

**DIVISION 10. ZONE DISTRICT REGULATIONS FOR THE I - INDUSTRIAL DISTRICT.****Section 14-66. Uses permitted by right.**

- (1) Any kind of scientific research, manufacturing, compounding, storage of products or raw materials, fabrication, assembling, processing or treatment of products, distribution centers, food and beverage processing or other similar types of use. All uses by right are subject to the industrial performance standards as set forth in Section 14-71.
- (2) Builders' supply yards, sale of cement and concrete products, and lumber yards.
- (3) Accessory buildings and uses, including off-street parking facilities customarily incident to the uses permitted by this district.
- (4) All uses permitted in the CC - Community Commercial District, except residential uses.

**Section 14-67. Conditional uses.**

- (1) The following conditional uses may be permitted within the Industrial District:
  - (a) Electric substations and gas regulator stations.
  - (b) Fire stations, police stations and telephone exchanges.
  - (c) Water reservoirs, water storage tanks, water pumping stations and sewer lift stations.
  - (d) Dwelling unit, provided a use permitted by right is taking place therein.
- (2) For each instance, the Commission shall be provided with site development plans showing the proposed development or use and its relationship to adjacent properties. The site development shall show existing contours of the site at two foot (2') intervals, the location of improvements on the site, the height and bulk of proposed structures, description and placement of screening or screen planting, availability of utilities if applicable, and a statement of the time-sequence of development and environmental impact on properties in the immediate vicinity.
- (3) The Commission may, in addition prescribe any additional conditions regarding intensity or limitation of use, appearance, hours of operation, setbacks or required open space or other such conditions which may be deemed necessary by the Commission.

**Section 14-68. Uses by special permit.<sup>1</sup>**

(1) A special permit may be issued for any of the following uses:

(a) Junk yards, provided the entire land area occupied by the use is enclosed by an eight foot (8') fence.

(b) Storage of gasoline and petroleum products of more than four thousand (4,000) gallons above grade.

(c) Construction and operation of a transfer station, which is defined as a facility at which refuse, awaiting transportation to a disposal site, is transferred from one type of containerized collection receptacle into another or is processed for compaction. Transfer stations must comply with the following requirements: (Ord. 1544, 12/28/96.)

(I) Only residential and commercial waste shall be accepted at transfer stations. Wastes such as medical waste, asbestos waste, and contaminated soil are special wastes, and shall not be accepted at transfer stations unless the transfer station is specifically designed and approved for the special waste. Special wastes require special handling and must be disposed at approval solid waste disposal sites and facilities approved for the specific waste stream. "Hazardous waste" as defined in 6 CCR 1007-3 §261.3 shall not be accepted at transfer stations.(Ord. 1544, 12/28/96.)

(II) Transfer station shall comply with the health laws, standards, rules, and regulations of the Colorado Department of Public Health and Environment, the storm water rules of the Colorado Water Quality Control Commission, and all applicable local laws, ordinances and regulations.(Ord. 1544, 12/28/96.)

(III) No special use permit for a transfer station shall be approved until an operating plan has been developed and submitted to the City which contains at a minimum the following:(Ord. 1544, 12/28/96.)

(A) General data maps

(i) Name (s) and address(es) and telephone number(s) of the owner/operator. Name and address and phone number of the person(s) operating the facility and having the authority to take corrective action in an emergency. (Ord. 1544, 12/28/96.)

(ii) Facility mailing address, county and legal description including 1/4 section, section, township and range. (Ord. 1544, 12/28/96.)

(iii) Regional map depicting service area, existing and proposed. (Ord. 1544, 12/28/96.)

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<sup>1</sup> 14-68(1)(c) is enacted. (Ord. 1544, 12-28-1996)

(iv) Vicinity map showing access and service roads, zoning and land use, residences, water wells and the location of all surface water bodies, the location of 100 year flood plain boundaries, and all manmade or natural features relating to the facility within a ½ mile radius.(Ord. 1544, 12/28/96.)

(v) Site map showing adjacent properties including land use, property owners names and addresses, site property boundaries and area (acres). If proposed site is adjacent to public roads or streets, include the properties across the street or road. The map should show the present site conditions and the projected site utilization including all site structures (such as buildings, fences, gates, entrances and exits, parking areas, on-site roadways, and signs) and the location of all water supplies and utilities. This site map shall be certified by a state licensed surveyor and engineer.(Ord. 1544, 12/28/96.)

(vi) Site maps and drawings showing all the proposed structures and areas designated for unloading, baling, compacting, storage, and loading, including the dimensions, elevations, and floor plans of these structures and areas, including the general process flow.  
(Ord. 1544, 12/28/96.)

(vii) Facility's drainage system and water supply system. (Ord. 1544, 12/28/96.)

(B) Design criteria.(Ord. 1544, 12/28/96.)

(i) Unloading and loading areas shall be: (Ord. 1544, 12/28/96.)  
Adequate in size to facilitate efficient unloading from the collection vehicles and the unobstructed movement of vehicles; (Ord. 1544, 12/28/96.)

Constructed of concrete or asphalt paving material and equipped with adequate drainage structures; (Ord. 1544, 12/28/96.)

Solid waste handling shall be confined to the smallest practical area. Such handling shall be supervised by competent operating personnel who shall be familiar with proper operational procedures; (Ord. 1544, 12/28/96)

Sufficient internal storage areas to provide for incoming solid waste; (Ord. 1544, 12/28/96.)

Exhaust removal system shall be installed in enclosed areas; and (Ord. 1544, 12/28/96.)

Measures shall be provided to prevent backing into pits while unloading.(Ord. 1544, 12/28/96.)

(ii) On-site roads (Ord. 1544, 12/28/96.)

Designed to accommodate expected traffic flow in a safe and efficient manner; (Ord. 1544, 12/28/96.)

The road surface design shall be suitable for heavy vehicles and the road base shall be capable of withstanding expected loads; (Ord. 1544, 12/28/96.)

Passable, in all weather conditions, by loaded collection and transfer vehicles. Provisions shall be made for de-icing ramps during winter months; and (Ord. 1544, 12/28/96.)

Where public dumping is allowing, separate access for passenger vehicles shall be provided. (Ord. 1544, 12/28/96.)

(iii) Equipment. (Ord. 1544, 12/28/96.)

Number, description and uses of all equipment projected to be employed including the design capacity.

(iv) Gate and fencing. (Ord. 1544, 12/28/96.)

Types and heights of suitable gate and fencing material to be placed on site, to limit unauthorized persons from access to the facility when the facility is closed. (Ord. 1544, 12/28/96.)

(v) Signs.

A sign shall be posted, at all access points to the facility, with the hours of operation, the types of solid waste accepted and not accepted, the operating hours the facility accepts wastes, and emergency telephone numbers of a responsible party. (Ord. 1544, 12/28/96.)

(vi) Buffer zones. (Ord. 1544, 12/28/96.)

Buffer zone of 200 feet around the active operating area to the nearest property line when adjacent to residential zoned areas. (Ord. 1544, 12/28/96.)

(C) Operation standards. (Ord. 1544, 12/28/96.)

(i) Waste characterization. (Ord. 1544, 12/28/96.)

The types, composition, and expected daily volume of all solid waste to be accepted at the facility in cubic yards or tons/per day, the maximum time any such waste will be sorted, and the proposed capacity of the facility. (Ord. 1544, 12/28/96.)

(ii) Supervision. (Ord. 1544, 12/28/96.)

Facilities with permanent continually operating mechanical equipment shall have an attendant on duty at all times the facility is open to the public. (Ord. 1544, 12/28/96.)

(iii) Personnel. (Ord. 1544, 12/28/96.)

The number, classification, and job descriptions of personnel to be employed at the facility when operating at full capacity. A personnel training plan which includes recognizing unauthorized waste such as PCB's and hazardous wastes, equipment operation, and any other personnel concerns. (Ord. 1544, 12/28/96.)

(iv) Nuisance conditions.(Ord. 1544, 12/28/96.)

All reasonable measures shall be employed to collect, properly contain, and dispose of scattered litter, including frequent policing of the area, and the use of wind screens where necessary. The facility shall be managed in such a manner that noise, dust and odors do not constitute a hazard to human health. The facility shall be managed in such a manner that the attraction, breeding and emergence of birds, insects, rodents and other vectors do not constitute a health hazard. (Ord. 1544, 12/28/96.)

(v) Off-site water. (Ord. 1544, 12/28/96.)

Control measures shall be provided to protect surface and ground waters, including run-off collection and discharge, designed and operated to handle a twenty-four (24) hour, twenty-five (25) year storm and equipment cleaning and wash down water. (Ord. 1544, 12/28/96.)

(vi) Fire protection. (Ord. 1544, 12/28/96.)

Fire protection equipment shall be available at all times. A fire protection plan including provisions to prevent the spread of fire to adjoining property shall be approved by the local fire department. (Ord. 1544, 12/28/96.)

(vii) Operational records. (Ord. 1544, 12/28/96.)

Records shall be maintained for all facilities. These records shall include a daily log of the quantity of solid waste received and transported, as-built construction details, and variations from approved operations procedures. Records shall be kept on-site whenever practicable or as otherwise approved. (Ord. 1544, 12/28/96.)

(viii) Contingency plan. (Ord. 1544, 12/28/96.)

Contingency plans specifying the procedures to be followed to handle situations such as the following shall be available at all times to the transfer stations attendants: (Ord. 1544, 12/28/96.)

Hazardous material incident, including emergency personnel, and notification procedures; (Ord. 1544, 12/28/96.)

Contamination of surface water or ground water; (Ord. 1544, 12/28/96.)

Nuisance conditions on site or confirmed beyond the site boundary; and (Ord. 1544, 12/28/96.)

Alternate solid waste handling system for periods of inability to operate or delays in transporting solid waste due to fires, unusual traffic conditions, equipment breakdown, hot loads, or other emergencies or undesirable conditions. (Ord. 1544, 12/28/96.)

(ix) Cleaning Facilities. (Ord. 1544, 12/28/96.)

Transfer stations shall be cleaned daily of all loose materials and litter, by wash-down or other approved method, to prevent odors and other nuisance conditions. All residuals shall be properly removed and disposed. All boxes, bins, pits or other container type used shall be cleaned on a schedule approved by the City. (Ord. 1544, 12/28/96.)

(x) Standing water. (Ord. 1544, 12/28/96.)

All floors shall be free from standing water. All drainage from cleaning areas shall be discharged to sanitary sewers or other methods that meet local pretreatment standards. (Ord. 1544, 12/28/96.)

(xi) Storage adequate. (Ord. 1544, 12/28/96.)

Storage space for incoming solid waste shall be available at the transfer station. Solid wastes should be loaded into the containerized collection receptacle on the same day it arrives at the transfer station. Uncompacted wastes will not be allowed to remain on the tipping floor overnight. Removal of all putrescible solid waste from the transfer station whenever transfer containers are full, or weekly, whichever comes first, is also required. Uncleaned transfer vehicles containing putrescible mater shall not be parked on public streets or roads except under emergency conditions. Adequate off-street parking for facility vehicles shall be provided. (Ord. 1544, 12/28/96.)

(xii) All solid waste received at a transfer station shall be transferred as soon as practicable. All solid wastes arriving at the transfer station that are not transferred within twenty-four (24) hours of receipt shall be placed in closed containers or in totally enclosed buildings, structures, or other means of cover acceptable to the City, that deter water, birds, insects, rodents and other vectors from reaching wastes. (Ord. 1544, 12/28/96.)

(xiii) Final disposal. (Ord. 1544, 12/28/96.)

All solid waste passing through the transfer station shall be ultimately treated or disposed of in an approved solid water disposal site and facility. (Ord. 1544, 12/28/96.)

(xiv) Water supply. (Ord. 1544, 12/28/96.)

The amounts and source of water for use on site for the control of nuisance conditions, fire protection, construction purposes and personnel use shall be presented. (Ord. 1544, 12/28/96.)

(xv) Inspection. The applicant shall submit to routine inspections of the transfer station facilities conducted at reasonable times by the City. (Ord. 1544, 12/28/96.)

(IV) Portions of these requirements may be waived or modified by City Council in writing as long as the performance of the site under the altered requirement is as protective of public health and the environment as these regulations. (Ord. 1544, 12/28/96.)

(V) Failure of the applicant to comply with all of the provisions of the operating plan submitted to the City pursuant to Subsection III, after the approval of the special use permit by the City is a violation of this Section, and shall subject the applicant to the penalty set forth in Section 1-8 of this code, and shall be grounds for the revocation of the special use permit. (Ord. 1544, 12/28/96.)

(2) The Commission may prescribe any conditions on any use approved by special permit which may be deemed necessary for compatibility within the I - Industrial Zone District.

**Section 14-69. Building height limit.**

Except as provided in Section 14-101, the height regulations are as follows: No structure shall exceed five (5) stories or fifty feet (50') in height.

**Section 14-70. Area regulations.**

Except as provided in Section 14-101, the area regulations are as follows:

- (1) Minimum floor area: No minimum requirements.
- (2) Minimum lot area: No minimum requirements.
- (3) Minimum lot frontage: No minimum requirements.
- (4) Minimum front yard: No minimum requirements except as may be specified by the

Commission.

- (5) Minimum rear yard: No minimum requirements except as may be specified by the Commission.
- (6) Minimum side yard: No minimum requirements except as may be specified by the Commission.

**Section 14-71. Industrial performance standards.**

All industrial and commercial businesses, whether established as a use by right, condition, or special permit, shall comply with the following standards to provide that these uses do not create any danger to safety in surrounding areas, do not cause water pollution and do not create offensive noise, vibration, smoke, dust, odors, heat, glare or other objectionable influences beyond the boundaries of the property in which such uses are located, and shall not be operated in any manner so as to constitute a public nuisance or hazard.

- (1) Volume of sound generated: Every use shall be so operated that the volume of sound inherently and recurrently generated does not exceed sixty (60) decibels with a maximum increase of five (5) decibels permitted for a maximum of fifteen (15) minutes in any one (1) hour at any point of any boundary line of the property on which the use is located.
- (2) Vibration generated: Every use shall be so operated that the ground vibration inherently and recurrently generated is not perceptible, without instruments, at any point of any boundary line of the property on which the use is located.
- (3) Emission of smoke and particulate matter:
  - (a) Every use shall be so operated that it does not emit smoke exceeding a density of No. 1 on the Ringleman Chart.
  - (b) Every use shall be so operated that it does not emit particulate matter exceeding 0.2 grains per cubic foot of flue gas at a stack temperature of 500E F.
  - (c) Every use which is an existing or potential source of air contamination shall be subject to the approval of the Colorado Department of Health, Air Pollution Control Division.
  - (d) Emission of heat, glare, radiation and fumes: Every use shall be so operated that it does not emit an obnoxious or dangerous degree of heat, glare, radiation or fumes beyond any boundary line of the property on which the use is located and shall conform to the standards established by the Colorado Department of Health.
- (4) Outdoor storage and waste disposal:
  - (a) No highly flammable or explosive liquids, solids or gases shall be stored in bulk above ground. Tanks or drums of fuel directly connecting with heating devices or appliances located on the same property as the tanks or drums of fuel are excluded from this provision.

(b) All outdoor storage facilities for fuel, raw materials and products shall be enclosed by a fence or wall adequate to conceal such facilities from adjacent property.

(c) No materials or wastes shall be deposited upon a property in such form or manner that they may be transferred off the property by natural causes or forces.

(d) All materials or wastes which might constitute a fire hazard or which may be edible by or otherwise be attractive to rodents or insects shall be stored outdoors only in closed containers.

(e) In addition to these regulations, all storage of flammable explosive or dangerous materials shall be subject to all applicable State Laws concerning such.

(5) Water pollution: No water pollution shall be emitted by manufacturing or other processing. In a case in which potential hazards exist, it shall be necessary to install safeguards acceptable to the Building Inspector, the Colorado Department of Health and the local health authority, and in compliance with the regulations of the Environmental Protection Agency before operation of the facilities may begin, including all percolation or ground water tests as may be required.

(6) Other regulations: Regulation pertaining to landscaping, buffer strips or setbacks may be issued by the Commission.