

## Section 38 - Geologic Hazard Overlay District

(orig. 1-20-76; am. 2-6-84; am. 7-5-97; am. 12-17-02; am. 7-11-06; am. 4-20-10)

### A. Intent and Purpose

This District is intended to promote the public health, safety and welfare of the citizens of Jefferson County; minimize the risk of loss of life and property; encourage and regulate prudent land use; permit only such uses that will minimize the danger to the public health, safety, welfare and property; reduce the demands for public expenditures for relief and protection of structures and facilities permitted in this District and regulate buildings and structures so as to minimize the hazard to the public health or property. (orig. 1-20-76; am. 6-15-76; am. 9-7-82; am. 12-17-02)

### B. General Provisions and Restrictions

#### 1. Geologic Hazard District Overlays Other Zone Districts

The Geologic Hazard (G-H) Overlay Zone District shall overlay that portion of any other zone district, including Planned Development Zone Districts, located in the geologic hazard area. The regulations of this District shall be construed as being supplementary to the regulations imposed on the same lands by any underlying zone district or other overlay district. When the regulations of this District conflict with any provision of the underlying zone district, the provisions of the Geologic Hazard Overlay District shall control; otherwise, the provisions of any underlying district shall remain in full force and effect. (orig. 1-20-76; am. 9-7-82)

#### 2. Boundaries

This District shall encompass those general areas depicted on Geologic Hazard Overlay District Zoning Maps, more particularly defined by legal descriptions appearing in the Board of County Commissioner resolutions Rezoning property to Geologic Hazard Overlay Zone District. The boundaries of the Geologic Hazard Overlay Zone District may be amended through the County's Rezoning process when appropriate, based on site-specific geologic information. (orig. 1-20-76; am. 9-7-82; am. 12-17-02)

#### 3. Hazard Description

Properties shall be classified according to 4 types of hazards. (orig. 9-7-82)

##### a. Slope Failure Complex

A geologic hazard which means a combination of more than one of the following geologic hazards: (orig. 9-7-82)

- (1) Landslide (orig. 9-7-82)
- (2) Rockfall (orig. 9-7-82)
- (3) Mudflow (orig. 9-7-82)
- (4) Creep (orig. 9-7-82)

##### b. Landslide Area

A geologic hazard which means a mass movement where there is a distinct surface rupture or zone of weakness which separates the slide material from more stable underlying material. (orig. 9-7-82)

##### c. Rockfall Area

A geologic hazard which means the rapid free-falling, bounding, sliding, or rolling of large masses of rock or individual rocks. (orig. 9-7-82)

##### d. Subsidence Area

A process characterized by downward displacement of surface material caused by natural phenomena such as removal of underground fluids, natural consolidation, or dissolution of underground minerals, or by man-made phenomena such as underground mining. (orig. 9-7-82)

#### 4. Restrictions

Unless authorized under the provisions of the "Permitted Uses and Activities" or "Provisional Uses" portions of this section, the following activities or uses are prohibited within the Geologic Hazard Overlay Zone District: (orig. 9-7-82)

- a. Permanent or temporary structures and buildings, including mobile homes and trailers but not including signs, fences, corrals or other open facilities for the containment of livestock. (orig. 9-7-82)
- b. Physical improvements or modifications, such as roads, bridges, bikeways, excavation or fills, solid or liquid waste disposal, utilities, or underground bulk storage of fuels. (orig. 9-7-82)
- c. Other land use activities that significantly increase the danger from the geologic hazard. (orig. 1-20-76; am. 9-7-82; am. 12-28-82)
- d. Restrictions a. through c. shall not apply to legal mining operations or accessory activities. (orig. 9-7-82)

### C. Permitted Uses and Activities

#### 1. The following uses and activities are permitted:

- a. All land uses permitted by an underlying zone district, so long as the same are not in conflict with the use limitations as set forth in paragraph B.4. above. (orig. 1-20-76; am. 9-7-82)
- b. Any land use activity permitted in an underlying zone when authorized by a Plat approved by the Board of County Commissioners subsequent to the inclusion of said property within the Geologic Hazard Overlay Zone District. (orig. 9-7-82)

### D. Provisional Uses

#### 1. The County may authorize, in writing, certain uses, which are permitted in the underlying zone district, and specified below, providing that plans and design criteria have been approved by the County as having reasonably mitigated the potential danger to persons and property of the geologic hazard, and that necessary permits are obtained from the County prior to starting any earthwork, construction or installation. (orig. 9-7-82; am. 12-17-02)

- a. Roads, bridges, bikeways and similar improvements. (orig. 9-7-82)
- b. Excavations or fills. (orig. 9-7-82)
- c. Utilities, above or below ground. (orig. 9-7-82)
- d. Energy collection devices, such as windmills or solar collectors. (orig. 9-7-82)
- e. Structures exclusively for livestock. (orig. 9-7-82)
- f. Structures exclusively for bulk storage, such as silos. (orig. 9-7-82)
- g. Park or recreational uses without occupied structures or buildings. (orig. 9-7-82)
- h. Accessory out buildings and garages. (orig. 9-7-82)
- i. Underground bulk storage of fuels. (orig. 9-7-82)

#### 2. Under certain conditions as contained in the Board of Adjustment Section of this Zoning Resolution, the Board of Adjustment may permit by Special Exception those uses allowed in underlying zone districts, but prohibited by the provisions of paragraph B.4. above and not provided for in paragraph D.1. above. (orig. 1-20-76; am. 9-7-82; am. 12-17-02; am. 7-11-06)

**E. Building And Lot Standards**

Building and lot standards, including height, minimum area, and setback requirements, shall conform to those of the underlying zone district. (orig. 1-20-76; am. 9-7-82)

**F. Warning and Disclaimer**

The Geologic Hazard Overlay Zone District represents only those hazardous areas known to the County at the present time, and should not be construed to include all possible potential hazard areas. The provisions of this District do not in any way assure or imply that areas outside its boundaries, or land uses permitted within its boundaries, will be free from the possible adverse effects of geologic hazards. (orig. 1-20-76; am. 9-7-82; am. 12-17-02)