dispensed to vehicles for retail sale. The use may include fuel pumps, canopies, pay stations, and accessory uses such as convenience stores, electric vehicle charging stations, or car washes. Does not include vehicle repair services unless permitted separately.

### **Vehicle Repair, Heavy**

“Heavy Vehicle Repair” means any building, premises, and land in which or upon which a business, service, or industry involving the maintenance, servicing, repair, or painting of vehicles, trucks, farm machinery, and heavy equipment is conducted or rendered.

### **Vehicle Repair, Light**

“Light Vehicle Repair” means any building, premises, and land in which or upon which a business, service, or industry involving the maintenance, servicing, repair, or painting of vehicles, including tow truck facilities, is conducted or rendered.

### **Vehicle Sales and Rental**

“Vehicle Sales and Rental” means the use of any building, land area, or other premises for the display sale, or rental of new or used vehicles generally but may include light trucks or vans, trailers, or recreation vehicles and may include vehicle preparation or repair work conducted as an accessory use.

### **Velocity**

“Velocity” means the average velocity of flow through the cross-section of the main channel at the peak flow of the storm of interest. The cross section of the main channel shall be that area defined by the geometry of the channel plus the area of flow below the flood height defined by vertical lines at the main channel banks. Overload flows are not to be included for the purpose of computing velocity of flow.

## **Veterinary Facility**

"Veterinary Facility" means a structure where animals are brought for medical and surgical treatment and may be held during the time of treatment and recuperation which may include overnight stays. A veterinary facility may or may not include a commercial kennel.

W

## **Warehousing and Distribution**

"Warehousing and Distribution" means a use engaged in storage, wholesale, and distribution of manufactured products, supplies, and equipment, but excluding bulk storage of materials that are inflammable or explosive or that create hazardous or commonly recognized offensive conditions.

## **Water Intensive Industrial Uses**

"Water Intensive Industrial Uses" means a use engaged in the manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales, and distribution of such products, as well as basic industrial processing. Water Intensive Industrial Uses require water in the manufacturing or industrial operations either for processing, cooling or heating and may also emit smoke, noise, odor, dust, vibration or fumes detectable beyond the walls of the building in which it is housed.

## **Wholesale Trade and Distribution Establishment**

"Wholesale Trade and Distribution Establishment" means establishments or places of business primarily engaged in selling merchandise to retailers; to industrial, commercial, institutional, or professional business users; to other wholesalers; or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies.

## **Wireless Communication Facility Uses (WCF)**

Definitions pertaining to Wireless Communication Facilities (WCF):

### **(WCF) Wireless Communications Facility or WCF**

"Wireless Communications Facility or WCF" means a facility used to provide personal wireless services as defined in 47 U.S.C. 332(c)(7)(C); or wireless information services provided to the public or to such classes of users as to be effectively available directly to the public via licensed or unlicensed frequencies; or wireless utility monitoring and control services. A WCF does not include a facility entirely enclosed within a permitted

building where the installation does not require a modification of the exterior of the building; nor does it include a device attached to a building used for serving that building only. A WCF includes antennas (including without limitation, directions, omni-directions, and parabolic antennas), Base Stations, Transmission Equipment, Small Cell Facilities, Towers, and support equipment. It does not include the support structure to which the WCF or its components are attached if the use of such structures for WCFs is not the primary use. The term does not include mobile transmitting devices used by wireless service subscribers, such as vehicle or handheld radios and their associated transmitting antennas.

### **(WCF) Alternative Tower Structure**

“Alternative Tower Structure” means any manmade trees, clock towers, bell steeples, light poles, water towers, farm silos, or similar alternative design mounting structures that conceal where technically feasible the presence of WCFs to make them architecturally compatible with the surrounding area pursuant to this Chapter. A stand-alone pole in the Right-of-Way that accommodates Small Cell Facilities is considered an Alternative Tower Structure provided it meets the concealment standards of this Chapter. Alternative Tower Structures are not considered Towers, for the purposes of this Chapter.

### **(WCF) Antenna**

“Antenna” means a device used to transmit or receive radio or electromagnetic waves including without limitation panel antennas, reflecting discs, microwave dishes, whip antennas, directional and non-directional antennas consisting of one (1) or more elements, multiple antenna configurations, and other similar devices and configurations, and exterior apparatus designed for telephone, radio, or television communications through the sending or receiving of wireless communications signals.

### **(WCF) Antenna, Panel**

“Antennas, Panel” means an array of antennas, rectangular in shape, used to transmit and receive telecommunication signals.

### **(WCF) Antenna, Whip**

“Antenna, Whip” means a single antenna that is cylindrical in shape and omni-directional.

### **(WCF) Base Station**

“Base Station” means a structure or equipment at a fixed location that enables FCC-licensed or authorized wireless communications between user equipment and a communications network. The definition of Base Station does not include or encompass a Tower as defined herein or any equipment associated with a Tower. Base Station does include, without limitation:

- A. Equipment associated with wireless communications services such as private broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul that, at the time the relevant application is filed with the City, has been reviewed and approved under the applicable zoning or siting process, or under another State or local regulatory review process, even if the structure was not built for the sole or primary purpose of providing such support.
- B. Radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplied, and comparable equipment, regardless of technological configuration (including Distributed Antenna Systems (“DAS”) and small-cell networks) that, at the time the relevant application is filed with the city, has been reviewed and approved under the applicable zoning or siting process, or under another state or local regulatory review process, even if the structure was not built for the sole or primary purpose of providing such support.

### **(WCF) Camouflage or Camouflage Design Techniques**

“Camouflage or Camouflage Design Techniques” means measures used in the design and siting of WCFs with the intent to minimize or eliminate the visual impact of such facilities to surrounding uses. A WCF site utilizes Camouflage Design Techniques when it (i) is integrated as an architectural feature of an existing structure, or (ii) is integrated in an outdoor fixture such as a flagpole, while still appearing to some extent as a WCF. This definition does not include Concealment Design Techniques where a facility is designed to look like something other than a WCF.

### **(WCF) Concealment or Concealment Design Techniques**

“Concealment or Concealment Design Techniques” means utilization of elements of stealth design in a facility such that the facility looks like something other than a WCF. Concealment can further include a design which mimics and is consistent with the nearby natural or architectural features (such as an artificial tree), is incorporated into

existing permitted facilities (such as being attached to the exterior of such facility and painted to match it), or replaces existing permitted facilities (such as traffic signs or freestanding light standards) so that the presence of the WCF is not apparent. This definition does not include conditions that merely minimize visual impact but do not incorporate Concealment Design Techniques such that the facility looks like something other than a WCF.

### **(WCF) Eligible Facilities Request**

“Eligible Facilities Request” means any request for modification of an existing Tower or Base Station that does not Substantially Change the physical dimensions of such Tower or Base Station involving:

- A. Collocation of new Transmission Equipment;
- B. Removal of Transmission Equipment; or
- C. Replacement of Transmission Equipment.

A request for modification of an Existing Tower or Base Station that does not comply with the generally applicable building, structural, electrical, and safety codes or with other laws codifying objective standards, or does not comply with any relevant federal requirements, is not an Eligible Facilities Request.

### **(WCF) Eligible Support Structure**

“Eligible Support Structure” means any Tower or Base Station as defined herein, provided that it is existing at the time the relevant application is filed with the City.

### **(WCF) Existing**

“Existing” means, for the purposes of Wireless Communications Facilities, a constructed Tower or Base Station that was reviewed, approved, and lawfully constructed in accordance with all requirements of applicable law as of the time of an Eligible Facilities Request, provided that a Tower that exists as a legal, non-conforming use and was lawfully constructed is existing for purposes of this definition.

### **(WCF) Freestanding Wireless Facility**

“Freestanding Wireless Facility” means any freestanding facility, building, pole, tower or structure used only to provide wireless telecommunication services, and which consists of, without limitation, antennae, equipment, and storage and other accessory structures used to provide wireless telecommunication services.

### **(WCF) OTARD**

“OTARD” means Over-the-air receiving device.

### **(WCF) OTARD Antenna**

“OTARD Antenna” means:

- A. An antenna that is designed to receive direct broadcast satellite service, including direct-to-home satellite services, that is one (1) meter or less in diameter; or
- B. An antenna that is designed to receive video programming services via multipoint distribution services, including multichannel multipoint distribution services, instruction television fixed services, and local multipoint distribution services, and that is one (1) meter or less in diameter or diagonal measurement; or
- C. An antenna that is designed to receive television broadcast signals.

### **(WCF) OTARD Antenna Structure**

“OTARD Antenna Structure” means any pole, Tower, or other structure designed and intended to support an OTARD Antenna

### **(WCF) Related Accessory Equipment**

“Related Accessory Equipment” means the Transmission Equipment customarily used with, and incidental to Wireless Communication Facilities antennas, including by way of example, coaxial or fiber-optic cable, regular and backup power supply and remote radio units.

### **(WCF) Right-of-Way**

“Right-of-Way” means, for the purposes of Wireless Communications Facilities, any public street or road that is dedicated to public use for vehicular traffic except for those rights-of-way owned by the Colorado Department of Transportation within the City limits.

### **(WCF) Site**

“Site” means, for the purposes of Wireless Communications Facilities Towers and Eligible Support Structures, the current boundaries of the leased or owned property surrounding the Tower or Eligible Support Structure and any access or utility easements currently related to the Site. For Alternative Tower Structures, Base Stations and Small Cell Facilities in the Right-of-Way, a Site is further restricted to that area comprising the base of the structure and to other Related Accessory Equipment already installed on the ground.

### **(WCF) Small Cell Facility**

“Small Cell Facility” means a wireless service facility that meets both of the following qualifications:

- A. Each antenna is located inside an enclosure of no more than three (3) cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements could fit within an imaginary enclosure of no more than three (3) cubic feet; and
- B. Primary equipment enclosures are no larger than seventeen (17) cubic feet in volume as measured on the exterior surface of the enclosure. The following associated equipment may be located outside of the primary equipment enclosure and, if so located, is not included in the calculation of equipment volume: Electric meter, concealment, telecommunications demarcation box, ground-based enclosures, back-up power systems, grounding equipment, power transfer switch, and cut-off switch.

### **(WCF) Substantial Change**

“Substantial Change” means a modification substantially changes the physical dimensions of an Eligible Support Structure if, after the modification, the structure meets any of the following criteria:

- A. For Towers, other than Towers in the right-of-way, it increases the height of the Tower by more than ten (10) percent or by the height of one (1) additional antenna array with separation from the nearest existing antenna not to exceed twenty (20) feet, whichever is greater, as measured from the top of an existing antenna to the bottom of a proposed new antenna; for other Eligible Support Structures, including Towers in the right-of-way, it increases the height of the structure by more than ten (10) percent or more than ten (10) feet, whichever is greater, as measured from the top of an existing antenna to the bottom of a proposed new antenna;
- B. For Towers, it involves adding an appurtenance to the body of the Tower that would protrude from the edge of the Tower more than twenty (20) feet, or more than the width of the Tower structure at the level of the appurtenance, whichever is greater; for Eligible Support Structures, it involves adding an appurtenance to the body of the structure that would protrude from the edge of the structure by more than six (6) feet;

- C. For any Eligible Support Structure, it involves installation of more than the standard number of new equipment cabinets for the technology involved, as determined on a case-by-case basis based on the location of the Eligible Support Structure but not to exceed four (4) cabinets per application; or for Base Stations, it involves installation of any new equipment cabinets on the ground if there are no pre-existing ground cabinets associated with the structure, or else involves installation of ground cabinets that are more than ten (10) percent larger in height or overall volume than any other ground cabinets associated with the structure;
- D. For any Eligible Support Structure, it entails any excavation or deployment outside the current site;
- E. For any Eligible Support Structure, it would defeat the Concealment elements of the Eligible Support Structure by causing a reasonable person to view the structure's intended stealth design as no longer effective;
- F. For any Eligible Support Structure, it does not comply with the conditions associated with the siting approval of the construction or modification of the Eligible Support Structure or Base Station equipment, unless the non-compliance is due to an increase in height, increase in width, addition of cabinets, or new excavation that would not exceed the thresholds identified in paragraphs (A), (B), and (C) of this definition.

For purposes of determining whether a Substantial Change exists, changes in height are measured from the original support structure in cases where deployments are or will be separated horizontally, such as on building rooftops; in other circumstances, changes in height are measured from the dimensions of the Tower or Base Station.

### **(WCF) Tower**

"Tower" means any structure that is designed and built for the sole or primary purpose of supporting any FCC-licensed or authorized antennas and their associated facilities, including structures that are constructed for wireless communications services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul, and the associated site. The term includes radio and television transmission towers, self-supporting lattice towers, guy towers, monopoles, microwave towers, common carrier towers, cellular telephone towers, and other similar facilities. Small Cell Facilities in rights-of-way are not Towers.

### **(WCF) Transmission Equipment**

“Transmission Equipment” means equipment that facilitates transmission for any FCC licensed or authorized wireless communication service, including, but not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, and regular and backup power supply. The term includes equipment associated with wireless communications services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul.

### **Wind Generation, Private**

“Private Wind Generation” means any privately owned structure designed to utilize wind energy as an alternative for, or supplement to, a conventional energy system. This use may not include large-scale, commercial operations.

XYZ

### **Yard**

"Yard" means an open space on the same lot with a building, unobstructed from the ground upward, and measured as the minimum horizontal distance between the lot line and main building.

### **Yard, Front**

"Front yard" means a yard extending across the front of a lot between the side lot lines and measured between the front lot line and the main building or any projection thereto, other than the projection of steps, terraces, unenclosed porches or entranceways.

### **Yard, Rear**

"Rear yard" means a yard extending across the rear of the lot between the side lot lines and measured between the rear lot line and rear of the main building or any projection thereto other than the projection of steps, terraces, unenclosed porches, or entranceways.

### **Yard, Side**

"Side Yard" means a yard between the main building or any projection thereto and the side line of the lot not encompassed by front and rear yards.