

Due to construction, the DHS CSS Building (320 W. 10th Street) lobby will be closed on Wednesday, March 27th from 7:00 a.m. to 1:00 p.m.

All DHS customer operations will be diverted to the FSS building at 405 W. 9th Street during that time frame.

[Home \(/\)](#) | [Pueblo County Code \(/county-attorney-department/pueblo-county-code\)](#) | [Title 17 - Land Use \(/planning-and-development/title-17-land-use\)](#)
| [Title 17 - Division I. Zoning \(/planning-and-development/title-17-division-i-zoning\)](#) | [Chapter 17.120 SUPPLEMENTARY REGULATIONS](#)

Chapter 17.120 SUPPLEMENTARY REGULATIONS

17.120.010 Accessory uses.

Accessory uses incidental to a principal use are permitted provided:

- A. The use is incidental and customary to and commonly associated with the principal use or is a permitted home occupation;
- B. The use is not injurious, noxious or offensive to the neighborhood;
- C. In Residential Zone Districts the use is operated by the same persons who operate or inhabit the principal use or structure;
- D. In Residential Zone Districts the use does not permit residential occupancy except for members of the family or by domestic employees employed and residing on the premises and their immediate families.

17.120.020 Accessory structures.

Accessory structures incidental to a principal use or principal structure are permitted provided:

- A. Accessory structures may be built anywhere that a principal building may be built, and may be built to occupy up to thirty (30) percent of a required rear yard and/or the back fifty (50) percent of a required side yard, and provided further that no accessory building in a required side or rear yard shall be within fifteen (15) feet of a public street right-of-way line.
- B. Except in the Agricultural One, Two, Three and Four Zone Districts, no accessory building shall be built within five (5) feet of any other building on the parcel unless the adjacent walls of both are of eight (8) inch solid masonry or equal construction.
- C. Except on farms in the Agricultural One, Two, Three and Four Zone Districts, accessory buildings to be built in required rear or side yards may not be built within five (5) feet of a rear or side lot line, unless the wall facing said rear or side lot lines shall be of eight (8) inch solid masonry or equal construction, contain no openings, have no roof overhang, and roofs shall not discharge water on adjacent parcels.

D. Temporary real estate signs indicating property is for sale or rent may be placed anywhere on the premises provided they meet all other requirements of Section 17.116.050

(<https://County.pueblo.org/government/county/code/title17/chapter17-116>)(C).

E. No mobile home or trailer home structures, truck trailers, or railroad cars shall be utilized as accessory buildings regardless of purpose except the same may be allowed on parcels of no less than eight (80) acres in size which are, in addition, located in an agricultural zone district. These accessory buildings, where allowed, shall be set back not less than two hundred (200) feet from any property line. Nothing in this paragraph E shall prohibit nor limit contractor's and business' use of licensed, operable truck trailers.

17.120.030 Home occupations.

A. Intent. The intent of this Section is to allow certain business uses in association with residences where it is known such business uses will not alter the character or appearance of the residential or agricultural environment.

B. Performance Standards. All home occupations shall comply with all of the following performance standards:

1. Accessory Use. Home occupations shall be clearly incidental and subordinate to the residential land use established on the lot or parcel being utilized. Home occupations are prohibited where there is no principal dwelling unit.

2. Structures. Home occupation activities shall take place within a principal dwelling unit, accessory building, or private recreation area (e.g., swimming pool, tennis court, and riding arena). Private recreation areas may only be used when conducting a home occupation clearly related to the recreation area being used.

3. Number of Home Occupations. There is no limit to the number of permitted home occupations. However, the limitations of this section shall apply to the combined uses established as home occupations.

4. Employees. The number of employees involved with a home occupation shall be limited to the residents of the principal dwelling unit plus one (1) additional nonresident employee. Any visit by additional off-site employees shall be considered the same as a "client" visit and must comply with these performance standards (See Section 17.120.030 (<https://County.pueblo.org/government/county/code/title17/chapter17-120>)(B)(6)-Clients).

5. Hours of Operation. No client shall be received between the hours of 8:00 p.m. and 8:00 a.m.

6. Clients. The number of clients that can visit the residence is limited to one (1) client per hour. For the purposes of this section, a client shall be defined as an individual, or group of not more than four (4) adults, visiting a home occupation in the same vehicle at the same time.

7. Sale and Display of Merchandise. On-site display and sale of goods/products is prohibited, unless the display and sale is typical of and incidental to a home occupation. Any on-site sales shall not generate more traffic than otherwise permitted by this section. An on-site purchaser/buyer shall count the same as a "client". Goods or products on display shall not be visible from any property boundary or road right-of-way.

Example: A beauty salon may display and sell hair care products in association with the salon. The sale of hair care product to an individual shall cause the individual to be counted as a "client" whether or not typical salon services are rendered in association with that sale.

8. Number of Vehicles. Vehicles related to the operation of a home occupation shall be restricted to residential accessory vehicle types (see Section 17.04 (<https://County.pueblo.org/government/county/code/title17/chapter17-04>)).

9. Deliveries. Deliveries other than standard parcel services are prohibited when associated with a home occupation.

10. Signs. One (1) one-square foot sign is permitted (see Section 17.116.060 (<https://County.pueblo.org/government/county/code/title17/chapter17-116>)).

11. Other Advertising. The address of a home occupation shall not be listed in phone books, newspapers, or other circulated publications or in television ads, radio ads, on the Internet, etc.

12. Storage. No materials or goods associated with a home occupation shall be stored in a manner that is visible from any property line or public right-of-way.

13. Nuisances. No equipment or activity shall be used in a home occupation that creates noise, vibration, glare, fumes, odor or electrical interference detectable from beyond the subject property boundaries. Noise levels shall not exceed those levels specified as permissible for residential zones in CRS 25-12-103.

14. Health Hazards. No home occupation shall be detrimental to the public health, safety or welfare. Home occupations shall not involve the use of materials that require a permit/license from the Colorado Department of Public Health and Environment (CDPHE), the U.S. Environmental Protection Agency (EPA), the Federal Bureau of Alcohol, Tobacco, and Firearms (ATF), or any other similar regulatory body.

This prohibits home occupations that involve hazardous materials. Home occupations requiring a permit/license from a regulatory body which do not involve the use of hazardous materials may be permissible, provided the occupation is in compliance with all applicable Federal, State, and local regulations.

15. Access for Inspection. Upon the receipt of a complaint, an employee of Pueblo County may request to enter a structure housing a home occupation to determine whether or not the home occupation complies with the conditions of this section.

16. Other Applicable Regulations. Home occupations shall comply with health codes, building codes, and all other applicable local, State and Federal regulations.

C. Limited Use Home Occupations.

1. Boarding, harboring, training or raising of animals in association with a home occupation must comply with all other standards of the Title 17 and shall not be permitted on parcel of land with a lot area that is less than five (5) acres.

2. "Merchandise parties" (i.e., Tupperware, Avon, Mary Kay, etc.) held for the purpose of soliciting sales shall be limited to no more than four (4) parties per year from the site of the home occupation.

D. Prohibited Home Occupations. The following home occupations are prohibited:

1. Any occupation requiring the use of hazardous materials of a type or quantity not normally associated with residential uses;

2. Motor vehicle repair and auto body work;
3. Machine shops;
4. Equipment and machinery rental;
5. Boat repair.

E. Administration. Home occupation operators shall complete a Home Occupation Disclosure Form that can be obtained from the Pueblo County Department of Planning and Development. This form notifies applicants of the conditions home occupations must comply with in Pueblo County and requests applicants provide their name, phone number, property and mailing address, the type(s) of home occupation being established, and legal description of the property on which the home occupation(s) is being established.

17.120.040 Height restrictions--Exceptions.

The height limitations of this resolution shall not apply to restrict the height of chimneys, water towers, scenery, lofts, cupolas, domes, spires, belfries, antennae and necessary mechanical appurtenances when attached to and made a part of a permitted structure, provided the height of such appurtenances does not extend more than ten (10) feet above the height limitation of the zone districts. A parapet wall not exceeding four (4) feet in height may be erected above the height limit.

17.120.050 Front setback--Developed area.

Except as provided in Section 17.120.100 (<https://County.pueblo.org/government/county/code/title17/chapter17-120>), where three (3) or more parcels comprising more than fifty (50) percent of a single street frontage of a block are improved with buildings at the time of passage of this resolution, every building hereafter erected shall provide a front yard of not less than the average depth of the front yards of existing buildings, or the required front yards of existing buildings, or the required front setback, whichever is less.

17.120.060 Through parcel.

On a through parcel the front yard requirements of the district in which such parcel is located shall apply to both street frontages.

17.120.070 Corner parcel.

On corner parcels a required side yard with street frontage shall be at least fifteen (15) feet wide, and the other yard requirements shall be the same as for other parcels in the same zone district.

17.120.080 Parcels of record.

In any district, notwithstanding limitations imposed by other provisions of this Title, a principal structure and accessory structure may be erected on any single parcel of record at the effective date of adoption of this Title. This provision shall apply even though such parcel fails to meet the requirements for area, width or depth that are generally applicable in the district, provided that yard dimensions and other requirements not involving area, width or depth of the parcel shall conform to the regulations for the district in which such parcel is located, except as provided in Section 17.120.090 (<https://County.pueblo.org/government/county/code/title17/chapter17-120>),

variance of yard requirements shall be obtained only through actions of the Zoning Board of Appeals. Such parcels must have been in separate ownership and not of continuous frontage with other lots or parcels in the same ownership at the time of adoption of this Title. If two or more lots or tracts or combinations of lots or tracts or portions of lots or tracts with continuous frontage in single ownership are of record at the time of passage or amendment of this Title, and if all or part of such lots or tracts do not meet the requirements for parcel width, depth and area as established by This Title, the lands involved shall be considered to be an undivided parcel. No portion of the parcel shall be used or sold which does not meet the area requirements established by This Title nor shall any division of the parcel be made which creates or leaves remaining any parcel with less than seventy-five (75) percent of the required width or depth. Except if such a parcel shall be created by the actions of a local, State or Federal agency, then the parcel shall be registered as a nonconforming parcel and considered to be a parcel of record prior to the time of adoption of this Title.

17.120.090 Required yards.

Exceptions. Every part of a required yard shall be unobstructed by any portion of the building, except for the ordinary projections of window sills, belt courses, and other ornamental features to the extent of not more than four (4) inches. Cornices and eaves may extend two and one-half (2 1/2) feet into a required yard provided they do not extend closer than two (2) feet to a side lot line. In any district when a parcel of record at the effective date of adoption of this Title is less in width than required by the terms of this Title, then the side yard requirements may be reduced by not more than fifty (50) percent.

17.120.100 Porches, patios, carports and other open structures.

In residential zones, open patios and terraces, unenclosed porches and carports and other open structures may extend not more than ten (10) feet into a required front yard, provided they shall not be closer to an adjoining side property line than the required width of the side yard and provided they shall not be closer than twenty-five (25) feet to a public street right-of-way line.

17.120.110 Stairways, fire escapes, chimneys and flues.

Open fire escapes and open outside stairways projecting into a yard not more than three (3) feet and the ordinary projections of chimneys and flues shall be permitted if placed so as not to obstruct light and ventilation for the subject or neighboring buildings.

17.120.120 Grouped houses--Yards.

For the purposes of determining the yard requirements, grouped houses shall be considered as one (1) building occupying one (1) parcel subject to the following regulations:

A. The front and rear yard shall be the same as required in the zone district where permitted, and the width of the required individual side yard shall be increased an additional width of two (2) feet for each building abutting on the same side yard.

B. If end to end there shall be not less than ten (10) feet between the buildings.

C. If not end to end the width of the yard between the buildings shall be not less than twenty (20) feet or less than twice the height of the tallest building, whichever is greater; provided where a roadway is constructed between the buildings the width of such yard shall be measured exclusive of the roadway width.

17.120.130 Public utilities.

For the purpose of this section, a "public utility" is defined to be a water, irrigation, sewer, gas, electric, telephone, bus, taxi, ambulance or railroad system or installation which serves five (5) or more customers whether or not to be franchised or organized as a corporation or district. Public utility installations shall be subject to the following requirements:

A. Distribution, transmission and service lines for service to properties exclusively within Pueblo County requiring simple easements or installation in public rights-of-way or installed under franchise agreement with City and/or County and usual customer facilities for service to properties exclusively within Pueblo County shall not be subject to zoning requirements.

B. Utility service facilities, the major use of which involves either office, mfg., warehousing, vehicle storage or maintenance functions, shall be constructed only in those zone districts in which a private firm not in the utility business would be permitted to establish a similar function or use.

C. Special utility facilities, such as water reservoirs, sewage lagoons, switching yards, pumping stations, and other component equipment installations on land owned or leased and where the equipment is fenced or placed in a building shall not be constructed until Special Use Permit has been issued by the Planning Commission.

D. Small-scale solar facilities, as defined in Section 17.168.020, are allowable by-right as an accessory use in accord with the underlying zoning requirements.

E. These regulations shall in no way prohibit the installation of temporary facilities of the types described in subsections B and C of this section in cases of emergency conditions, provided within a reasonable period of time application is made for the installation of permanent facilities.

17.120.140 Natural hazard area and mineral resource areas.

If the Pueblo County Zoning Administrator and Pueblo County Land Use Administrator conclude that based upon current available information a natural hazard area or a mineral resource area occurs within or directly affects a parcel, Chapter 70 of the Uniform Building Code, 1973 Edition, as amended, must be complied with and a permit under Chapter 17.148 (<https://County.pueblo.org/government/county/code/title17/chapter17-148>), Areas and Activities of State and Local Interest, Administrative Regulations, must be obtained before any structure can be constructed or emplaced upon the parcel. However, this section does not apply if the applicant has complied with the Pueblo County Subdivision Regulations.

17.120.150 Recreational vehicle park performance standards.

The purpose of these performance standards is to establish design, operation and development standards necessary to protect the public health, safety and general welfare.

A. For the purpose of applying these standards, two classifications of recreational vehicle park are established:

1. Overnight: is usually located along or near main highways, where recreational campers stop for only one night on the way to some further destination.

2. Destination: is usually located at or near a scenic, historical or outdoor recreational area where recreational campers are attracted for extended stays of several days or weeks.

B. The following standards shall apply to recreational vehicle parks, based on classification:

Recreational vehicle park performance standards.		
	Overnight	Destination
Maximum camper stay	1 day	21 days
Minimum park size	5 acres	5 acres
Minimum recreational vehicle site area	1,000 sq. ft.	1,400 sq. ft.
Minimum recreational vehicle site width	20 ft.	20 ft.
Maximum density	25 sites/acre	22 sites/acre

C. The following standards shall apply to all recreational vehicle parks unless otherwise noted:

1. Condition of soil, groundwater level, drainage, and topography shall not create hazards to the property, health or safety of the occupants. The site shall not be exposed to objectionable smoke, noise, odors or other adverse influences, and no portion subject to unpredictable and/or sudden flooding, subsidence or erosion shall be used for any purpose which would expose persons or property to hazards.

2. Exposed ground surfaces, including recreational vehicle sites, in all parts of the recreational park shall be paved, covered with gravel, or other solid materials, or protected with a vegetative growth that is capable of preventing soil erosion and of eliminating objectionable dust.

3. Recreational vehicles shall be separated from each other and from other structures by at least ten (10) feet. Awnings, fold out and expandable sides, or other extensions to the vehicle are considered to be a part of the vehicle for the purpose of measurement.

4. Entrances and exits to recreational vehicle parks shall be designed for safe and convenient movement of traffic into and out of the park and to minimize marginal friction with free movement of traffic on adjacent streets. All traffic into and out of the park shall be through such entrances and exits. Radii of curves and pavements at intersections shall be such as to facilitate easy turning movements for vehicles with trailers attached. A sight-distance triangle shall be provided at all entrances and exits to insure no material impediment to visibility shall be created or maintained which obscures the view of an approaching driver. The Director of Public Works shall review and approve all intersection angles and radii of curves and shall establish the sight-distance-triangle requirements for each proposed recreational vehicle park, based on anticipated vehicle speeds and the site's slope and relief. The following minimum curve alignment and access standards shall apply:

Recreational Vehicle Park

Curve Alignment and Access Standards

Minimum curve radius for design speeds on local collector and access roads for recreational vehicle parks (without superelevation).

Design Speed (mph)	Radius (ft.)
15	80
20	150
25	250
30	375
35	530

Minimum tangent length between curves shall be as follows:

Design Speed (mph)	Tangent (ft.)
15	50
20	75
25	100
30	150
35	200
40 and above	250

For major access roads serving recreational vehicle parks the following minimum radius and tangents, and maximum rate of superelevation apply.

Design Speed (mph)	Radius (ft.)	Tangent (ft.)	Superelevation Rate (ft./ft.)
40	561	400	04
50	926	400	04

The minimum curve length shall be two hundred (200) feet for design speeds of thirty (30) mph or less, three hundred (300) feet for design speeds between thirty (30) mph and forty (40) mph, and four hundred (400) feet for design speeds of forty (40) mph and above. Angle points less than one degree (delta angle) require no curve

radius. Coordination is required between horizontal and vertical alignment. Particular care must be used in order to maintain proper sight-distance at all times. Sharp horizontal curves introduced at or near the top of defined crests or bottoms of sag vertical curves should be avoided.

Maximum (preferred) widths of access control at curb cuts in curb and gutter shall be thirty-five (35) feet.

The following minimum roadway widths shall be provided:	
Type	Width
Entrance/exit road (no parking)	
One-way	20'
Two-way	34'
Interior Roads	
One-way, no parking	12'
One-way, parking 1 side	20'
One-way, parking both sides	28'
Two-way, no parking	24'
Two-way, parking 1 side	32'
Two-way, parking both sides	40'

5. Accessory uses permitted in a recreational vehicle park may include management headquarters, picnic areas, recreational facilities, toilets, dumping stations, showers, and coin operated laundry facilities. In addition, destination recreational vehicle parks may include a convenience store as an accessory use, provided such store shall present no visible evidence from any road outside the park of its commercial character, which would attract customers other than occupants of the park.

6. Solid waste (garbage) collection receptacles shall be required to be provided within the recreational vehicle park. Destination recreational vehicle parks shall also provide a sanitary waste dump station to accept discharge from the recreational vehicle holding tanks.

7. The recreational vehicle park shall comply with the Colorado Department of Health's "Standards and Regulations for Campground and Recreation Areas"; however, overnight shall be considered as semi-developed for the purpose of these standards.

8. A development plan shall be submitted with every application for a special use permit. The plan shall be drawn to a scale of 1" = 100', unless a different scale is authorized by the Director of the Department of Planning and Development, and shall provide for not less than the following:

- a. The area and dimensions of the entire tract of land proposed for use as the recreational vehicle park;
- b. Land use and activity areas proposed within the park;

- c. The number, size, location and surfacing material(s) of the proposed vehicle sites and other parking areas;
- d. The location, roadway and right-of-way widths, and surfacing material(s) of public roadways providing access to the park;
- e. The proposed interior vehicular circulation pattern, including widths, surfacing materials, and proposed design speeds; and pedestrian circulation pattern;
- f. The location of existing or proposed structures, and identification of their proposed use;
- g. The location of solid waste collection receptacles;
- h. The location and capacity of sanitary waste dump station(s), if proposed;
- i. Location of potable water distribution system, including proof of the water's source, quality and quantity, if proposed;
- j. Location of sanitary sewer collection and treatment system, including capacity, if proposed;
- k. Location of lighting, gas and electric systems, if proposed;
- l. Location of fences, buffering, and landscape areas;
- m. Roadway data, including widths, radii, tangents and superelevation;
- n. Location of other feature or facility existing or proposed within the park whose identification will assist in the review of the special use permit.

The recreational vehicle park shall be developed and maintained in accordance with its development plan. Minor changes to the development plan may be approved by the Director of the Department of Planning and Development, provided such changes are in writing. Major changes to the development plan shall be approved by the Pueblo County Planning Commission at a public meeting.

17.120.160 Fences, walls and hedges.

A. Corner properties and through parcels may have additional sight distance regulations imposed on the type, location, and height of fences, walls, and hedges beyond those regulations set forth in subsections B, C and D of this Section.

B. 1. Solid fences, walls, and hedges shall be permitted to a maximum height of two and one-half (2 1/2) feet within a required front yard setback area for the zone district. This height restriction shall also apply to a required side yard with street frontage on corner parcels, and to both street frontages of a through parcel.

2. Open fences shall be permitted to a maximum height of four (4) feet within a required front yard setback area for the zone district. This height restriction shall also apply to a required side yard with street frontage on corner parcels, and to both street frontages of a through parcel.

3. All fences, walls and hedges, whether open or solid, shall be permitted to a maximum height of six (6) feet within any yard area that does not overlap into a required front yard setback area, or into a required side yard with street frontage on corner parcels.

C. On property with the S-1 Public Use District, the setbacks for fences shall be the same as the required setbacks in the adjacent zone district(s), unless otherwise approved through the Public Use Review process associated with a specific land use within the S-1 District.

D. Height of fences, walls and hedges shall be measured from the natural grade of the property at the location of the fence, wall or hedge to the top of the fence, wall or hedge. Natural grade is the historic grade or the finished grade necessary for drainage control, but does not include optional or ornamental (e.g., berms) alterations to grade. The top of a wall or fence is the highest component (e.g., top of post or top of picket, whichever is highest).

17.120.170 Adult uses.

A. Intent. The intent of this subsection is to provide a set of performance standards governing, in more particularity, the location and placement of adult uses within those zone districts where the same are expressly permitted in accordance with this Title 17.

B. Performance Standards.

1. No adult use shall be located or established within one thousand (1,000) feet of any other adult use.

2. No adult use shall be located or established within five hundred (500) feet of any of the following zone districts: A-1, A-2, A-3, A-4, R-A, R-1, R-2, R-3, R-4, R-5, R-6, R-7 and R-8. Further, and in addition, no adult use shall be located or established within five hundred (500) feet of any church, or other place of worship, school, public park or residence, including all structures used for residential purposes.

3. All minimum distances specified herein shall be lineal measurements from the zoning district boundary of the zoning district specified in subsection (2) above; from the property line of a church or other place of worship, school, public park or residence, to the nearest wall of the building in which adult uses are to occur. In the case of the required separation between adult uses, the measurement shall be lineal measurements from the nearest building wall to said wall of any other adult use.

4. The location and establishment of adult uses is prohibited in any zone district in Pueblo County except those zone districts in which the adult use is expressly permitted as a use by right. The provisions of this Title shall not be construed or interpreted to allow an adult use as a use by review in any zone district.

17.120.180 Outdoor Lighting

A. Purpose and Intent.

The purpose of this Section is to regulate the placement, orientation, distribution patterns, and fixture types of outdoor lighting and to discourage excessive lighting. The intent of this Section is to encourage lighting that, while providing safety, utility, and security also prevents glare on the public roadways and other public ways and reduces atmospheric light pollution.

B. Applicability

This Section shall apply to new Industrial and Commercial Use Lighting;

All externally illuminated signs;

Residential lighting of one hundred-fifty (150) watts or more for each light fixture, and/or fluorescent lights of twenty (20) watts or more per fixture.

C. Lighting Plan Submission Requirements

The exterior lighting plan shall include the proposed location, mounting height, and type of luminaries, and aiming point of all exterior lighting fixtures, both building and ground mounted lighting, as well as the illuminance levels shown on a 10' maximum grid;

Certification that the angle of total light cutoff is no more than 90 degrees; this certification can be in the form of Photometric data supplied by the manufacturer or a letter from a certified lighting professional stating that the proposed lighting meets the regulations of this Section;

Descriptions of luminaries, including lamps, poles or other supports and shielding devices which may be provided as catalogue cut sheets from the manufacturer;

Additional information as may be required by the Planning Director in order to determine compliance with this Section.

D. Approved Materials and Methods of Construction, Installation, or Operation

The provisions of this Section are not intended to prevent the use of any design, materials, or methods of installation or operation which are not specifically described by this Section. The Planning Director may permit the use of designs, materials, methods of installation or operation as alternative to those otherwise required by this Section upon proof that the alternative meets the standards set by the Illuminating Engineering Society of North America (IES) for outdoor lighting OR a written certification by a qualified lighting professional stating that the alternative meets or exceeds the standards set forth in this Section and further its purpose and intent.

E. Exemptions.

The following uses shall be exempt from the provisions of this Section:

Temporary lighting for special events, circuses, fairs, carnivals, or civic uses which uses are temporary in nature and in no event which will exceed a period of 30 days.

Seasonal decorations using typical unshielded low-wattage incandescent lamps shall be permitted during the months of November, December and January.

Any lighting required by the FAA for air traffic control, navigation, and warning purposes.

Sports/athletic field lighting and sports complex lighting.

Construction or emergency lighting provided such lighting is temporary and is discontinued immediately upon completion of the construction work or abatement of the emergency necessitating said lighting.

Lighting associated with farming and ranching uses where such uses constitute the principal use of the property. This exemption also applies to the associated farm or ranch residence. Land simply zoned "agricultural" shall not be a sole basis for this exemption.

Lighting for official government meteorological data gathering purposes.

Residential lighting of one hundred-fifty (150) watts or less for each light fixture, and/or fluorescent lights of twenty (20) watts or less per fixture.

F. Outdoor Lighting Design Standards

All lighting shall be designed, located, installed and directed in such a manner to prevent objectionable light at and across property lines and to prevent glare at any location on or off the property.

Fixtures and Shielding

All lamps shall be shielded in a way as to prevent glare and/or light trespass from all buildings, site and aesthetic lighting;

Shall be full cut off style fixtures for all parking area lighting;

Shall be full cut off or a shielded type fixture for all building lighting, wall pack fixtures must be cutoff (shielded) fixtures.

Lamp Types

Lamps shall be of a white light source such as metal halide, incandescent, or a lamp with a color-rendering index (CRI) greater than or equal to 70.

Maximum Light Levels

Shall not exceed one-tenth (0.1) foot-candle as a direct result of the on-site lighting measured twenty (20) feet beyond the property line;

Shall not exceed the maintained horizontal illuminance recommendations set by the Illuminating Engineering Society of North America (IES) or an average illumination level of one and five tenths (1.5) foot-candles for the illuminated area.

Maximum Mounting Height

Shall be mounted twenty four feet when the fixture is located within seventy five feet of the sites boundary; or Forty feet when the fixture is located beyond seventy five feet from the sites boundary.

G. Hours of Lighting

Except as otherwise stated in this Section, all exterior lighting shall be required to be turned off after business hours between midnight and 6:00 a.m., leaving only the necessary lighting for site and building security. All nonessential lighting shall be turned off during this period. For purposes of this section, NONESSENTIAL LIGHTING shall include display lighting, aesthetic and sign lighting, lighting of landscape and architectural features, and may include parking lot lighting.

H. Security Lighting

Shall use the lowest possible illumination to effectively allow surveillance and not to exceed 0.5 foot-candles;

Fixtures shall be full cut-off fixtures;

Light shall be shielded and aimed so that illumination is directed to the designated areas.

I. Canopy Lighting

Lighting fixtures mounted on canopies shall be installed such that the bottom of the light fixture or its lens, whichever is lower, is recessed or mounted flush with the bottom surface of the canopy and parallel to the ground. A full cut off light fixture may project below the underside of a canopy. All light emitted by an under canopy fixture shall be substantially confined to the ground surface beneath the perimeter of the canopy. No lighting except that permitted by Pueblo County Code, Title 17, Chapter 116 (<https://County.pueblo.org/government/county/code/title17/chapter17-116>) (Advertising Devices and Signs) shall be permitted on the top or sides of a canopy.

J. Sign Lighting

Upward-directed sign lighting is prohibited except for monument signs of less than six (6) feet overall height; External illumination for signs shall also conform to all provisions of this Section.

K. Flag Pole Lighting

A flagpole may be illuminated by one upward aimed fully shielded and self contained spotlight light fixture which shall not exceed 3,000 lumens (150 watts). The light fixture shall be placed as close to the base of the flagpole as reasonably possible.

L. Prohibited Lighting

Promotional beacons, searchlights, laser source lights, strobe light, or any similar high intensity light, when projected above the horizontal;

Floodlighting that:

- shines above the ninety (90) degree horizontal plane
- produces a glare for pedestrians and drivers
- produces light that trespasses beyond the property line.

17.120.190 Marijuana Establishments

A. Prior to the operation, expansion, or change of location of any Marijuana Establishment, a license must be obtained from the State of Colorado and from Pueblo County and a Zoning Compliance Review Marijuana must be obtained from the Pueblo County Planning and Development Department. For purposes of this Section, an approved Zoning Compliance Review Marijuana shall expire six (6) months from the date of approval unless an application for Licensure under Chapter 5.12 of the Pueblo County Code has been submitted. (Res. P&D 21-015, app. 3-25-2021)

B. Uses established pursuant to this Section shall at all times be in complete compliance with the terms and conditions of its Marijuana Establishment license for licenses issued by the State of Colorado and the Local Licensing Authority.

C. No Marijuana Establishment shall be allowed as a Home Occupation use.

D. Distances are measured from the closest boundary of the Licensed Premise Area to the closest wall of the prohibited use using a direct line, except as noted in Section 17.120.200 C., Section 17.120.210 C., Section 17.120.220 C., and Section 17.120.230 C. (Res. P&D 21-015, app. 3-25-2021)

E. No Marijuana Establishment or related accessory use shall be located in:

1. a building containing residential units,
2. a movable or mobile structure unless the structure is legally established. (Res. P&D 13-35, app. 10-21-2013) (Res. P&D 15-014, app. 4-13-2015) (Res. P&D 21-015, app. 3-25-2021)

F. Performance Standards

1. Odor. Cultivation operations or cultivation facilities located within a structure (term includes buildings, greenhouses, and hoop houses) in any zone district except A-1 or A-2, are required to be equipped with a ventilation system with carbon filters or other odor mitigation system, sufficient in type and capacity to eliminate or be capable of eradicating odor to the extent that no marijuana odor is discernable by a reasonable person standing outside of the licensed premises. Odor mitigation is not required if the licensed premises is 1,000 feet or more from any exterior wall of an existing residence or operating business. (Res. P&D 21-015, app. 3-25-2021)
2. Noise. Outside generators used for any kind of power supply shall be fully enclosed and have appropriate baffles, mufflers, and or other noise reduction systems to mitigate noise pollution.
3. Lighting. To prevent excessive lighting and to prevent glare on the public roadway, on other public ways and onto adjoining property, and to reduce atmospheric light pollution all structures (term includes buildings, greenhouses, and hoop houses) used for indoor cultivation with translucent panels/roofing shall have internal shielding (such as blackout curtains) to prevent glare and light trespass from the structure's wall and/or roof. At the time of zoning authorization for a building permit, proof of shielding shall be submitted to the Department of Planning and Development. (Res. P&D 21-015, app. 3-25-2021)
4. Fencing. All outdoor cultivations shall be properly fenced for security with a minimum seven (7) foot chain-link fence (6 foot of chain-link material with 1-foot security arm with barb wire or razor wire) or equivalent type of fencing for security excluding field fence, wood fence. (Res. P&D 16-067, app. 12-7-2016) (Res. P&D 18-025, 7-23-2018)

17.120.200 Medical Marijuana Center and Retail Marijuana Store

- A. Permitted Zone District. Medical Marijuana Center and Retail Marijuana Store are only permitted in the B-4, Community Business Zone District as a use-by-right if the Center or Store is located 250 feet or greater from any existing residence/mobile home; in the B-4, Community Business Zone District as a use-by-review if the Center or Store is located within 250 feet from any existing residence/mobile home; the B-1, Neighborhood Business Zone District as a use-by-review; R-5, Multiple-Residential and Office Zone District as use-by-review. (Res. P&D 21-015, app. 3-25-2021)
- B. Definition of Medical Marijuana Center and Retail Marijuana Store as defined in Section 17.04.040 (/planning-and-development/title-17-chapter-1704-general-provisions-and-definitions) Definitions.
- C. Location. No Medical Marijuana Center or Retail Marijuana Store shall be located within 1,000 feet of any existing public or private elementary, middle, junior high or high school or public library as measured from

property line of the school or public library to the wall of the Medical Marijuana Center or Retail Marijuana Store. (Res. P&D 17-038, app. 7-12-2017)

D. Location. No Medical Marijuana Center or Retail Marijuana Store shall be located within 250 feet of the following di:

1. Any existing church or religious institution in any district except the B-4 district,
2. Any existing licensed childcare facility,
3. Any existing alcohol or drug rehabilitation facility,
4. Any existing group home for the developmentally disabled, or
5. Any existing halfway house or correctional facility.

--Existing means existing and in operation at the time of the licensing of the Marijuana use.

6. An existing Licensed Medical Marijuana Center or Retail Marijuana Store is allowed to construct an addition onto the existing building and/or expand into an adjoining suite pursuant to the rules and regulations in affect at the time of construction or expansion of this Section or Chapter 5.12 of the Pueblo County Code. (Res. P&D 16-067, app. 12-7-2016)

17.120.210 Medical Marijuana-Infused Products Manufacturer and Retail Marijuana-Infused Products Manufacturer

A. Permitted Zone District. Medical Marijuana-Infused Products Manufacturer and Retail Marijuana-Infused Products Manufacturer are only permitted in the B-4, Community Business Zone District as a use-by-right; in the A-1/A-2, Agricultural Zone Districts within the premise of an existing Medical Marijuana Optional Premise Cultivation Operation or Retail Marijuana Cultivation Facility as a use-by-right with the MIP Manufacturer to be for the onsite Cultivation only, as a use-by-right; in the I-1/I-2, Industrial Zone Districts as a use-by-right; and in the I-3, Heavy Industrial Zone District as a use-by-right; No Open Blast Butane Extraction method is allowed in the A-1 and A-2 Zone District subject to the definitions set forth in this Title. (Res. P&D 17-008, app. 2-8-2017) (Res. P&D 21-015, app. 3-25-2021)

B. Definition of Medical Marijuana-Infused Products Manufacturer and Retail Marijuana-Infused Products Manufacturer shall be located within 1,000 feet of any existing public or private elementary, middle, junior high or high school or public library as measured from property line of the school or public library to the wall of the Medical Marijuana-Infused Products Manufacturer and Retail Marijuana-Infused Products Manufacturer. (Res. P&D 17-038, app. 7-12-2017)

C. Location. No Medical Marijuana-Infused Products Manufacturer and Retail Marijuana-Infused Products Manufacturer shall be located within 250 feet of the following, distance to be measured per 17.120.190 (D):

1. Any existing licensed childcare facility,
2. Any existing alcohol or drug rehabilitation facility,
3. Any existing group home for the developmentally disabled, or
4. Any existing halfway house or correctional facility.

--Existing means existing and in operation at the time of the licensing of the Marijuana use. (Res. P&D 13-35, app. 10-21-2013) (Res. P&D 15-014, app. 4-13-2015) (Res. P&D 21-015, app. 3-25-2021)

17.120.220 Medical Marijuana Contiguous Optional Premise Cultivation Operation and Retail Marijuana Contiguous Cultivation Facility

Medical Marijuana Contiguous Optional Premise Cultivation Operation and Retail Marijuana Contiguous Cultivation Facility shall only be allowed as a contiguous location of the licensed premises of the person's corresponding Medical Marijuana Center, Retail Marijuana Store or the person's Medical Marijuana-Infused Products Manufacturer or Retail Marijuana-Infused Products Manufacturer.

- A. Permitted Zone District. Medical Marijuana Contiguous Optional Premises Cultivation Operation and Retail Marijuana Contiguous Cultivation Facility are only permitted in the B-4, Community Business Zone District as a use-by-right; in the B-1, Neighborhood Business Zone District as a use-by-review; in the I-1/I-2, Industrial Zone Districts as a use-by-right; in the I-3, Heavy Industrial Zone District as a use-by-right; in the P-1 District as a use-by-right; and the R-5, Multiple-Residential and Office Zone District as a use-by-review, subject to the definitions set forth in this Title. (Res. P&D 21-015, app. 3-25-2021)
- B. Definition of Medical Marijuana Contiguous Optional Premises Cultivation Operation and Retail Marijuana Contiguous Cultivation Facility as defined in Section 17.04.040 (/planning-and-development/title-17-chapter-1704-general-provisions-and-definitions) Definitions.
- C. Location. No Medical Marijuana Contiguous Optional Premises Cultivation Operation and Retail Marijuana Contiguous Cultivation Facility shall be located within 1,000 feet of any existing public or private elementary, middle, junior high or high school or public library as measured from property line of the school or public library to the property line of an outdoor cultivation of the Medical Marijuana Contiguous Optional Premises Cultivation Operation and Retail Marijuana Contiguous Cultivation Facility. (Res. P&D 17-038, app. 7-12-2017) (Res. P&D 21-015, app. 3-25-2021)
- D. Location. No Medical Marijuana Contiguous Optional Premises Cultivation Operation and Retail Marijuana Contiguous Cultivation Facility shall be located within 500 feet of the following distance to be measured per 17.120.190 (D):
1. Any existing residence/mobile home in the following zone districts: A-1, A-2, A-3, A-4, R-A, R-1, R-2, R-3, R-4, R-7, R-8, P-1 and PUD where the principal use is residential,
 2. Any existing licensed childcare facility,
 3. Any existing alcohol or drug rehabilitation facility,
 4. Any existing group home for the developmentally disabled,
 5. Any existing halfway house or correctional facility.
- Existing means existing and in operation at the time of the licensing of the Marijuana use. (Res. P&D 21-015, app. 3-25-2021)

17.120.230 Medical Marijuana Non-Contiguous Optional Premises Cultivation Operation and Retail Marijuana Non-Contiguous Cultivation Facility

- A. Permitted Zone District. Medical Marijuana Non-Contiguous Optional Premises Cultivation Operation and Retail Marijuana Non-Contiguous Cultivation Facility are only permitted in the A-1/A-2, Agricultural Zone Districts as a use-by-right; in the I-1/I-2, Industrial Zone Districts as a use-by-right; in the I-3, Heavy Industrial Zone

District, as a use-by-right; and in the P-1 District as a use-by-right subject to the definitions set forth in this Title. (Res. P&D 21-015, app. 3-25-2021)

- B. Definition of Medical Marijuana Non-Contiguous Optional Premises Cultivation Operation and Retail Marijuana Non-Contiguous Cultivation Facility as defined in Section 17.04.040 (/planning-and-development/title-17-chapter-1704-general-provisions-and-definitions) Definitions.
- C. Location. No Medical Marijuana Non-Contiguous Optional Premises Cultivation Operation or Retail Marijuana Non-Contiguous Cultivation Facility shall be located within 1,000 feet of any existing public or private elementary, middle, junior high or high school or public library as measured from property line of the school or public library to the property line of an outdoor cultivation of the Medical Marijuana Non-Contiguous Optional Premises Cultivation Operation or Retail Marijuana Non-Contiguous Cultivation Facility. (Res. P&D 17-038, app. 7-12-2017) (Res. P&D 21-015, app. 3-25-2021)
- D. Location. No medical marijuana non-contiguous optional premises cultivation operation and retail marijuana non-contiguous cultivation facility shall be located within 500 feet of the following distance to be measured per 17.120.190 (D):
1. Any existing residence/mobile home in the following zone districts: A-1, A-2, A-3, A-4, R-A, R-1, R-2, R-3, R-4, R-7, R-8, P-1 and PUD where the principal use is residential,
 2. Any existing licensed childcare facility,
 3. Any existing alcohol or drug rehabilitation facility,
 4. Any existing group home for the developmentally disabled,
 5. Any existing halfway house or correctional facility.

--Existing means existing and in operation at the time of the licensing of the Marijuana use. (Res. P&D 21-015, app. 3-25-2021)

17.120.235 Outdoor Medical Marijuana Cultivation Facility and or Outdoor Retail Marijuana Cultivation Facility

- A. Permitted Zone District. Outdoor Medical Marijuana Cultivation Facility and or Outdoor Retail Marijuana Cultivation Facility are permitted in the A-1/A-2, Agricultural Zone District on minimum 5-acre parcels and may not expand to adjoining parcels unless combined into a singular parcel.
- B. Existing non-conforming Outdoor Medical Marijuana Cultivation Facility and Outdoor Retail Marijuana Cultivation Facility may expand pursuant to compliance with Location as required by 17.120.230D.
- C. Definition of Outdoor Medical Marijuana Cultivation Facility and Outdoor Retail Marijuana Cultivation Facility as defined in Section 17.04.040 Definitions.
- D. Location. No Outdoor Medical Marijuana Cultivation Facility and or Outdoor Retail Marijuana Cultivation Facility shall be located within 1,000 feet of any existing public or private elementary, middle, junior high or high school or public library as measured from property line of the school or public library to the property line of the Outdoor Medical Marijuana Cultivation Facility and or Outdoor Retail Marijuana Cultivation Facility.
- E. Location. No Outdoor Medical Marijuana Cultivation Facility and or Outdoor Retail Marijuana Cultivation Facility shall be located within 500 feet of the following distance to be measured per 17.120.190 (D):
1. Any existing residence/mobile home in the following zone districts: A-1, A-2, A-3, A-4, R-A, R-1, R-2, R-3, R-4, R-7, R-8, P-1 and PUD where the principal use is residential,
 2. Any existing church or religious institution in any district,

3. Any existing licensed childcare facility,
4. Any existing alcohol or drug rehabilitation facility,
5. Any existing group home for the developmentally disabled,
6. Any existing halfway house or correctional facility.

--Existing means existing and in operation at the time of the licensing of the Marijuana use. (Res. P&D 21-015, app. 3-25-2021)

17.120.240 Medical Marijuana Testing Facility and Retail Marijuana Testing Facility

- A. Permitted Zone District. Medical Marijuana Testing Facility and Retail Marijuana Testing Facility are only permitted in the I-1/I-2 Industrial Zone Districts as a use-by-right; I-3, Heavy Industrial Zone District as a use-by-right; B-4 Community Business Zone District as a use-by-right, subject to the definitions set forth in this Title. (P&D 21-015, app. 3-25-2021)
- B. Definitions of Medical Marijuana Testing Facility and Retail Marijuana Testing Facility as defined in Section 17.04.040 ([/planning-and-development/title-17-chapter-1704-general-provisions-and-definitions](#)), Definitions. (Res. P&D 13-35, app. 10-21-2013) (Res. P&D 17-033, app. 6-14-2017)

17.120.245 Medical Marijuana Transporter and Retail Marijuana Transporter

A. Permitted Zone District. Medical Marijuana Transporters and Retail Marijuana Transporters are only permitted in the B-4, Community Business Zone District as a use-by-right; in the I-1/I-2, Industrial Zone Districts as a use-by-right; I-3, Heavy Industrial Zone District as a use-by-right, subject to the definitions set forth in this Title. (P&D 21-015, app. 3-25-2021)

B. Definition of Medical Marijuana Transporter and Retail Marijuana Transporter as defined in Section 17.04.040 ([/planning-and-development/title-17-chapter-1704-general-provisions-and-definitions](#)) Definitions.

C. Location. No Medical Marijuana Transporter and Retail Marijuana Transporter shall be located within 1,000 feet of any existing public or private elementary, middle, junior high or high school or public library as measured from property line of the school or public library to the wall of the Medical Marijuana Transporter and Retail Marijuana Transporter. (Res. P&D 17-038, app. 7-12-2017)

D. Location. No Medical Marijuana Transporter and Retail Marijuana Transporter shall be located within 250 feet of the following:

1. Any existing licensed childcare facility,
2. Any existing alcohol or drug rehabilitation facility,
3. Any existing group home for the developmentally disabled, or
4. Any existing halfway house or correctional facility.

--Existing means existing and in operation at the time of the licensing of the Marijuana use. (Res. P&D 17-032, app. 6-14-2017)

17.120.250 Prohibited Uses

Except as are expressly permitted under the terms of this Title 17, Medical Marijuana Centers, Medical Marijuana-Infused Products Manufacturer, Medical Marijuana Optional Premises Cultivation Operations, Retail Marijuana Stores, Retail Marijuana Cultivation Facilities, Retail Marijuana-Infused Products Manufacturers, Retail Marijuana Testing Facilities, and Storage Warehouses, as well as any other activity involved in the cultivation, testing and distribution or sale of marijuana or marijuana infused products, are expressly prohibited as land uses in Pueblo County. (Res. P&D 13-35, app. 10-21-2013)

17.120.260 Telecommunication Tower(s)

1) INTENT

The intent of this subsection is to provide a set of performance standards governing the establishment of telecommunication tower(s) including, but not limited to, the submission requirements for both new towers and co-location requests within those zone districts where the same is expressly permitted in accordance with the rules and regulations as outlined in the Pueblo County Code.

2) DEFINITION. As noted in Section 17.04.040.

3) PERFORMANCE STANDARDS

(a) **ALLOWABLE USES:** A telecommunication tower(s) shall be permitted as a use-by-review in all Agricultural and Industrial Zone Districts.

To the extent feasible, the use of “stealth technology” should be used as the best method to mitigate and/or camouflage visual impacts. Stealth technology consists of, but is not limited to, the use of grain bins, silos or elevators, church steeples, water towers, clock towers, bell towers, false penthouses or other similar “mimic” structures. Such “mimic” structures shall have a contextual relationship to the adjacent area.

(b) **MINIMUM AREA:** The minimum lot area of any parcel of land proposed for the establishment of a telecommunication tower(s) shall be at least one-half (½) acre (21,780 square feet) in size. There shall be no minimum size requirements for the leased parcel.

(c) **SETBACKS:** All telecommunication tower(s) shall be setback, at a minimum, the overall height of the tower from any property line. All measurements shall be from the leading edge of the tower structure. Setbacks for guyed wire bases will be the same as required for an accessory structure in the zone district in which the tower is located.

There shall be no minimum setback standard for related accessory buildings and support facilities provided the construction/placement of said buildings and support facilities are contained within the designated fenced leased parcel.

(d) **HEIGHT LIMITATIONS:** The height of any telecommunication tower(s) shall be governed by the building height limit as imposed in each of the respective Agricultural and Industrial Zone District classifications.

(e) **LIGHTING:** Any telecommunication tower(s) that is proposed to be established with an overall height of 150 feet or greater shall be required to file with the Federal Aviation Administration Form 7460-1 *Notice of Proposed Construction or Alteration* for the proposed tower.

Lighting of telecommunication tower(s) shall only be permitted as required by the Federal Aviation Administration and shall be governed by the *Federal Aviation Administration Obstruction Marking & Lighting Advisory Circular (AC 70-7460-1K)*.

(f) FENCING: The boundary of the leased parcel surrounding the telecommunication tower(s) and its related accessory buildings and support facilities shall be fenced with a minimum 6-foot security-type fencing.

(g) USE OF EXISTING FACILITIES/CO-LOCATION AVAILABILITY: In an attempt to minimize the proliferation of telecommunication towers throughout Pueblo County, all possibilities of co-location on existing facilities (within a 3 mile radius) must be exhausted prior to the submission of an application for the establishment of new telecommunication tower(s).

In addition, subject to review and analyses, all telecommunication tower(s) established within Pueblo County shall be constructed and made available as to permit co-location of, at minimum, 2 additional, functionally equivalent service providers.

(h) OTHER APPLICABLE REGULATIONS: All telecommunication tower(s) must meet or exceed current standards and regulations of the Federal Aviation Administration, the Federal Communications Commission, and/or any other agency of State or Federal government with the authority to regulate towers and antennas.

(i) SUBMITTAL REQUIREMENTS: Applications for the construction of any new telecommunication tower(s) shall be by special use permit. The co-location or installation of additional antennas/dish receivers, transmitting equipment and/or related accessory buildings and support facilities for other service providers on existing facilities shall be by zoning compliance review.

The forms and associated submittal checklists for the previously mentioned applications will be provided by the Department of Planning and Development and assessed an application fee as adopted by the Pueblo Board of County Commissioners by resolution. (Res. P&D 13-37, app.11-13-2015)

17.120.270 Special Event

A. Purpose and Intent

This Section is applicable to all zone districts in the unincorporated area of Pueblo County. The purpose and intent of this Section is to provide for the temporary use of land for Special Events by establishing requirements and regulations.

B. Definition, Applicability

1. A Special Event is defined as a temporary commercial, promotional, or festive activity, at a specific location that is open to the public and is planned for or expected to attract a large assembly of persons.
2. A Special Event Permit is not required for the following:
 - o Parades
 - o Wedding and funeral ceremonies
 - o Events or gatherings that attract or are intended to attract less than 500 people
 - o Election activities and political rallies

- Farming and harvest related events (e.g., corn mazes, pumpkin patches and similar) which are held on a working farm
3. Special Events that are not exempted under Subsection 17.120.270, B.2. shall require review and approval of a Special Event Permit per Subsections 17.120.270, C through I.

C. Special Event Permit Application Requirements

1. An application for a Special Event shall be filed with the Pueblo County Department of Planning and Development, including an application form provided by the Pueblo County Department of Planning and Development. The application shall include and address the following:
 - a. A detailed site plan showing all information necessary to demonstrate the Special Event will comply with all applicable codes and regulations. The site plan shall be drawn to scale and shall depict all infrastructure and existing uses on the Special Event property (and any adjacent property to be used for parking or camping), and depict location of rest rooms, trash receptacles, tents, stages and staging areas, spectator areas, seating, vendor areas, entrances/exits, use of public right-of-way, fencing, screening and buffering, camping areas, parking areas.
 - b. Information detailing all activities to be conducted at the Special Event.
 - c. Specific dates and times the Special Event will be held.
 - d. Estimated attendance, including total attendance and peak time attendance.
 - e. Number of employees and staff.
 - f. Number and type of vendors.
 - g. Noise levels and noise mitigation measures. For events with bands/music, application shall specify times music will end.
 - h. Lighting of Special Event site, including types, areas, and hours site will be illuminated.
 - i. Electrical source(s), with details of proposed safety measures for electrical cords, cables, generators, and the like.
 - j. Traffic control and parking. Include traffic control measures and details of parking areas and adequacy of parking for the Special Event.
 - k. Use of County Roads and/or State Highways, including access to the Special Event, as well as details of any road restrictions and closures, with documentation of approval of any necessary permitting or requirements from the Pueblo County Department of Public Works and/or the Colorado Department of Transportation (CDOT).
 - l. Dust control.
 - m. Waste disposal, including solid waste and wastewater, with documentation of Pueblo Department of Public Health and Environment approval for waste disposal.
 - n. Food preparation and sales, with documentation of Pueblo Department of Public Health and Environment approval for food preparation.
 - o. Alcohol sales and documentation of licensing approval for any alcohol sales.
 - p. Proposed signage, including size, type, height, and location of any signs or banners.
 - q. Proof of insurance.
 - r. A cleanup/site restoration plan for the Special Event site.

- s. Security/law enforcement. Include type and level of security from private security provider, as well as documentation from any applicable law enforcement agency, showing that agency has reviewed and is in agreement with proposed security and law enforcement measures to be in place for the Special Event. Applicant shall address proposed law enforcement and security measures proposed for the Special Event, as well as for any associated camp sites, access and pedestrian areas, and parking areas. Applicant shall address security measures for controlling access and trespass by Special Event attendees onto driveways and property in the vicinity of the Special Event.
- t. Fire protection and hazardous materials. Provide documentation from applicable fire protection district, showing that the fire district has reviewed and is in agreement with proposed plans for fire protection, hazardous materials, medical service, emergency evacuation of Special Event area, and that the crowd capacity and projected attendance meets the district's standards for the Special Event area and facilities.
- u. Copy of deed, lease, and written letter of authorization from property owner (if applicant is not property owner) showing permission for use of the Special Event premises including the Special Event site and any adjacent properties used for parking or camping.
- v. Letter(s) of consent from property owner(s) on whose property any off-premises directional signs will be located.
- w. A mailing list of property owners and map (e.g., Assessor's property owner list and map) providing documentation of Special Event notice mailing to all property owners within 300 feet of the property boundary of the Special Event site (per Section 17.120.270 E. f.). (Res. No. P&D 18-031, 9-18-2018)
- x. The applicant shall furnish the County with any additional information that may be necessary to adequately review and make a decision.
- y. Application materials shall be submitted in .pdf format.
- z. An application fee of \$150.00

D. Process

1. Applications shall be submitted no less than seventy-five (75) days, nor more than 12 months prior to the Special Event. Upon receipt of a complete application, the Pueblo County Department of Planning and Development will route the application to applicable review agencies or individuals for comment and recommendations.
2. After review of all required information and comments, and documentation, the Planning Director shall approve, conditionally approve, or deny the application. Approval shall be given only when in the judgment of the Planning Director such approval is in compliance with any applicable regulations. (Res. No. P&D 18-031, 9-18-2018)
3. The Planning Director shall make a decision (approval, approval with conditions, denial) no less than thirty (30) days prior to the beginning of the scheduled Special Event.

E. Minimum Special Event Standards and Criteria for Review

1. The Planning Director shall approve a Special Event Permit application if it meets the following standards and criteria:

- a. The Special Event site location shall be on property which can accommodate the proposed Special Event with regard to land area, attendance, and existing and proposed infrastructure and facilities. Parking and camping may be on neighboring property, and may be separated by a roadway. The Planning Director shall determine whether a proposed Special Event site can accommodate the Special Event, given the Special Event nature, size, and duration.
 - b. The operation of the requested event at the location proposed and within the time period specified shall not create significant adverse impacts, including but not limited to environmental, visual, glare, traffic, noise, or odor impacts, on adjacent properties or in the surrounding area.
 - c. A Special Event shall be separated and fenced off from any adjoining property by a minimum distance of twenty (20) feet. Fencing and signs shall be installed to prevent access and trespass onto properties that adjoin or are near the Special Event properties.
 - d. The proposed Special Event shall not create an unreasonable risk of:
 - i. Significant damage to public or private property, beyond normal wear and tear;
 - ii. Injury to persons;
 - iii. Public or private disturbances or nuisances;
 - iv. Unsafe impediments or distractions to, or congestion of, vehicular or pedestrian travel;
 - v. Additional police, fire, maintenance, or other public services demands, unless substantially mitigated by the applicant or operator.
 - e. The applicant has received or complies with any other required permits, such as liquor licensing, Health Department permits, Public Works permits, Pueblo Regional Building Department permits, any necessary law enforcement or fire department standards or permits, or other federal, state or local regulations.
 - f. The applicant has properly notified all property owners within 300 feet of the property boundary of the Special Event site. With submittal of the application for the Special Event, the applicant shall provide the Department of Planning and Development with a mailing list of property owners and map (e.g., Assessor's property list and map) verifying that notice of the Special Event was provided to all property owners within 300 feet of the property boundary of the Special Event site. Applicant shall also provide a copy of the notice that was mailed to the property owners. (Res. No. P&D 18-031, 9-18-2018)
2. The Planning Director may impose reasonable conditions necessary to assure compliance with the standards in this Section, to ensure that operation and maintenance of the special event mitigate potential adverse impacts on existing uses on adjoining properties and in the surrounding area, and to protect the public health, safety and general welfare. Conditions may address, but are not limited to, provisions for adequate parking, storage, and lighting; provisions for security, traffic safety, fire and life safety; conditions limiting hours of operation; provisions for adequate sewage disposal; provisions for site cleanup and restoration; and any other health and safety concerns the Planning Director may deem necessary.

F. Term of Approval/Permit

1. A Special Event shall be limited to a maximum of three (3) consecutive days, unless otherwise specifically authorized or extended by the Planning Director. A permittee may request an extension beyond the three (3) days, up to a maximum of seven (7) consecutive days. The Planning Director may authorize an extension if the

Planning Director finds the extension will not create adverse impacts on adjacent properties. Any request for an extension shall be submitted in writing with a Special Event Permit application.

2. Within any single calendar year, the same property may host no more than three (3) Special Events that require a Special Event Permit pursuant to this Section. A minimum of fourteen (14) days shall lapse between Special Events on any one property.

G. Signs for Special Events

1. Temporary signs to promote or identify an approved Special Event are not subject to a separate permitting requirement, but are subject to the following restrictions:
 - a. All signs advertising the Special Event (Special Event Signs) must be located on the property that is the site of the Special Event. Off-premises directional signs may be permitted, with approval of the Planning Director, with a maximum size of 10 square feet and a maximum height of 2½ feet. Directional signs shall not be located in a public right-of-way and shall not impede traffic visibility. Off-premises directional signs shall include a letter of consent from the property owner on whose property the directional sign will be located.
 - b. The maximum size of a Special Event Sign size is 32 square feet, with a maximum height of 12 feet.
 - c. Each approved Special Event is limited to one Special Event Sign per street frontage of the property that is the site of the Special Event.
 - d. Banners are permitted, in addition to Special Event Signs. Sponsorship and product advertising banners, vendor banners, and the like are permitted within the interior boundaries of the Special Event, provided the banners do not impede traffic visibility, and comply with the requirements within Section 17.120.270 G. 1. e. and f.
 - e. Signs and banners may not be attached to utility structures, street signs, traffic control devices, or be located in a public right-of-way.
 - f. All signs and banners must be removed from the site within 24 hours of the end of the approved Special Event.

H. Enforcement

1. Inspections: County staff may enter and inspect the Special Event site from time to time to ensure compliance with the Special Event Permit conditions.
2. Permit Available: The Special Event Permit approval letter issued by the Pueblo County Department of Planning and Development must be available for inspection at the Special Event site at all times during the event.
3. The Pueblo County Planning Director may suspend or revoke a Special Event Permit for violation of this Section or any other applicable law, rule or regulation, for violation of the Permit conditions, or for any misrepresentation by the applicant, his agents, or employees under contract with the applicant.

I. Appeals

1. Any decision by the Planning Director to either grant or deny a Special Event Permit must be appealed to the Board of County Commissioners. The County must receive the appeal within five (5) calendar days following the Planning Director's decision. The appeal must be in writing and must state specifically why the Planning Director's decision is incorrect or inconsistent with the provisions, intent, or purpose of this Section. If no

appeal is filed within five (5) calendar days after the Planning Director's decision, the Planning Director's decision shall be considered final.

2. The Board of County Commissioners will consider the appeal in an open meeting. The Board may overturn or modify the Planning Director's decision if the Board determines the Planning Director's decision is incorrect or inconsistent with the provisions, intent, or purpose of this Section.
3. The Board of County Commissioners' decision shall be final and shall become effective immediately. Notice of the decision shall be mailed to the applicant at the address shown on the Special Event Permit application.
(Res. P&D 14-12, app. 4-28-2014)

17.120.280 Hemp Establishments

A. Prior to the operation of any Hemp Establishment, a Commercial Industrial Hemp Permit or Research and Development Permit shall be obtained from the State of Colorado Department of Agriculture. Said Permit shall be submitted to the Pueblo County Department of Planning and Development as part of the Zoning Compliance Review Hemp application.

B. Prior to the operation of any Hemp Establishment, proof of processing either on-site or the name of the processing company shall be submitted to the Pueblo County Department of Planning and Development as part of the Zoning Compliance Review Hemp application.

C. Prior to the operation of any Hemp Establishment, a Zoning Compliance Review Hemp application shall be submitted for review by the Pueblo County Department of Planning and Development and only upon approval shall the operation be permitted.

D. Uses established pursuant to this Section shall at all times be in complete compliance with the terms and conditions of its Hemp Establishment permit for Permits issued by the State of Colorado Department of Agriculture and Pueblo County.

E. No Hemp Establishment shall be allowed as a Home Occupation use.

F. Distances are measured from the property line upon which the Hemp Establishment is located using a direct line. If part of a larger parcel of land as described as one property by legal description in a recorded deed upon which several Hemp Establishments are to be located, the distances are measured from the fence line of each Hemp Establishment or if no fences, from the outside boundary of the grow area or from the greenhouse and/or building in which the Hemp Establishment is located.

G. Except as provided in subsection H. below, no Hemp Establishment shall be located within five (5) miles of any Marijuana Establishment as measured from property line of the school to the property line of the Hemp Establishment using a direct line.

H. The restriction in subsection G shall not apply to: 1) any Hemp Establishment that contains only plants that are confirmed female and documentation of female only plants shall be submitted to the Pueblo County Department of Planning and Development; or 2) any Hemp Establishment who submits a waiver of the distance requirement that is signed by all Marijuana Establishments within the five (5) mile radius; or 3) any Hemp Establishment where hemp plants are grown or processed entirely within an enclosed building, other than a greenhouse, which is equipped with a proper filtration system and where documented clothing/footwear

preventative measures (i.e., clean room mat) are taken to prevent escape of pollen/seed/or other product that might be detrimental to a hemp and/or marijuana crop; or 4) a location where the Pueblo County Department of Planning and Development previously approved a Zoning Compliance Review Hemp application and a permitted Hemp Establishment has existed in continuous operation since the time of original permitting.

I. No Hemp Establishment shall be located within 1,000 feet of any existing public or private elementary, middle, junior high or high school as measured from property line of the school to the property line of the Hemp Establishment using a direct line.

J. No Hemp Establishment shall be located in:

1. a building containing residential units,
2. a movable or mobile structure.

K. Permitted Zone District. Hemp Establishment is only permitted in the A-1/A-2, Agricultural Zone Districts in a greenhouse, building, or outside farming as a use-by-right; in the I-1/I-2/I-3 Industrial Zone Districts in a greenhouse or building as a use-by-right. (Res. P&D 16-014, app. 2-10-2016)

L. Any transporting of Industrial Hemp shall be accompanied by a copy of the Department of Agriculture Hemp Permit.

M. Quarterly and year end harvest data shall be provided to Pueblo County Department of Planning and Development. (Res P&D 19-043, 10-10-2019, amended G. - M.)

N. Pueblo County Department of Planning and Development has the right to inspect the Hemp Establishment and request paperwork from the Department of Agriculture. Other Governmental Agencies whether State or Local, such as Colorado Division of Water Resources, Pueblo Regional Building Department, Pueblo Department of Public Health and Environment, have the right to inspect the Hemp Establishment for compliance with their respective regulations. (Res. P&D 15-013, app. 3-18-2015)

[Printer-friendly version \(/book/export/html/412\)](#)

Book traversal links for Chapter 17.120 SUPPLEMENTARY REGULATIONS

- [Chapter 17.12 AGRICULTURAL ONE \(A-1\) AND TWO \(A-2\) DISTRICTS \(/planning-and-development/chapter-1712-agricultural-one-1-and-two-2-districts\)](#)
- [Up \(/planning-and-development/title-17-division-i-zoning\)](#)
- [Chapter 17.124 NONCONFORMING USES, PARCELS AND STRUCTURES \(/planning-and-development/chapter-17124-nonconforming-uses-parcels-and-structures\)](#)

RELATED PAGES

[Resolutions, Minutes, and Agendas \(/board-county-commissioners/resolutions-minutes-and-agendas\)](/board-county-commissioners/resolutions-minutes-and-agendas)

[Title 01 - General Provisions \(/county-attorney/title-01-general-provisions\)](/county-attorney/title-01-general-provisions)

[Title 02 - Administration \(/county-attorney/title-02-administration\)](/county-attorney/title-02-administration)

[Title 04 - Revenue and Finance \(/county-attorney/title-04-revenue-and-finance\)](/county-attorney/title-04-revenue-and-finance)

[Title 05 - Business Licenses and Regulations \(/county-attorney/title-05-business-licenses-and-regulations\)](/county-attorney/title-05-business-licenses-and-regulations)

[Title 06 - Animal Control \(/county-attorney/title-06-animal-control\)](/county-attorney/title-06-animal-control)

[Title 08 - Health and Safety \(/county-attorney/title-08-health-and-safety\)](/county-attorney/title-08-health-and-safety)

[Title 09 - Public Peace And Welfare \(/county-attorney/title-09-public-peace-and-welfare\)](/county-attorney/title-09-public-peace-and-welfare)

[Title 10 - Vehicles And Traffic \(/county-attorney/title-10-vehicles-and-traffic\)](/county-attorney/title-10-vehicles-and-traffic)

[Title 12 - Roads, Bridges and Public Places \(/county-attorney/title-12-roads-bridges-and-public-places\)](/county-attorney/title-12-roads-bridges-and-public-places)

[Title 15 - Buildings and Construction \(/county-attorney/title-15-buildings-and-construction\)](/county-attorney/title-15-buildings-and-construction)

[Title 16 - Subdivisions \(/planning-and-development-department/title-16-subdivisions\)](/planning-and-development-department/title-16-subdivisions)

[Title 17 - Land Use \(/planning-and-development/title-17-land-use\)](/planning-and-development/title-17-land-use)

[Title 17 - Division I. Zoning \(/planning-and-development/title-17-division-i-zoning\)](/planning-and-development/title-17-division-i-zoning)

[Chapter 17.04 GENERAL PROVISIONS AND DEFINITIONS \(/planning-and-development/chapter-1704-general-provisions-and-definitions\)](/planning-and-development/chapter-1704-general-provisions-and-definitions)

[Chapter 17.08 ZONE DISTRICT MAPS \(/planning-and-development/chapter-1708-zone-district-maps\)](/planning-and-development/chapter-1708-zone-district-maps)

[Chapter 17.100 CONDITIONAL ZONE \(C-1\) \(INTENT TO REZONE\) \(/planning-and-development/chapter-17100-conditional-zone-c-1-intent-rezone\)](/planning-and-development/chapter-17100-conditional-zone-c-1-intent-to-rezone)

[Chapter 17.104 RURAL LAND USE PROCESS \(/planning-and-development/chapter-17104-rural-land-use-process\)](/planning-and-development/chapter-17104-rural-land-use-process)

[Chapter 17.105 MINERAL RESOURCE EXTRACTION REGULATIONS \(/planning-and-development/chapter-17105-mineral-resource-extraction-regulations\)](/planning-and-development/chapter-17105-mineral-resource-extraction-regulations)

[Chapter 17.108 FLOOD HAZARD AREA REGULATIONS \(/planning-and-development/chapter-17108-flood-hazard-area-regulations\)](/planning-and-development/chapter-17108-flood-hazard-area-regulations)

[Chapter 17.112 OFF-STREET PARKING AND LOADING STANDARDS \(/planning-and-development/chapter-17112-street-parking-and-loading-standards\)](/planning-and-development/chapter-17112-street-parking-and-loading-standards)

[Chapter 17.116 ADVERTISING DEVICES AND SIGNS \(/planning-and-development/chapter-17116-advertising-devices-and-signs\)](/planning-and-development/chapter-17116-advertising-devices-and-signs)

[Chapter 17.119 MARIJUANA HOME GROW \(NON-LICENSED GROW\) \(/planning-and-development/chapter-17119-marijuana-home-grow-non-licensed-grow\)](/planning-and-development/chapter-17119-marijuana-home-grow-non-licensed-grow)

[Chapter 17.12 AGRICULTURAL ONE \(A-1\) AND TWO \(A-2\) DISTRICTS \(/planning-and-development/chapter-1712-agricultural-one-1-and-two-2-districts\)](/planning-and-development/chapter-1712-agricultural-one-1-and-two-2-districts)

[Chapter 17.120 SUPPLEMENTARY REGULATIONS \(/planning-and-development-department/chapter-17120-supplementary-regulations\)](/planning-and-development-department/chapter-17120-supplementary-regulations)

[Chapter 17.124 NONCONFORMING USES, PARCELS AND STRUCTURES \(/planning-and-development/chapter-17124-nonconforming-uses-parcels-and-structures\)](/planning-and-development/chapter-17124-nonconforming-uses-parcels-and-structures)

Chapter 17.126 PLANNED UNIT DEVELOPMENT DISTRICT (PUD) (/planning-and-development/chapter-17126-planned-unit-development-district-pud)

Chapter 17.128 VESTED PROPERTY RIGHTS (/planning-and-development/chapter-17128-vested-property-rights)

Chapter 17.132 FEE SCHEDULES (/planning-and-development/chapter-17132-fee-schedules)

Chapter 17.136 ADMINISTRATION AND ENFORCEMENT (/planning-and-development-department/chapter-17136-administration-and-enforcement)

Chapter 17.140 APPEALS (/planning-and-development/chapter-17140-appeals)

Chapter 17.144 AMENDMENTS (/planning-and-development/chapter-17144-amendments)

Chapter 17.16 AGRICULTURAL THREE (A-3) AND FOUR (A-4) DISTRICTS (/planning-and-development/chapter-1716-agricultural-three-3-and-four-4-districts)

Chapter 17.20 RESIDENTIAL-AGRICULTURAL (R-A) DISTRICT (/planning-and-development/chapter-1720-residential-agricultural-r-district)

Chapter 17.24 SINGLE-FAMILY RESIDENTIAL DISTRICT (R-1) (/planning-and-development/chapter-1724-single-family-residential-district-r-1)

Chapter 17.28 SINGLE-FAMILY RESIDENTIAL DISTRICT (R-2) (/planning-and-development/chapter-1728-single-family-residential-district-r-2)

Chapter 17.32 SINGLE-FAMILY RESIDENTIAL DISTRICT (R-3) (/planning-and-development-department/chapter-1732-single-family-residential-district-r-3)

Chapter 17.36 MIXED RESIDENTIAL DISTRICT (R-4) (/planning-and-development-department/chapter-1736-mixed-residential-district-r-4)

Chapter 17.40 MULTIPLE-RESIDENTIAL AND OFFICE DISTRICT (R-5) (/planning-and-development-department/chapter-1740-multiple-residential-and-office-district-r-5)

Chapter 17.44 MULTIPLE-RESIDENTIAL AND COMMERCIAL DISTRICT (/planning-and-development/chapter-1744-multiple-residential-and-commercial-district)

Chapter 17.48 MOBILE HOME PARK DISTRICT (R-7) (/planning-and-development/chapter-1748-mobile-home-park-district-r-7)

Chapter 17.52 MOBILE HOME SUBDIVISION DISTRICT (R-8) (/planning-and-development/chapter-1752-mobile-home-subdivision-district-r-8)

Chapter 17.56 NEIGHBORHOOD OFFICE DISTRICT (O-1) (/planning-and-development/chapter-1756-neighborhood-office-district-o-1)

Chapter 17.60 NEIGHBORHOOD BUSINESS DISTRICT (B-1) (/planning-and-development/chapter-1760-neighborhood-business-district-b-1)

Chapter 17.64 COMMUNITY BUSINESS DISTRICT (B-4) (/planning-and-development/chapter-1764-community-business-district-b-4)

Chapter 17.68 SPECIAL INDUSTRIAL DISTRICT (I-1) (/planning-and-development/chapter-1768-special-industrial-district-i-1)

Chapter 17.72 LIGHT INDUSTRIAL DISTRICT (I-2) (/planning-and-development/chapter-1772-light-industrial-district-i-2)

Chapter 17.76 HEAVY INDUSTRIAL DISTRICT (I-3) (/planning-and-development/chapter-1776-heavy-industrial-district-i-3)

Chapter 17.80 HAZARDOUS WASTE INDUSTRIAL OVERLAY DISTRICT (I-4) (/planning-and-development/chapter-1780-hazardous-waste-industrial-overlay-district-i-4)

Chapter 17.84 PUBLIC USE DISTRICT (S-1) (/planning-and-development/chapter-1784-public-use-district-s-1)

Chapter 17.88 AIRPORT DISTRICT (S-2) (/planning-and-development/chapter-1788-airport-district-s-2)

[Chapter 17.90 PUEBLOPLEX ZONING DISTRICT \(P-1\)](#) (/planning-and-development/chapter-1790-puebloplex-zoning-district-p-1)

[Chapter 17.92 FLOODPLAIN DISTRICT \(S-3\)](#) (/planning-and-development/chapter-1792-floodplain-district-s-3)

[Chapter 17.96 PARKING DISTRICT \(S-4\)](#) (/planning-and-development/chapter-1796-parking-district-s-4)

[Title 17 - Division II. Areas and Activities of State and Local Interest](#) (/planning-and-development/title-17-division-ii-areas-and-activities-state-and-local-interest)

[Title 17 - Division III. Hazardous Waste Incinerator or Processor Site Certificate of Designation](#) (/planning-and-development-department/title-17-division-iii-hazardous-waste-incinerator-or-processor)

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