

Section 1 - Administrative Provisions

(orig. 5-6-46; am. 2-6-84)

A. Purpose

This Zoning Resolution is enacted for the purpose of establishing land use regulations, procedures and restrictions for the promotion of the health, safety and welfare of the present and future inhabitants of Jefferson County. (orig. 5-6-46; am. 4-20-10; am. 5-21-19)

B. When Effective

This Zoning Resolution shall be in effect from and after its passage. (orig. 5-6-46)

C. Repeal

The Zoning Resolution is passed and adopted February 3, 1941, and all other Resolutions in conflict with the provisions of this Zoning Resolution are hereby repealed. (orig. 5-6-46; am. 12-17-02)

D. Validity

Should any section, clause, sentence or part of this Zoning Resolution be adjudged by any Court or competent jurisdiction to be unconstitutional or invalid, the same shall not affect, impair or invalidate the Zoning Resolution as a whole or any part thereof, other than the part so declared to be invalid. (orig. 5-6-46)

E. Violation and Penalty

1. Any person, firm partnership, joint venture, association or corporation violating any regulation of this Zoning Resolution shall be subject to the penalties provided in C.R.S. § 30-28-124 and 30-28-124.5. (orig. 5-6-46; am. 12-17-02; am 6-27-06; am. 10-13-09)
2. In case of a violation of this Zoning Resolution, the Board of County Commissioners, the County Attorney, or any owner of real estate in the zoned area may institute injunction proceedings to halt such violation. (orig. 5-6-46; am. 12-17-02)

F. Interpretation

1. In interpreting and applying the provisions of this Zoning Resolution, they shall be held to be the minimum requirements for the promotion of the health, safety and welfare. It is not intended by this Zoning Resolution to interfere with or abrogate or annul any easements, covenants or agreements between parties; provided however, that wherever this Zoning Resolution imposes a greater restriction upon the use of buildings or land or upon the location or height of buildings or structures or required larger open spaces about buildings than are imposed or required by other laws, resolutions or by easements, covenants or agreements between parties, the provisions of this Zoning Resolution shall govern. If there is a conflict between sections in this Zoning Resolution that were adopted at different times, the most recent amendment applies. (orig. 5-6-46; am. 12-17-02; am. 4-20-10)
2. When the term "Director of Planning and Zoning" is used in this Zoning Resolution it shall mean the Jefferson County Director of Planning and Zoning or his/her appointed designee. (orig. 3-3-15)

G. Zoning Maps

1. Adoption and Recording

The computer generated Zoning Maps, which together with this Zoning Resolution constitute the Zoning Plan of Jefferson County, as amended, are hereby declared to be the official Jefferson County Zoning Maps. The zone districts set forth on the Zoning Maps are hereby and herewith adopted and approved, except that in the case of a conflict between the zone district depicted on the Jefferson County Zoning Maps and the zone district adopted at a hearing pertaining to a particular parcel of property or shown in other official documents of Jefferson County, the latter shall control. Planning and Zoning shall maintain on file true and correct copies of all official Jefferson County Zoning Maps. This version of the zoning maps, as of the date of adoption, will be recorded with the Clerk and Recorder's Office. (orig. 5-6-46; am. 11-14-55; am. 8-2-60; am. 7-10-79; am. 8-18-92; am. 3-28-00; am. 12-17-02; am. 4-27-04)

2. Zone District Designations

a. Zone District Classification

The zone district for any piece of property within the unincorporated area of the County is shown on the appropriate zoning map by a letter and/or number symbol corresponding to the appropriate zone

district classification as set forth in the Table of Contents section of this Zoning Resolution. (orig. 7-10-79; am. 12-17-02; am. 3-26-13)

b. Subject to Platting (S.T.P.) or Subject to Conditions (S.T.C.)

(1) Where the zone district classification symbol is followed by the symbol "S.T.P.," the zone district shown thereon was approved by a Rezoning resolution subject to platting. No building permits will be issued until such time as said condition has been fulfilled. Said condition of platting is fulfilled upon the recordation of a plat approved by the Board of County Commissioners or upon the recordation of a Platting Exemption Agreement after approval of the exemption by the Board of County Commissioners. (orig. 7-10-79)

(2) Where the zone district classification symbol is followed by the symbol "S.T.C.," the zone district shown thereon was approved by a Rezoning resolution subject to conditions. No building permits will be issued until such time as said condition has been fulfilled. The Director of Planning and Zoning is hereby empowered to determine whether said condition(s) has (have) been fulfilled. Upon an adverse decision of said Director of Planning and Zoning, the aggrieved party may appeal the decision to the Board of Adjustment for review pursuant to the provisions of Board of Adjustment Section of this Zoning Resolution. (orig. 7-10-79; am. 12-17-02; am. 3-26-13; am. 3-3-15)

c. Rezoning Case Number

(1) The Rezoning case number, if any, shall appear on the map following the zone district classification symbol and any S.T.P. or S.T.C. designation. (orig. 7-10-79; am. 12-17-02)

(2) If no Rezoning case number appears following the zone district classification symbol, the zone district shown for that property is the original zoning on said property according to the official documents of Jefferson County. (orig. 7-10-79; am. 8-18-92)

3. Amendment of Zoning Maps

It shall be the responsibility of the Director of Planning and Zoning to keep, revise, and maintain the Jefferson County Zoning Maps. Revision shall be made upon the receipt of a certification of a zone district classification change from the Clerk to the Board of County Commissioners or upon determination by the Director of Planning and Zoning that there is an error in the official zoning maps, based on the official documents of Jefferson County. The Director of Planning and Zoning shall also revise said maps upon receipt of a certification by the County Clerk and Recorder that an approved Subdivision Plat or Platting Exemption Agreement has been recorded covering the subject property. The S.T.P. designation shall be removed upon such certification. The S.T.C. designation shall be removed upon certification of fulfillment of the condition(s) by the Director of Planning and Zoning. (orig. 7-10-79; am. 8-18-92; am. 12-17-02; am. 3-3-15)

4. Geologic Hazard (G-H) and Floodplain (F-P) Overlay Zone District Maps

The special floodplain study maps showing the boundaries of the various Floodplain Overlay Zone Districts as they have been adopted or as they may be adopted in connection with each Rezoning case which places all or a portion of the 100-year floodplain of any stream within the Flood Plain Overlay Zone District, and the special series maps showing the boundaries of the various Geologic Hazard Overlay Zone Districts, are hereby declared to be a part of the Zoning Plan of Jefferson County and are the official Zoning Maps of Jefferson County for purposes of the delineation of the aforementioned zone district boundaries. (orig. 7-10-79)

H. Applicability to Government Facilities

1. The uses and the lot and building standard provisions of this Resolution shall not apply to buildings, facilities or uses owned or operated by the government of the United States, unless a federal law or regulation requires such buildings, facilities or uses to comply with local zoning regulations. If a federal law or regulation requires such buildings, facilities or uses to comply with local zoning regulations, then that buildings, facilities or uses shall be reviewed pursuant to the Location and Extent process of this Resolution. (orig. 9-16-85; am. 4-20-10; am. 5-21-19)

2. The uses and the lot and building standard provisions of any recorded plat or exemption, and this Resolution, shall not apply to buildings, facilities or uses owned or operated by the State of Colorado or any political subdivision thereof, by a public utility (whether publicly or privately owned), or by the Jefferson County R-1 School District School (regular or charter), provided: (orig. 5-21-19)

- a. No state or federal law, statute or regulation requires such buildings, facilities or uses to comply with local zoning regulations. (orig. 9-16-85)
 - b. Such buildings, facilities or uses have been reviewed pursuant to the provisions of Section 30-28-110(1), Section 22-32-124(1) or Section 22-32-124(1.5) C.R.S. or as amended. The review specified in this provision shall be accomplished by going through the County's Location and Extent process. (orig. 9-16-85; am. 3-26-13; am. 5-21-19)
 - c. Such buildings, facilities or uses provide or fulfill a governmental (nonproprietary) function which the governmental owner/operator is legally authorized to provide. (orig. 9-16-85; am. 12-17-02)
 - d. Such building, facility or use has all applicable permits including but not limited to building, fence, sign, land disturbance, floodplain, telecommunication and miscellaneous permits required by this Resolution, unless such permits are not required by State Statute. (orig. 4-20-10; am. 5-21-19)
3. Subsequent Private Use
- a. Where subsequent private use of buildings or facilities originally erected and used in compliance with the Location and Extent process, or previous Site Approval process, is substantially the same in nature as the prior governmental use, such subsequent use shall be considered a legal nonconforming use and shall be administered pursuant to the provisions of the Nonconforming Buildings, Structures, and Uses Section of this Resolution. (orig. 9-16-85; am. 3-26-13; am. 5-21-19)
 - b. The subsequent private use of buildings or facilities shall be governed by the underlying zoning. (orig. 5-21-19)
4. For purposes of Location and Extent, "lot and building standards" shall include architecture, landscaping, lighting, parking, signs and telecommunications design standards. (orig. 5-21-19)

I. Minor Variations

- 1. Minor variation(s) from strict application of the provisions of a zoning requirement may be allowed at the discretion of the Director of Planning and Zoning in order to facilitate the reasonable and expeditious processing of a development application. A minor variation may be granted for both onsite and offsite requirements for the following: Plats, Exemptions, Vacations, Minor Adjustments, Residential Structure Exclusions, Land Disturbance Permits, Floodplain Permits, Oil and Gas Production Drilling, and Site Development Plans. A minor variation may be granted for the offsite requirements of the following: Zonings, Special Uses or Site Approvals. Such variations shall be allowed only after a finding by the Director of Planning and Zoning that: (orig. 1-17-84; am. 6-14-88; am. 12-17-02; am. 5-20-08; am. 4-20-10; am. 12-21-10)
 - a. Such variation(s) does not constitute a substantial change to the permitted land use(s); and that (orig. 1-17-84)
 - b. No substantial detriment to the public good nor harm to the general purpose and intent of this Zoning Resolution will be caused thereby. (orig. 1-17-84)
- 2. Such variation(s) shall not constitute grounds for disapproval by the Board of County Commissioners of any Plat, Exemption, Rezoning or Special Use, unless the Board specifically finds that such variation(s) constitutes a substantial change in the permitted land use(s) or causes a substantial detriment to the public good or harm to the general purpose and intent of this Zoning Resolution. (orig. 1-17-84; am. 4-20-10)