

Arapahoe County Land Development Code

PART 1 ZONING REGULATIONS

SECTION 100 ADMINISTRATIVE PROVISIONS

1-101 TITLE AND AUTHORITY

- A Resolution of the Board of County Commissioners of Arapahoe County, Colorado, establishing land use classifications, dividing the County into districts, imposing regulations, prohibitions, procedures, and restrictions, governing the use of land for residential and non-residential purposes, regulating and limiting lot occupancy, determining the size of yards and other open spaces, establishing standards of performance and design, adopting a map of said land use districts, creating boards and commissions and defining the powers and duties of said boards and commissions, prescribing procedures for changes and modifications of districts, special exception uses, uses by special review, variances, and other permits, allowing for nonconforming uses, structures and land, providing regulations for accessory uses and buildings, providing for the adjustment, amendment, and enforcement thereof, defining certain terms, providing a means of appeal, and prescribing penalties for violations of its provisions, and repealing existing Arapahoe County Zoning Resolutions, Regulations and Amendments thereof.
- The Arapahoe County Zoning Regulations are authorized by Title 30, Article 28, of the Colorado Revised Statutes, as amended, and are hereby declared to be in accordance with all provisions of these statutes.
- Arapahoe County has the authority to plan for and regulate the use of land and to administer and regulate areas and activities of special interest as might be delineated in the Comprehensive Plan under authority of Article 65.1, Title 24 (Areas and Activities of State Interest), Article 20, Title 29 (Local Government Land Use Control Enabling Act) and Article 28, Title 30 (County Planning and Building Codes), of the Colorado Revised Statutes, as amended.

1-102 SHORT TITLE

- For the purpose of brevity, the Arapahoe County Zoning and Subdivision Regulations shall hereinafter be referred to as “these Regulations.”

Arapahoe County Land Development Code

1-103 PURPOSE

- These Regulations shall be for the purpose of promoting the health, safety, morals, convenience, order, prosperity and/or welfare of the present and future inhabitants of Arapahoe County, Colorado, by lessening of congestion on the streets and roads or reducing the waste of excessive amounts of roads, securing safety from fire and other dangers, providing adequate light and air, classification of land uses and the distribution of land development and utilization, protection of the tax base, securing economy in governmental expenditures, fostering the State's agricultural and other industries, the protection of urban and non-urban development, and for the purpose of promoting planned and orderly development within the County and to balance the basic human needs of a changing population with legitimate environmental concerns, and for the purpose of providing for the administration and regulation of areas and activities of special interest as might be delineated in the Comprehensive Plan or other document(s) approved by the Board of County Commissioners.

1-104 JURISDICTION

- These Regulations shall apply to all properties within the unincorporated area of the County of Arapahoe, Colorado.

1-105 CURRENT ZONING DISTRICTS

- The unincorporated area of Arapahoe County is hereby divided into the following zoning districts:

A-E B-1 MU A-1 R-PM B-3 C A-2 R-PH B-4
O R-A SH I-1 F R-1 R-M I-2 R-PSF

- Except for the A-E, A-1, A-2 and F Zoning Districts, the other Districts listed in this paragraph may have a P.U.D. designation associated with it. If such is the case, the land shall be developed according to the provisions of the approved P.U.D. Plan(s).

Arapahoe County Land Development Code

1-106 OBSOLETE ZONING DISTRICTS

- As of January 1, 1987 and due to Zoning Regulations effective on that date, the following zoning districts were designated to be obsolete:

R-E R-3S R-5 R-2 R-P B-2 R-3 R-4 B-5

- These districts may have a P.U.D. designation associated with it. If such is the case, the land shall be developed according to the provisions of the approved P.U.D. Plan(s).
- Applications for rezoning to these obsolete districts shall not be submitted. However, lands which are presently located within an obsolete zoning district shall be permitted to be developed in accordance with the regulations of that zoning district. Such regulations are found in the section, "OBSOLETE ZONING DISTRICTS" of these Regulations, or in accordance with an approved P.U.D. Plan.

1-107 OVERLAY DISTRICTS

- In order to recognize special areas within Arapahoe County which are not zoning districts, but, due to the nature of certain activities which may affect the health, safety and/or welfare of the citizens of Arapahoe County, regulations created within these Regulations would reduce or eliminate impacts resulting from these activities, the following "overlay district" is hereby established:

1-107.01 AIRPORT INFLUENCE AREA OVERLAY DISTRICT

- Additionally, an "overlay district" is hereby established to facilitate the acceptance of lands currently situated in a municipality, whose land owner(s) wish to de-annex and/or disconnect from said municipality, or which land has had its annexation voided in order to be governed by these Regulations as part of unincorporated Arapahoe County. Said overlay district is hereby termed:

1-107.02 VOIDED/DE-ANNEXED/DISCONNECTED LAND OVERLAY DISTRICT

Arapahoe County Land Development Code

1-108 ZONING MAP

- The location and boundaries of the zoning and overlay districts hereby established are shown on the map entitled Arapahoe County Zoning Map.

1-109 APPLICATION OF THESE REGULATIONS

- After the effective date of these Regulations, but subject to these Regulations dealing with nonconforming uses, structures, and land:

1-109.01

- Any new building or other structure, and any tract of land, may be used; and

1-109.02

- The use of any existing building, other structure or tract of land may be changed or extended; and

1-109.03

- Any existing building or other structure may be enlarged, reconstructed, structurally altered, converted or relocated for any purpose permitted or required by these Regulations for the district in which such building, other structure or tract of land is located, and for no other purpose. Such use, change, extension, enlargement, reconstruction, structural alteration, conversion or relocation shall be subject to all other regulations set forth or referred to in the regulations for that district, and to any other applicable regulations of these Regulations.

1-109.04

- The provisions of these Regulations are applicable not only to private persons, agencies, corporations and organizations, but also to all public agencies and organizations to the full extent that they may be enforceable.

Arapahoe County Land Development Code

1-110 EXISTING PERMITS, EASEMENTS, P.U.D. PLANS, AND OTHER APPROVALS

- Except to the extent stated in these Regulations or any amendment hereto, these Regulations are not intended to abrogate, annul, govern, or prevail over any permit, easement, Preliminary and/or Final Planned Unit Development (P.U.D.) plan, or other approval issued prior to the effective date of these Regulations, except for the amortization of signage which is governed by these and previous Regulations.

1-111 OVERLAPPING REGULATIONS

- These regulations shall apply to all applications made on or after 2-16-99. To the extent there is a conflict between these regulations and any other law, ordinance, resolution, rule or regulation of any kind or with any term or condition of an approved preliminary or final development plan, the more restrictive requirements shall apply to such application, except to the extent limited by vested property rights then in effect.

1-112 VIOLATIONS

- No land in Arapahoe County shall be used, nor any building or structure erected, constructed, enlarged, altered, maintained, moved or used in violation of these Regulations or amendments thereto. The Board of County Commissioners, through the County Attorney and court of appropriate jurisdiction may initiate legal action to prevent, abate, or remove such unlawful use, maintenance, erection, construction, reconstruction, or alteration, in addition to any other remedies provided by law. Any such violation of these Regulations shall be considered unlawful and a public nuisance.

1-113 ENFORCEMENT

- All departments, officials, and employees of Arapahoe County vested with the duty or authority to issue permits shall not issue any permit, certificate, or license in conflict with the provisions of these Regulations. Any such permit, certificate, or license issued in conflict with the provisions of these Regulations shall be voidable. It shall be the duty of the Director of Public Works and Development (herein after referred to as PWD), Planning Manager and/or the Zoning Administrator of Arapahoe County to enforce the provisions of these

Arapahoe County Land Development Code

Regulations pertaining to the use, erection, construction, and/or reconstruction, moving, conversion, alteration, or addition to any building or structure.

- Building permits for new non-residential construction shall be referred to the Planning and Engineering Divisions for review of necessary public improvements, in accordance with the Building Permit Referral Policy.

1-114 DUTY OF THE COUNTY ATTORNEY

- The County Attorney shall take whatever legal action is deemed appropriate for the abatement or removal and injunction of any violation of these Regulations, in the manner provided for by law, and shall take other steps and shall apply to such courts as may have jurisdiction to grant such relief as will abate and remove such use, building or structure and restrain and enjoin such persons maintaining or using any such building or structure or using property contrary to the provisions of these Regulations.

1-115 INVALID PROVISIONS

- If any part, subpart, section, paragraph, sentence, clause or phrase of these Regulations is for any reason held by a court of competent jurisdiction to be invalid, such a decision shall not affect the validity of the remaining portions of these Regulations.

1-116 EFFECTIVE DATE

- All provisions of the Land Development Code heretofore adopted by the Arapahoe County Board of County Commissioners are hereby rescinded and superseded by these regulations adopted on _____.
- The adoption of these Regulations shall not affect or prevent the prosecution or punishment of any person for the violation of any prior version of these Regulations, or for any offense committed prior to adoption of these Regulations.

1-117 CORRECTION OF OBVIOUS ERRORS

- Nothing in these Regulations shall be construed as a limitation upon the power of the Director of Public Works and Development (PWD) to correct obvious typographical or compositional errors, provided:

Arapahoe County Land Development Code

1-117.01

- Such corrections shall not change the legal effect of these Regulations or any part thereof.

1-117.02

- Such corrections will be reported to the Planning Commission and the Board of County Commissioners.

1-117.03

- An Erratum supplement shall be attached to all copies of these Regulations distributed subsequent to the making of such corrections.