

Title 14

LAND USE REGULATIONS

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Chapter 14.01

ADMINISTRATION

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14.01.010 Title. The Ordinance codified in this Title 14 and the Official Zoning District Map, shall be known and cited as the “Town of Dinosaur Land Use Regulations.” (Ord. 60, Art. I, §101.1, 1983)

14.01.020 Purpose. The regulations in this Title shall be for the purpose of promoting the health, safety, convenience, order, prosperity and welfare of the present and future inhabitants of the Town of Dinosaur, Colorado. (Ord. 60, Art. I, §102.1, 1983)

14.01.030 Application Regulations.

A. The provisions and regulations of this Title shall apply to the construction, alteration, extension, location, use and maintenance of all structures in the Town of Dinosaur; and it shall be unlawful for any person to construct, alter, extend, install, use or maintain a structure within the Town of Dinosaur except in compliance with this Title.

B. Existing Individual Non-Conforming Mobile Homes. Any mobile home presently legally parked on an individual lot not in conformity with this Title shall be considered a legal non-conforming structure. It may not be added to, nor materially improved and when moved may be replaced only by a structure which will comply with the then applicable ordinances and codes of the Town of Dinosaur. If it is unoccupied for six (6) consecutive months, it is no longer considered legal non-conforming, cannot again be occupied, and shall be removed from the property.

C. Existing Mobile Home Parks. All Mobile Home Parks and Travel Trailer Parks established after the passage of this Title, which are non-conforming as of the date of passage of this Title, shall be altered to conform to all provisions of this Title within one (1) year of the date of passage of this Title. All Mobile Home Parks and Travel Trailer Parks in existence prior to the

passage of this Title shall not be subject to the provisions of the foregoing sentence, provided however, that upon the change of ownership of any such Mobile Home Park or Travel Trailer Park occasioned by sale, death or otherwise, shall be made to conform to the provisions of this Title at the time of any such change of ownership and shall not be operated until compliance with the Title.

(Ord. 60, Art. I, §103.1, 1983)

14.01.040 Home Occupations.

A. Home Occupations Allowed by Right. The following home businesses and occupations shall be permitted in a residential dwelling in any zone district subject to the standards specified in this Section:

1. Office for the conduct of a business or profession.
2. Artist or craft studio.
3. Hairstyling.
4. Light assembly.
5. Clothing alterations.

B. Home Occupations Permitted as a Conditional Use. Home businesses or occupations other than those uses specified in subsection (A) above may be permitted if approved by the Town Council as a special use, provided the use is ordinarily permitted as either a use by right or a special use in the Zone District in which the residential dwelling is located.

C. Home Occupation Standards. A home business or occupation may be placed in any zone district as a use by right or as a special use, as specified in this Section, provided the following standards are satisfied:

1. Such use is conducted entirely within a residential dwelling or accessory building on the subject property and is carried on by the inhabitants living there. No person other than family members residing in the dwelling may be engaged in the home business or occupation.
2. Such use is clearly incidental to and secondary to the use of the dwelling for dwelling purposes and does not change the residential character thereof. No more than twenty-five percent (25%) of the floor area of the dwelling shall be used for the business or home occupation.

3. An accessory building located on the same property as the residence may be used in the home business or occupation provided that no more area than the equivalent of seventy-five percent (75%) of the floor area of the residence will be used for the home occupation and, further, that the accessory building can be converted to a common accessory building for residential purpose upon termination of the home business or occupation.
4. No exterior storage on the premises of material or equipment used as a part of the home business or occupation shall be permitted.
5. The home business or occupation shall not adversely affect traffic flow and parking in the neighborhood. The home business or occupation shall provide additional off-street parking adequate to accommodate all needs created by the business or occupation. At a minimum, one (1) additional parking space shall be provided on site for the home business or occupation, but more spaces may be required by the Town Council as necessary.
6. There shall be no offensive noise, vibration, smoke, fumes, dust, odor, heat or glare noticeable at or beyond the property line where the home business or occupation is located.
7. The property must maintain a non-business appearance at all times.
8. One sign may be placed on the property where the home business or occupation is located. Such sign shall not exceed three feet (3') by five feet (5') or a total of fifteen square feet (15 sq. ft.), and must be placed where it does not obstruct the view of traffic traveling on adjacent streets.
9. If a home business or occupation is lawfully established and a nuisance resulting from the home business or occupation is determined to exist by the Town Council after the establishment of the home business or occupation, the Town shall give the property owner sixty (60) days in which to correct the nuisance, relocate the use, or terminate use of the property for the home business or occupation.

(Ord. 60, Art. III, §302.1, 1983; Amended Ord. 93, §1, 1998)

14.01.050 Changes and Amendments.

A. Town Council May Adopt Changes. The Town Council may, on its own motion, or on petition of an interested property owner, amend, supplement, or change this Title or the Official Zoning Map. The adoption of any change to this Title or the Zoning Map shall require a

four-fifths (4/5) favorable vote of the Town Council. (Ord. 60, Art. IX, §901.1, 1983; Amended Ord. 74, §6, 1990)

B. Public Notice of Change. Before any change to this Title or Zoning Map is enacted, a public hearing shall be held; fifteen (15) days advance notice of the time and place of which shall be published in a newspaper having general circulation within the Town of Dinosaur and indicated on Town's website. (Ord. 60, Art. IX, §901.2, 1983)

C. Filing a Petition. A petition for a proposed amendment, supplement or change by a private property owner shall be filed with the Town Clerk. The petitioner shall supply the following information:

1. A map drawn to scale of not less than two hundred feet (200') to the inch showing the land in question, its location, the length and direction of each boundary thereof, the location and existing use of all buildings on such land and the principal use of all properties within three hundred feet (300') of such land.
2. The names and addresses of the owners of all properties within one hundred feet (100') of any part of the land included in the proposed change.

(Ord. 60, Art. IX, §902.1, 1983)

D. Procedure. Before amending, supplementing, or changing this Title or the Official Zoning Map, the Town Council shall make such investigation and hold hearings as it deems appropriate, but in the case of an application for change in the Zoning Map, the Town Council shall hold at least one (1) public hearing, giving at least fifteen (15) days advance notice of the time and place of said hearing by mailing notice to all property owners within the proposed area of change and to all property owners within one hundred feet (100') of said proposed area of change. For the purpose of this notice requirement, mailing to all affected property owners, as shown by the records of the Moffat County Assessor's office, shall be deemed sufficient.

The Town Council may continue its hearing from date to date as it may deem necessary. Following the conclusion of its public hearing, the Town Council shall make a determination of whether or not the application for change in the Zoning Map shall be granted. When requested by any affected party, the Town shall make written findings of fact substantiating its decision. Any change to this Title or the Zoning Map shall be made by ordinance.

(Ord. 60, Art. IX, §902.2, 1983; Amended Ord. 74, §7, 1990)

14.01.060 Administration and Enforcement. Except as otherwise provided, no land or structure, or part thereof, shall, after the effective date of this Title, be used, erected, altered, or moved unless in conformity with the provisions pertaining to the district in which it is located.

A. The provision of this Title shall be administered by the Zoning Enforcement Official and his authorized representatives.

B. The Zoning Enforcement Official and his authorized representatives are hereby empowered to conduct inspections as required by this Title. They shall possess the right to enter any premises for the purpose of making such inspections necessary to carry out their authorized duties.

C. No land or buildings, or part thereof, hereafter erected, moved, or structurally altered shall be used or occupied until the Zoning Enforcement Official or his authorized representative has issued a Certificate of Occupancy. Such certificate shall state that the land, building, or part thereof, is found to be in conformity with the provisions of this Title applicable to the district in which such land or building is located.

D. The powers of the Zoning Enforcement Official and his authorized representative to issue such permits and certificates as necessary shall also include the power to refuse issuance of these documents.

(Ord. 60, Art. I, §104.1, 1983)

14.01.070 Violation of Title. A person shall be guilty of a violation of this Title in any case where:

A. Any violation of any of the provisions of this Title exists in any building or tract of land.

B. An order to remove or correct any such violation has been served upon the owner, general agent, lessee, or tenant of the building or tract of land, or any part thereof, or upon the architect, builder, contractor, or any other person who commits or assists in any such violation, and such person fails to comply with such order within fifteen (15) days after being served with such an order.

(Ord. 60, Art. I, §104.2, 1983)

14.01.080 Notice, Hearing and Orders.

A. Whenever the Zoning Enforcement Official determines that there are reasonable grounds to believe that there has been a violation of any provision of this Title, the Zoning Enforcement Official shall give notice of such alleged violation to the person to whom the permit or license was issued as hereinafter provided. Such notice shall:

1. Be in writing;

2. Include a statement for the reason of its issuance;
3. Allow a reasonable time for the performance of any act it requires;
4. Be properly served upon such owner or agent as required by any law of this State and other local requirements;
5. Contain an outline of remedial action which, if taken, will effect compliance with the provisions of this Title.

B. Any person affected by any notice which has been issued in connection with the enforcement of any provision of this Title may request and shall be granted a hearing on the matter in accordance with all local regulations and acts or the applicable sections or subsections of the State statutes.

C. Upon failure to comply with any order sustaining, modifying, or withdrawing a notice, the license of the mobile home development affected by the order shall be revoked.

D. Whenever the Zoning Enforcement Official finds that an emergency exists which requires immediate action to protect the public health, he may without notice or hearing issue an order reciting the existence of such an emergency and requiring that such action be taken as he may deem necessary to meet the emergency including the suspension of the license or permit. Notwithstanding any other provisions of this Title to the contrary such order shall be effective immediately. Any person to whom such an order is directed shall comply therewith immediately, but upon petition to the enforcing agency shall be afforded a hearing as soon as possible. The provisions of this Section shall be applicable to such hearing.

(Ord. 60, Art. I, §105.1, 1983)

14.01.090 Board of Zoning Adjustment.

A. Organization. There is hereby created a Board of Zoning Adjustment to be known as the “Board of Zoning Adjustment of the Town of Dinosaur, Colorado”, and referred to in this Chapter as the “Board”.

1. The membership of the Board shall consist of five (5) residents of the Town of Dinosaur, appointed by the Town Council for terms of three (3) years, and thereafter until their successors shall be duly appointed. One (1) member may be a member of the Town Council. The Town Council shall appoint all replacements and successors. The Town Council itself may also serve as the Board of Adjustment. (Amended Ord. 74, §8, 1990)
2. The Board of Zoning Adjustment shall elect from its own membership a Chairman and Vice-Chairman who shall serve annual terms and may

succeed themselves. The Board may make, alter, and rescind rules and regulations for its procedures.

3. The Board shall meet on call of the Chairman following legal notice given in accordance with their regulations.

(Ord. 60, Art. X, §1001.1, 1983)

B. Powers and Duties. The Board shall have the powers and duties prescribed by this Chapter, to include the following:

1. Appeals. To hear and decide on appeals from the rulings of the Zoning Enforcement Official concerning the enforcement of the provisions of this Title. Such appeals shall be in the form of a written notice filed with the Town Clerk specifying the grounds for the appeal.
2. Variances. To hear and grant applications for variances from the provisions of the Land Use Regulations governing the use of land or buildings. The Board may grant a variance provided it makes findings that all of the following requirements have been satisfied:
 - a. That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the affected property, and that the unnecessary hardship is due to such conditions, and not the circumstances or conditions generally created by the provisions of the Land Use Regulations in the neighborhood or District in which the property is located.
 - b. That, because of such physical circumstances or conditions, the property cannot be physically developed in conformity with the provisions of the Land Use Regulations, and that the granting of the variance is therefore necessary to permit the reasonable use of the affected property.
 - c. That such unnecessary hardship has not been created by the applicant.
 - d. That the variance, if granted will not alter the essential character of the neighborhood or District in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property.

- e. That the variance, if granted, is the minimum variance that will afford relief and is the least modification possible of the Land Use Regulations in question.

(Ord. 60, Art. X, §1001.2, 1983)

C. Procedure. The Board shall conduct hearings and make decisions in accordance with the following requirements:

1. The Board shall give notice to the applicant and to such other persons or agencies as the Board may designate by rule, and to any person who has made a timely request for notice, within fifteen (15) days of the hearing, in such manner as shall be prescribed by rule. The Town Council may establish reasonable fees to be paid by the applicant.
2. The Board of Zoning Adjustment shall keep a record of the proceedings, either stenographically or by sound recording, and a transcript of the proceedings and copies of graphic or written material received in evidence shall be available to any party at cost.
3. The Board shall render a written decision on the application within forty-five (45) days of the hearing. Decisions based on any provision of this Title, or on any rule or regulation relied on, and the reasons why the decision is deemed appropriate in light of the facts found.
4. Vote Required. The concurring vote of four (4) members of the Board shall be necessary to reverse any order, requirement, decision, or determination of any administrative official, or to decide in favor of any applicant any matter upon which it is required to pass under this Title, or to effect any variation of the Title. Every decision of such Board shall, however, be subject to review by the District Court pursuant to Rule 106 C.R.C.P. Such appeal may be taken by any person aggrieved or by an officer, department, board, or bureau of the Town.
5. The Town Council may appoint such alternate Board members as may be necessary to assure a full Board at all meetings.

(Ord. 60, Art. X, §1001.3, 1983)

14.01.100 Penalties.

A. Fine or Imprisonment. Any person, firm or corporation violating any of the provisions of this Title shall be deemed guilty of a municipal offense, and such person, firm or corporation shall be deemed guilty of a separate offense for each and every day or portion

thereof during which any such violation is committed, continued, or permitted, and upon conviction of any such violation, such person, firm or corporation shall be punishable by a fine of not more than three hundred dollars (\$300.00) or a jail sentence of not more than ninety (90) days or by both such fine and imprisonment.

B. Revocation of Mobile Home or Travel Trailer Park License. When a Mobile Home or Travel Trailer Park owner or operator's license is revoked:

1. The admittance of new residents into the park after date of revocation is prohibited.
2. If no action is taken to remedy the violation within fifteen (15) days of revocation of a Mobile Home or Travel Trailer Park License, notice will be served to vacate such park within thirty (30) days of the serving of the notice to vacate.

C. Suspension of Mobile Home or Travel Trailer Park License. When a Mobile Home or Travel Trailer Park License is suspended, the admittance of new residents into the park after the date of suspension is prohibited.

D. Additional Remedies. In case of any building or structure is erected, constructed, altered, repaired, converted, or maintained, or any land is issued in violation of this Title or any other ordinance, the proper Town authorities, in addition to any other remedies, may institute any appropriate action or proceeding in the District Court to prevent such unlawful erection, construction, alteration, repair, conversion, maintenance, or use.

(Ord. 60, Art. I, §106.1, 1983)

14.01.110 Severability. If any of the provisions of these Regulations, or the application thereof to any person or circumstances, is held to be invalid, such ruling shall not affect the other provisions of these Regulations, as a whole or any other part than portion ruled invalid. (Ord. 60, Art. I, §107.1, 1983)

Chapter 14.02

DEFINITIONS

Sections:

- 14.02.010 General Interpretation.
- 14.02.020 Definitions.

14.02.010 General Interpretation.

A. For the purpose of these Land Use Regulations certain words and phrases used herein shall be defined or interpreted as follows:

1. The present tense includes the future tense;
2. Singular words include the plural;
3. The word “person” includes a corporation as well as an individual;
4. The word “lot” includes a “plot” or “parcel”;
5. The word “shall” is mandatory.

(Ord. 60, Art. II, §201.1, 1983)

14.02.020 Definitions. For the purpose of these Land Use Regulations the following definitions shall apply:

A. Accessory Use. A use customarily associated with, but subordinate to, the principal use on the same zone lot.

B. Building. Anything constructed or erected upon the ground having a roof, and supported by columns and/or walls and intended for shelter, housing or enclosure of persons, animals or property.

C. Building Height. The vertical distance as measured from the average finished grade at the building set-back lines to the point lying one-half of the distance between the lowest and highest point on the roof.

D. Building Lines. A line parallel to the property line beyond which no exposed portion of a building may extend.

E. Building Set-Back. The minimum permitted horizontal distance between the building line and the property line.

F. Density. The number of dwelling units divided by the amount of net acreage.

G. Dwellings. A building used for residential purposes and including mobile homes, modular homes, and conventional built housing.

H. Dwelling Unit. One or more rooms in a dwelling designed for occupancy and use by one family for living purposes and having its own cooking facilities and sanitary facilities.

I. Family. One or more individuals occupying a dwelling or living as a single housekeeping unit.

J. Flood Plain. That portion of land area adjoining a river, stream or other water course which has been or may be covered temporarily by flood water.

K. Home Occupation. A use clearly incidental and secondary to the residential use of a building and operating in accordance with Chapter 14.03.

L. License. A written license issued by the Zoning Enforcement Official authorizing the operation of a Mobile Home or Travel Trailer Park within regulations.

M. Lot. A parcel of land occupied or designed to be occupied by one or more buildings, structures, or uses, arranged so as to meet all of the requirements of these regulations and with direct access to a public street.

N. Mobile Home. A structure, transportable on its own running gear, which when erected on a site, measures ten feet (10') in width or more measured wall-to-wall, and designed to be used as a year-round dwelling, when connected to the required utilities, and includes plumbing, heating, and electrical systems therein. Each mobile home shall have been constructed in accordance with the National Mobile Home Construction and Safety Standards Act of 1974, 42 U.S.C. 5401 *et. seq.*, issued an insignia of approval by the U.S. Department of H.U.D., or applicable International Building Codes and not be altered in violation of applicable codes.

O. Mobile Home Park. A Mobile Home Park shall consist of five (5) or more mobile homes located on a minimum acreage of two (2) acres. Each mobile home shall be set up on a lot size of 3,500 square feet or more and conform to all the general design and construction standards herein applicable to all mobile homes.

P. Modular Home. A dwelling constructed off-site that meets the design and construction standards of the International Building Code as it may be subsequently amended.

Q. Net Acreage. The amount of land devoted to housing, open space, private roadways, and parking space.

R. Non-Conforming Use. Land or a building lawfully occupied prior to the adoption of these Regulations by a use which does not now conform with such Regulations of the district in which it is located.

S. Parking-Off-Street. The area on private property designated to accommodate a parked motor vehicle with adequate access to that space from a public street.

T. Public Building or Use. Any building open to the general use, participation or enjoyment of the public and owned by the Town, County, State, or Federal Government or any subdivision thereof or by a public utility corporation.

U. Public Utility. For the purpose of these Regulations only: an electric substation, gas regulator stations, telephone exchanges, water or sewage pumping stations or water reservoirs, and power transmission lines.

V. Suitable Footing. Any mobile home that will be situated upon a single family residential lot within the Town limits of the Town of Dinosaur shall be placed upon a suitable foundation, as defined and shown in Section 14.04.030 of this Title.

W. Travel Trailer. A portable structure, mounted on wheels and designed to be towed by a motor vehicle, and containing cooking and/or sleeping facilities to provide temporary living quarters for recreational camping or travel use.

X. Travel Trailer Park. Any areas used to park one or more travel trailers for purposes of rental space shall constitute a Travel Trailer Park. All such Travel Trailer Parks shall conform to all of the requirements of the applicable fire codes and building codes insofar as construction in said Travel Trailer Park is concerned.

Y. Use. The purpose for which any land, structure, or building is designed, maintained, or occupied.

Z. Yard. The space on the same lot as a building or structure that is unoccupied and open to the sky.

AA. Zoning Enforcement Official. Town Council of the Town of Dinosaur or its authorized representative, such as Town Administrator, Planner, or Building Inspector.

(Ord. 60, Art. II, §201.2, 1983)

Chapter 14.03

GENERAL REQUIREMENTS

Sections:

- 14.03.010 Non-Conforming Uses.
- 14.03.020 Special Review Uses.
- 14.03.030 Filing Fees.

14.03.010 Non-Conforming Uses. Any use existing at the date of the original adoption of these Regulations may be continued, even though such use does not conform to the requirements established for the district in which it is located. These non-conforming uses may be allowed to remain provided that they (1) do not cease to operate for a period of over six (6) months, except that time necessary for estate proceedings and transfer of title will not be computed, (2) are not extended beyond existing property lines, and the set-back requirements of that zoning district are met, and (3) are not extended, enlarged or structurally altered. (Ord. 60, Art. III, §301.1, 1983)

14.03.020 Special Review Uses.

A. Approval of Special Review Use Permit. A Special Review Use Permit may be granted for a special use in a particular Zone District as provided in Section (B) below, provided the Town Council finds as follows:

1. The proposed use is consistent with the provisions and purposes of the Land Use Regulations and a Special Review Use Permit may be granted in the particular zone district for which it is applied for under the terms of this Title;
2. The proposed use is compatible with existing and allowed uses surrounding or affected by the proposed use;
3. The proposed use will not materially endanger the public health, safety or general welfare;
4. The proposed use will be in general conformity with any land use plans, traffic circulation plans or other plans officially adopted by the Town;
5. Street improvements adequate to accommodate traffic volumes generated by the proposed use; provision of safe, convenient access to the use; and adequate parking are either in place or will be constructed in conjunction with the proposed use, as approved by the Town; and

6. Any additional conditions imposed by the Town Council are met.

In granting a Special Use permit, the Town Council shall impose such restrictions on the proposed use as it finds necessary to protect the public health, safety and welfare, including but not limited to restrictions equal to or more restrictive than requirements of the Zone District regulations regarding gross area, setbacks, coverage, and height of proposed structure; off-street parking; safety of ingress and egress; physical separation and distance from other uses or buildings; landscape buffer areas; screening fences; and any other provisions it finds necessary. A Special Review Use Permit may be limited as to duration of not less than three (3) years, location, the party entitled to the benefit thereof, and/or other specific limitations.

B. Special Review Use Permit-Additional Requirements. All Special Review Uses that attract or produce additional vehicular trips may be subject to street improvement impact fees as determined by the Town Council.

C. Application for Special Review Use.

1. Each application for a Special Review Use Permit shall be made on a form provided by the Town and signed by the applicant which clearly states the nature of the proposed use and reasons in support thereof. The application shall be accompanied by:
 - a. Proof of ownership of the land for which the application is made. If applicant is other than the owner, a notarized consent of the owner is required;
 - b. A site plan drawn to scale depicting the locations and boundaries of existing and proposed lots and structures;
 - c. The proper Special Review Use permit fee as set by the Town;
 - d. A list of names and address of owners of record of all property within two hundred fifty feet (250'); and
 - e. Any additional information which the Town Council determines is necessary to determine whether the proposed Special Review Use will comply with the Land Use Regulations.
2. The number of copies specified by the Town Council of the completed application, site plan and supporting materials, except proof of ownership, shall be submitted to the Town at least thirty (30) calendar days prior to the Town Council meeting at which it shall be reviewed.

D. Staff/Agency Review. The Town Council may use the services of a consulting land use planner or engineer to review the application with appropriate staff or other agencies and shall provide copies of the application and staff or agency comments to the Council members. All costs incurred by the Town for a consultant's review of the application shall be borne by the applicant.

E. Town Council Review.

1. The Town Council shall review the application at a regular meeting within sixty (60) days of receiving a complete application, at which it shall hold a public hearing on the application. the applicant or its representative shall be present to represent the proposal. Following such public hearing, the Council shall take one of the following actions:
 - a. Approve the application, subject to conditions it finds necessary to protect the public health, safety and welfare or to ensure compliance with the Town's regulations after finding that the application is in compliance with the Town's Land Use Regulations or other applicable Town regulations; or
 - b. Deny the application for a Special Review Use Permit, stating the specific reasons for denial, after a finding that the application is not in compliance with the Town's Land Use Regulations or other Town regulations; or
 - c. Continue the hearing with the requirement that the applicant submit changes or additional information which it finds necessary to determine whether the application complies with the Town's Land Use Regulations or other applicable Town regulations.

F. Performance Guarantee.

1. In order to secure the construction and installation of street improvements, access improvements, parking improvements, landscape improvements, and any other improvements required by the Town as a condition of the issuance of a Special Review Use Permit, the Town may require the applicant to furnish the Town, prior to the issuance of the Special Review Use permit, with the following:
 - a. A disbursement agreement with escrow, a performance bond, or an irrevocable letter of credit to secure the performance and completion of such improvements in the amount equal to one hundred ten percent (110%) of the estimated cost of said facilities; or

- b. Such other collateral as may be satisfactory to the Town Attorney.
2. The estimated cost of such improvements shall be a figure mutually agreed upon by the applicant and the Town Council. The purpose of such cost estimate is solely to determine the amount of security and may be revised from time to time to reflect the actual cost. No representation shall be made as to the accuracy of these estimates, and the applicant shall in any event pay the actual cost of such required improvements.
3. All improvements required to be constructed shall be warranted to be free of any defects in materials or workmanship for a period of twelve (12) months following completion and approval by the Town. If any such improvements are public improvements, they shall also be dedicated and conveyed to the Town of Dinosaur.
4. Upon the applicant's failure to perform its obligation as required by the conditions for the issuance of the Special Review Use Permit, and in accordance with all plans, drawings, specifications and other documents submitted to the Town as approved, within the required time periods, the Town may give written notice to the permittee and the escrow agent pursuant to an escrow and disbursement agreement, the surety on a performance bond, or the issuer of an irrevocable letter of credit that the Town, as agent for the permittee, is proceeding with the task of installing the required improvements in whole or in part. Upon the assumption by the Town, the escrow agent, surety or issuer of the irrevocable letter of credit shall be authorized to disburse funds upon request from the Town, showing the proposed payee and the amount to be paid. Copies of any such request shall be sent to the permittee's last known address. Permittee shall be given an opportunity to appear before the Town Council concerning any such assumption by the Town, within thirty (30) days after the giving of such notice by the Town.
5. The permittee shall in writing designate and irrevocably appoint the Mayor of the Town as its attorney in fact and agent for the purpose of completing all of the improvements required by the Special Review Use Permit in event of a default by permittee.
6. If any legal proceedings are commenced by the permittee concerning the Town's assumption of the task of installing the required improvements, and if the permittee does not prevail in said legal proceedings, the surety or issuer of the letter of credit as well as the Town shall be entitled to recover the reasonable attorney's fees and costs incurred therein from the permittee.

G. Revocation of Special Review Use Permit. Any Special Review Use Permit granted under this Section may be revoked, following public hearing, upon the determination that the owner of the property subject to the Special Review Use Permit, or the holder of the Special Review Use Permit if different from the owner, has violated one (1) or more of the conditions or requirements contained in the Special Review Use Permit. In the event the Town has reasonable cause to believe that one (1) or more of the conditions or requirements of the Special Review Use Permit has been violated, the Town shall serve the record owner of the property subject to the Special Review Use Permit and the holder of such permit if other than the owner, in person or by certified mail, return receipt requested, or by posting to the U.S. Mail on a witnessed and signed log, a notice to show cause why the Special Review Use Permit should not be revoked and any vested property rights related and hereto forfeited. Such notice shall state the date, time and place for a public hearing at which the Town Council or designated hearing officer will consider whether the Special Review Use Permit should be revoked. The notice shall also set for a concise statement of the grounds for revocation. The notice shall be served at least fifteen (15) days prior to the date of the hearing. The public hearing shall be conducted by the Town Council. Following such hearing, the Council shall issue a written decision either revoking the Special Review Use Permit or finding insufficient evidence exists to revoke the permit.

(Ord. 109, §1, 2007)

14.03.040 Filing Fees. A fee of twenty-five dollars (\$25.00) will be required to accompany any recommendation from a property owner for amending the text or map of this Title. (Ord. 60, Art. III, §303.1, 1983)

Chapter 14.04

ESTABLISHMENT OF ZONE DISTRICTS AND REGULATIONS

Sections:

- 14.04.010 District R-Residential Single Family.
- 14.04.020 District R-MF-Residential Multi-Family.
- 14.04.030 District RMH-Residential Mobile Homes.
- 14.04.040 District MHP and TTP-Mobile Home and Travel Trailer Parks.
- 14.04.050 District C-Commercial.
- 14.04.060 District LI-Light Industrial.
- 14.05.070 District I-Industrial.

In order to carry out the purposes and provisions of this Title, the Town of Dinosaur is hereby divided into the following Districts:

1. Residential District
R – Residential Single Family
R-MF – Residential Multi-family
(Amended Ord. 113, §1, 2007)
2. Mobile Homes on Individual Lots within Residential District – RMH
3. Mobile Home Parks and Travel Trailer Park Districts
R – MHP
R – TTP
4. Commercial District – C
5. Light Industrial District – LI
6. Industrial District - I

14.04.010 District R-Residential Single Family.

A. Intent. This Residential District is intended primarily for residential dwellings and their related accessory uses. For lot size, set-backs and other dimensional and parking requirements see Chapter 14.05.

B. Permitted Uses.

1. One, two, and multi-family dwellings; must meet requirements of Chapter 14.05 (Amended Ord. 113, §2, 2007; Amended Ord. 3, §1, 2016)
2. Accessory uses.
3. Public buildings and uses.

4. Schools, parks and churches.
5. Home occupations.
6. Individual Mobile Homes: must meet requirements in Section 14.04.020.

(Ord. 60, Art. IV, §401.1, 1983)

C. Use by Special Review. The following uses may be permitted by special review pursuant to Section 14.03.040 of the Land Use Regulations, as amended:

1. Travel Trailers.

(Ord. 3, §1, 2016)

14.04.020 District R-MF – Residential Multi-Family.

A. Intent. This Multi-Family Residential Zone District is intended primarily for residential dwellings and their related accessory uses. For lot size, setbacks and other dimensional and parking requirements see Chapter 14.05.

B. Permitted Uses.

1. Duplex and multi-family dwellings, must meet requirements of Chapter 14.05.
2. Accessory uses.
3. Public buildings and uses.
4. Schools, parks and churches.
5. Home occupation.

(Ord. 113, §3, 2007)

14.04.030 District RMH – Residential Mobile Homes.

A. Intent. It is the intent to encourage the provision of low to moderate income housing in a general residential environment, by permitting the use of Mobile Homes, as defined herein, in designated Districts, subject to the requirements and procedures set forth herein.

B. Permitted Uses. Mobile Home for residential occupation.

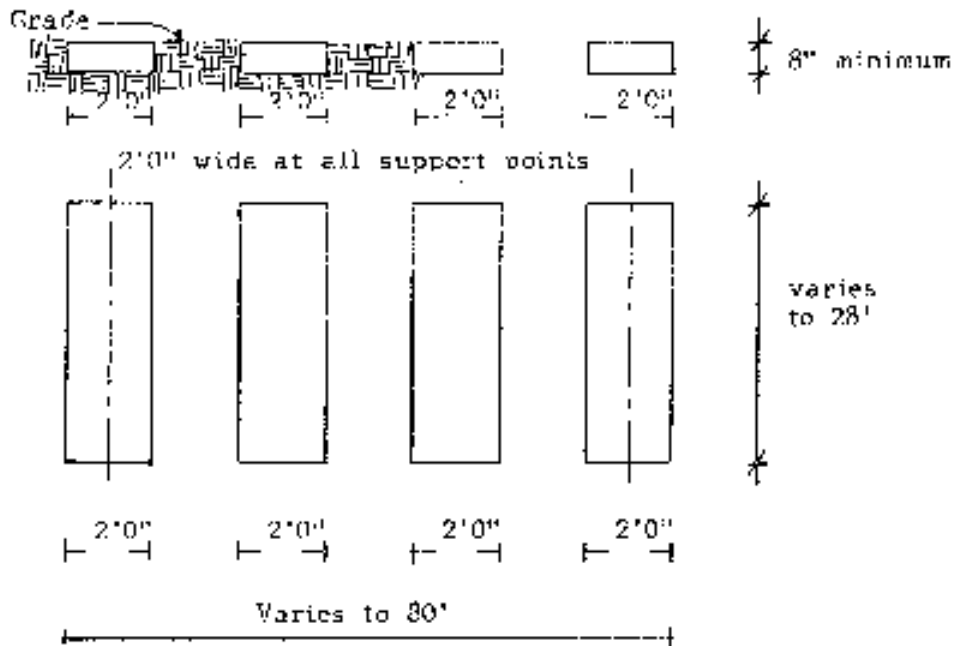
C. District Regulations.

1. Mobile Home must:
 - a. When erected on site, measure 720 square feet or more in floor area measured wall-to-wall.
 - b. Comply with the National Mobile Home Construction and Safety Standards Act of 1974, 42 U.S.C. 5401 *et. seq.*
 - c. Be issued an insignia of approval by the U.S. Department of Housing and Urban Development.
 - d. Not be altered in violation of applicable codes.

2. Suitable Footings. Mobile homes shall be placed on one of the following types of footings:
 - a. Metal reinforced strip concrete slabs (See Picture 5 below).
 - b. Metal reinforced concrete slabs (See Picture 6 below).
 - c. Full basements-upon Zoning Enforcement Official's approval.

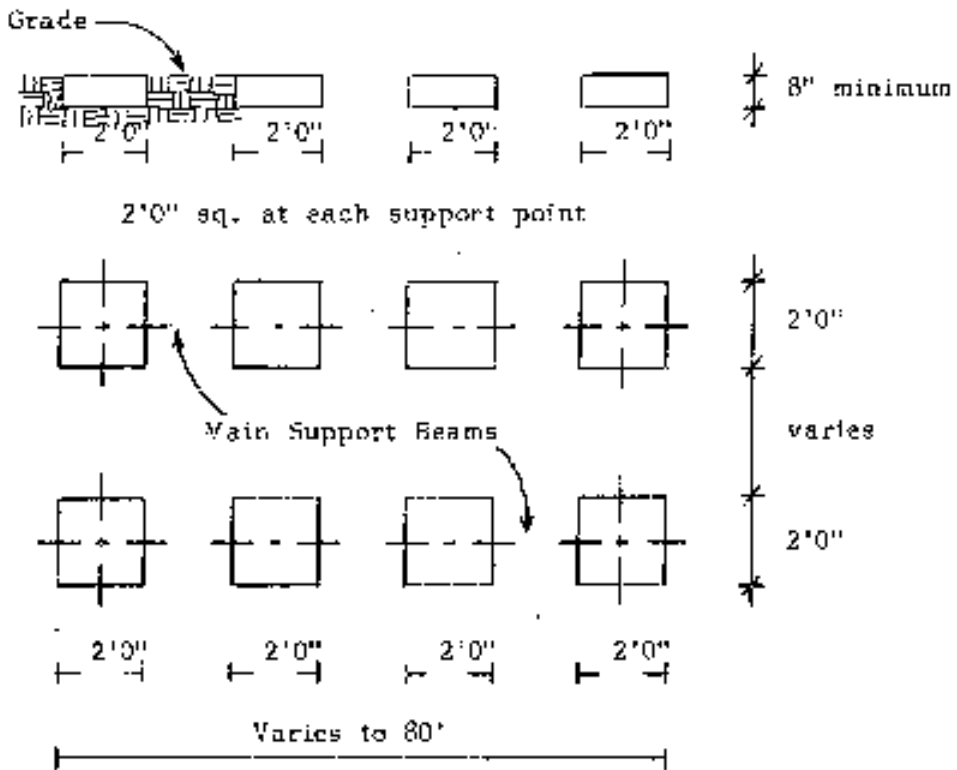
3. Support Stipulations.
 - a. Supports must be concrete block.
 - b. A minimum of six (6) "metal reinforced" concrete strips or pads shall be required for each mobile home main beam. Pads or strips shall be a maximum of 8'0" on center.
 - c. Concrete to be 5 bag mix, 3500 psi.

(4) Strip Concrete Slabs (Option #1)



NOTE: Two continuous strips, 2'0" wide, full length of mobile home will be allowed.

(5) Concrete Pads (Option #2)



6. Concrete Requirements

Concrete Strips (Option #1)
(Picture 5)

$$2' \times 10' \times 8'' \times 4 = 2 \text{ cy}$$

$$2' \times 12' \times 8'' \times 4 = 2.5 \text{ cy}$$

$$2' \times 14' \times 8'' \times 4 = 3 \text{ cy}$$

$$2' \times 10' \times 8'' \times 5 = 2.5 \text{ cy}$$

$$2' \times 12' \times 8'' \times 5 = 3 \text{ cy}$$

$$2' \times 14' \times 8'' \times 5 = 3.5 \text{ cy}$$

$$2' \times 10' \times 8'' \times 6 = 3 \text{ cy}$$

$$2' \times 12' \times 8'' \times 6 = 3.5 \text{ cy}$$

$$2' \times 14' \times 8'' \times 6 = 4.5 \text{ cy}$$

For 6 strips

$$2' \times 10' \times 8'' \times 7 = 3.5 \text{ cy}$$

$$2' \times 12' \times 8'' \times 7 = 3.5 \text{ cy}$$

$$2' \times 14' \times 8'' \times 7 = 5.0 \text{ cy}$$

For 7 strips

$$2' \times 10' \times 8'' \times 8 = 4.0 \text{ cy}$$

$$2' \times 12' \times 8'' \times 8 = 4.75 \text{ cy}$$

$$2' \times 14' \times 8'' \times 8 = 5.5 \text{ cy}$$

For 8 strips

Concrete Pads (Option #2)
(Picture 6)

$$2' \times 2' \times 8'' \times 8 = 1 \text{ cy}$$

$$2' \times 2' \times 8'' \times 10 = 1 \text{ cy}$$

$$2' \times 2' \times 8'' \times 12 = 1.5 \text{ cy}$$

$$2' \times 2' \times 8'' \times 14 = 1.5 \text{ cy}$$

$$2' \times 2' \times 8'' \times 16 = 1.5 \text{ cy}$$

$$2' \times 2' \times 8'' \times 18 = 2.0 \text{ cy}$$

$$2' \times 2' \times 8'' \times 20 = 2.0 \text{ cy}$$

7. Skirting. Each mobile home shall be skirted completely within forty-five (45) days of placement, with permanent, all-weather, non-combustible, rodent-proof skirting material approved by the Zoning Enforcement Official. Allowance shall be made for ventilation. An entry panel or door shall be available for access to utility connections. No galvanized metal nor corrugated fiberglass may be used for skirting. The color shall be compatible with the mobile home.
8. Mobile Home Permit. Acquire a Mobile Home Permit in accordance with Section 14.07.010, Permits, License and Inspections.
9. Inspection of Mobile Homes. Acquire an inspection in accordance with Section 14.07.040.

(Ord. 60, Art. IV, §401.2, 1983)

14.04.040 District MHP and TTP – Mobile Home and Travel Trailer Parks

A. Intent. Mobile Home Park and Travel Trailer Park Districts may hereafter be established in accordance with the procedures, requirements, and limitations set forth. It is intended that such mobile home communities shall be located and designed so as to provide a desirable residential environment.

B. Permitted Uses. Mobile Homes and Mobile Home Parks and Travel Trailers and Travel Trailer Parks.

C. District Regulations.

1. Mobile Home Parks and Travel Trailer Parks must be in accordance with the Development standards in Chapter 14.08.
2. A person must acquire a valid license in accordance with Chapter 14.07 to administer a Mobile Home Park or Travel Trailer Park.
3. Acquire an Inspection in accordance with Chapter 14.07.
4. Following are the responsibilities of the Mobile Home or Travel Trailer Park Management (The Licensee):
 - a. The community management of the mobile home community development shall provide adequate supervision to maintain the Community in compliance with this Standard and to keep its facilities and equipment in good repair and in a clean and sanitary condition.

- b. The management shall notify the Community residents of all applicable provisions of the Standard and inform them of their duties and responsibilities under this Standard.
 - c. The management shall supervise the placement of each mobile home stand which includes securing its stability and installing all utility connections.
 - d. The management shall maintain a register containing the names of all Community residents identified by lot number and street address. Such register shall be available to any authorized person inspecting the Community.
 - e. The management shall notify the enforcing agency immediately of any suspected communicable or contagious disease within the Community.
5. Following are the responsibilities of the Mobile Home Park Resident:
- a. The resident shall comply with all applicable requirements of this Standard and shall maintain his/her mobile home lot, its facilities and equipment in good repair and in clean sanitary condition.
 - b. The resident shall be responsible for proper placement of his mobile home stand and proper installation of all utility connections in accordance with the instructions of the management.
 - c. Pets, if permitted, in the Community, shall not be allowed to run at large or to create any nuisance within the limits of any mobile home park.
 - d. Skirtings, porches, awnings and other additions shall be installed in accordance with the instructions of the management. When installed, they shall be maintained in good repair. The space immediately underneath a mobile home shall be used for storage only if permitted by the management.
 - e. It shall be the obligation of every resident of a mobile home community to give the management thereof or any proper enforcing agency access to any part of the mobile home lot (not including the mobile home) at reasonable times for the purpose of inspections or repairs as are necessary to effect compliance with Chapter 14.07 of this Title.

(Ord. 60, Art. IV, §401.4, 1983)

14.04.050 District C - Commercial.

A. Intent. The Commercial District is intended for all types of commercial uses including mobile home sales, restaurants, and other service establishments. No residential mobile home development or commercially zoned highway frontage property will be permitted.

B. Permitted Uses.

1. Motels
2. Restaurants and lounges
3. Service stations
4. Drive-in restaurants
5. Beauty and Barber shops
6. Other retail stores and services
7. Business and professional offices
 - a. Applications for placement of mobile homes for such purposes shall be reviewed by the Town Council. The renting of mobile home lots shall not be considered a commercial endeavor and therefore shall not be a conforming use for commercially zoned land.
8. Retail Marijuana Stores
9. Medical Marijuana Centers

(Ord. 60, Art. IV, §401.4, 1983; Amended Ord. 90, §2, 1996; Amended Ord. 126, §1, 2012; Amended Ord. 3, §2, 2016; Amended Ord. 1, §1, 2017)

14.04.060 District LI – Light Industrial.

A. Intent. The LI Light Industrial District is established as a District in which the principal use of land is for the fabrication, assembly and manufacture of goods and materials in conjunction with related retail and wholesale activities. It is the intention of these Regulations to encourage the development and orderly expansion of the District with such uses and in such a manner as to avoid dangerous, noxious, or unsightly land uses.

B. Permitted Uses. Within the LI Light Industrial District, a building or land shall be used only for the following purposes:

1. Wholesale distributing houses, warehouses, and mini-warehouses.
2. Facilities for the manufacture, assembly, or processing of goods and materials excluding those listed in subsection (D) of this Section.
3. Railroad trans-shipment facilities excluding those for sand, gravel or other minerals, except coal which is treated as a special use under Section 14.04.050(C)(7).
4. Gasoline or filling stations meeting all conditions and requirements for the Commercial District.
5. Automobile parking lots and structures, either public or private.
6. Customary accessory uses and structures to include warehouses and storage buildings when located on the same lot or abutting lot of same ownership as the main structure excluding, however, open storage.
7. Public utility distribution lines, transformer stations, transmission lines and towers, water tanks and towers, and telephone exchanges.
8. Fire and police stations.
9. Advertising signs; business signs and outdoor advertising signs not exceeding thirty-two (32) square feet in size.
10. Open sales yards for automotive sales, farm machinery sales, and equipment sales including mobile homes and travel trailers but excluding open storage of wrecked or inoperable equipment or materials.

C. Special Uses. The following uses require the review and approval of the Dinosaur Town Council:

1. Businesses engaged exclusively in the retail sale of goods to the general public.
2. Business engaged exclusively in providing services to the general public.
3. Offices-public, municipal, professional and private.

4. Restaurants, including drive-in restaurants, with or without bar.
5. Industrial, trade or vocational schools and similar uses.
6. Open yards for the storage or sale of lumber and building materials.
7. Coal loading facilities with adequate environmental controls.

D. Uses Not Permitted. In furtherance of the policy of this Title prohibiting uses and classes of uses not specifically allowed hereinabove as a permitted use or a special use, but not by way of limitation, the following uses shall not be permitted in the LI Light Industrial District:

1. Cement, lime, gypsum, rockwall, or plaster of paris manufacture.
2. Acid manufacture.
3. Explosive manufacture or storage.
4. Glue manufacture, fat rendering, distillation of bones, fertilizer manufacture.
5. Petroleum refining or bulk storage of explosive products.
6. Milling or smelting of ores.
7. Garbage, offal, or dead animal reduction or dumping.
8. Stockyards, feeding yards, or slaughter of animals.
9. Bulk storage of liquid petroleum gases and manufacture of liquid petroleum gases or petroleum products.
10. Other uses similar or like the above.

(Ord. 60, Art. IV, §401.5, 1983)

14.04.070 District I – Industrial.

A. Intent. The Industrial Zone District is intended to encourage non-polluting industrial activities designed to meet acceptable locally established standards for noise and odor impacts. (Amended Ord. 110, §2 (part), 2007; Amended Ord. 1, §2, 2017)

B. Permitted Uses.

1. Colleges and vocational schools (Ord. 60, Art. IV, §401.6(b)(1), 1983; Amended Ord. 74, §4, 1990; Amended Ord. 110, §2 (part), 2007; Amended Ord. 1, §2(part), 2017)
2. Public buildings (Ord. 60, Art. IV, §401.6(b)(2), 1983; Amended Ord. 74, §5, 1990; Amended Ord. 110, §2 (part), 2007; Amended Ord. 1, §2(part), 2017)
3. Medical and dental clinics
4. Hospitals or mental hospitals
5. Counseling and rehabilitation centers
6. Cemeteries
7. Golf courses and driving ranges
8. Parks, lakes, reservoirs, greenways
9. Utility service facilities (underground)
10. Hotels, motels, lodges, bed and breakfast facilities
11. General offices
12. Commercial parking
13. Swimming pools
14. Indoor recreation
15. Retail sales and service establishments
16. Self service storage facilities
17. Vehicle repair and service facilities
18. Manufacturing and production businesses
19. Warehouse and freight movement facilities
20. Wholesale businesses

21. Retail marijuana cultivation facilities
22. Retail marijuana product manufacturing facilities
23. Retail marijuana testing facilities
24. Medical marijuana cultivation facilities

C. Use by Special Review. The following uses may be permitted by special review pursuant to Section 14.01.040 of the Land Use Regulations, as amended:

1. Detention facilities
2. Funeral homes, mortuaries, crematories
3. Public safety and emergency response facilities
4. Transmission lines (above ground)
5. Utility treatment, production or service facilities
6. Shooting ranges
7. Truck stop/travel plaza/truck parking facilities
8. Impound Lots
9. Heavy equipment/pipe storage yards
10. Waste related/recycling uses
11. Sexually oriented businesses
12. Oil and gas drilling and related service facilities and storage
13. Sand or gravel extraction, processing or storage
14. All other mining extraction
15. Telecommunications facilities and towers
16. Junk yards

17. Tire recapping and storage facilities
18. Animal clinic/hospital/boarding/sales facilities
19. Manufactured building sales and service businesses

(Ord. 60, Art. IV, §401.5, 1983; Amended Ord. 110, §2, 2007; Amended Ord. 1, §2, 2017)

Chapter 14.05

ESTABLISHMENT OF OFFICIAL ZONING DISTRICT MAP

Sections:

- 14.05.010 Official Zoning District Map.
- 14.05.020 Identification of Official Map.
- 14.05.030 District Boundaries.

14.05.010 Official Zoning District Map. The Town of Dinosaur is hereby divided into Districts as shown on the Official Zoning District Map which, together with all explanatory material thereon, is hereby adopted and incorporated herein by reference and declared to be part of this Title. (Ord. 60, Art. V, §501.1, 1983)

14.05.020 Identification of Official Map. The Official Zoning District Map shall be located in the Town Hall and shall be identified by the signatures of the Mayor of the Town of Dinosaur, and attested by the Town Clerk, together with the date of adoption of this Title and any amendments thereto by the Town Council of the Town of Dinosaur. (Ord. 60, Art. V, §501.2, 1983)

14.05.030 District Boundaries. As to the boundaries of Districts shown on the Official Zoning District Map and where no legal description of the District exists, the following rules shall apply:

A. Boundaries indicated following: highways, roads, streets, water courses, or platted property lines shall be construed to following the center line thereof.

B. All interpretations of District boundaries shown on the Official Zoning District Map shall be determined by the Zoning Enforcement Officer.

(Ord. 60, Art. V, §501.3, 1983)

Chapter 14.06

DIMENSIONAL AND PARKING REQUIREMENTS TABLE

Sections:

14.06.010 Dimensional and Parking Requirements Table.

14.06.010 Dimensional and Parking Requirements Table.

	Minimum Lot Area (Sq. Ft.)	Minimum Lot Width at Bldg. Line	Minimum Front Setback	Minimum Side Setback	Minimum Rear Setback	Maximum Bldg. Heights	Parking Regulation	Maximum Density & Lot Conformance Coverage
<u>RESIDENTIAL</u> One Family	6,500	50 ft.	25 ft.	10 ft.	10 ft.	35 ft.	2 spaces per dwelling unit	NA
Two Family	10,500	75 ft.	25 ft.	10 ft.	10 ft.	35 ft.	"	NA
Multi-Family	28,000	200 ft.	15 ft.	10 ft.	10 ft.	35 ft.	"	15 dwelling units per acre
<u>COMMERCIAL</u> Motels		100 ft.	15 ft.	*Not required	10 ft.	35 ft.	1 per unit	"
Restaurants & Lounges		50 ft.	15 ft.	"	10 ft.	35 ft.	1 for each 3 seats	NA
Service Stations		150 ft.	*10 ft.	"	10 ft.	35 ft.	4+2 for ea. enclosed space	NA
Drive-Ins		200 ft.	15 ft.	"	10 ft.	35 ft.	1 for ea. 50 sq. ft. of gross floor space	NA
Beauty and Barber		25 ft.	15 ft.	"	10 ft.	35 ft.	2 for ea. customer chair	NA
Other Retail Stores		50 ft.	15 ft.	"	10 ft.	35 ft.	1 sp. for ea.	NA
Business & Professional Offices		25 ft.	15 ft.	"	10 ft.	35 ft.	300 sq. ft.	NA
							1 sp. for ea.	NA
							200 sq. ft.	NA
<u>INDUSTRIAL</u> Light Industrial		50 ft.	10 ft.	10 ft.	10 ft.	35 ft.	1 sp. for ea. 400 sq. ft. gross floor area	NA
Industrial		50 ft.	10 ft.	10 ft.	10 ft.	35 ft.	1 sp. for ea. 500 sq. ft.	NA

*Maintaining shall be 25 feet.

** Subject to recommendation and Town Council approval.

(Ord. 60, Art. VI, Table, 1983)

Chapter 14.07

PERMITS, LICENSES, AND INSPECTIONS FOR MOBILE HOMES, MOBILE HOME PARKS AND TRAVEL TRAILER PARKS

Sections:

- 14.07.010 Mobile Home Permits Required.
- 14.07.020 Application.
- 14.07.030 Issuance of Permits.
- 14.07.040 Inspection.
- 14.07.050 Denial of Permit.
- 14.07.060 Mobile Home and Travel Trailer Park Licenses Required.
- 14.07.070 Transfer of Interest.
- 14.07.080 Compliance with Title Required.
- 14.07.090 Application.
- 14.07.100 Denial of License.
- 14.07.110 Inspections for Mobile Home and Travel Trailer Parks.

14.07.010 Mobile Home Permits Required. Persons will be required to obtain a mobile home permit from the Town Building Inspector prior to the siting of a mobile home within the Town of Dinosaur. In order to obtain such a permit, the applicant must be able to represent to the Building Inspector that his plans are in accordance with municipal standards as set forth in this Title and pay a one-time fee of fifteen dollars (\$15.00). (Ord. 60, Art. VII, §701.1, 1983)

14.07.020 Application. The application for a Mobile Home permit shall include the following information:

- A. Name and address of applicant.
- B. Location and legal description of lot upon which mobile home is to be situated.
- C. Name and address of property owner.
- D. Development of plans.
 - 1. Description of mobile home (dimensions, condition, etc.)
 - 2. Location of mobile home.

(Ord. 60, Art. VII, §701.2, 1983)

14.07.030 Issuance of Permits. When, upon review of the application, the Town Building Inspector is satisfied that the proposed plan meets the requirements of this Title and other applicable Codes, a permit shall be issued. All permits shall include:

- A. Job address, or lot number and block number where no address exists.
- B. Name of the owner.
- C. Amount paid by applicant.
- D. Date permit issued.
- E. Date permit expires.
- F. Development stipulations:
 - 1. When skirting required.
 - 2. When inspections (water, sewer, gas pressure, electrical) required.
 - 3. Information on required or approved:
 - a. Setbacks
 - b. Ground Cover
 - c. Drainage
 - d. Refuse Containers
 - e. Landings and Stairs
 - f. Skirting Material
 - g. Permanent Foundations
 - h. Appliance Ventilation

G. The signature of the Building Inspector. Before water and sewer taps can be made for mobile homes to be located on individual lots (not within a mobile home or travel trailer park) a building permit must have been issued.

(Ord. 60, Art. VII, §701.3, 1983)

14.07.040 Inspection.

A. Before a mobile home can be installed upon a suitable footing on a Single Family Residential Lot, the owner shall notify the Building Inspector, requesting an inspection. The Building Inspector shall inspect such mobile home to assure it meets the requirements as discussed in this Title, and approve it for placement in the community.

B. After a mobile home has been installed on its stand, the owner shall notify the Building Inspector, requesting an installation inspection. The Building Inspector shall inspect the piers, blocking, and the utilities connections, as well as plans for skirting, which will be required to comply with the stipulations stated in Section 14.04.030 of this Title. If approved, the Building Inspector shall issue a Certificate of Occupancy.

C. No mobile home shall be occupied until a Certificate of Occupancy has been issued by the Building Inspector.

(Ord. 60, Art. VII, §701.4, 1983)

14.07.050 Denial of Permit. Any person whose application for a mobile home permit under this Title has been denied may request and shall be granted a hearing on the matter under procedure provided in Section 14.01.080. (Ord. 60, Art. VII, §701.5, 1983)

14.07.060 Mobile Home and Travel Trailer Park Licenses Required. It shall be unlawful for any person to administer any Mobile Home Community within the limits of the Town unless he holds a valid license issued annually by the Zoning Enforcement Official in the name of such person for the specific Mobile Home Community. All applications for licenses shall be made to the Zoning Enforcement Official, who shall issue a license upon compliance by the applicant with provisions of this Title. Said license should be valid for the calendar year in which it is issued, expiring on the 31st day of December of that year. (Ord. 60, Art. VII, §702.1, 1983)

14.07.070 Transfer of Interest. Every person holding a license shall give notice in writing to the Zoning Enforcement Official within twenty-four (24) hours after having sold, transferred, given away, or otherwise disposed of interest in or control of any Mobile Home Community. Such notice shall include the name and address of the person succeeding to the ownership or control of such Mobile Home Community. Upon application in writing for transfer of the license and deposit of a fee of twenty-five dollars (\$25.00), the license shall be transferred if the Mobile Home Community is in compliance with all applicable provisions of this Title. (Ord. 60, Art. VII, §702.2, 1983)

14.07.080 Compliance with Title Required. The person to whom a Mobile Home or Travel Trailer Park License is issued shall at all times operate the park in compliance with this Title and regulations issued thereunder, and shall provide adequate supervision to maintain the park, its facilities and equipment in good repair and in a clean and sanitary condition at all times. (Ord. 60, Art. VII, §702.3, 1983)

14.07.090 Application.

A. Application for original licenses shall be in writing, signed by the applicant, accompanied by an affidavit of the applicant as to the truth of the application and by the deposit of a fee of twenty-five dollars (\$25.00) and shall contain:

1. The name and address of the applicant;
2. The location and legal description of the Mobile Home Park;
3. A site plan, showing all Mobile Home stands, structures, roads, and other service facilities.

B. Applications for renewal of licenses shall be made in writing by the holders of the licenses, shall be accompanied by the deposit of a fee of twenty-five dollars (\$25.00) and shall contain any change in the information submitted since the original license was issued or the latest renewal granted.

(Ord. 60, Art. VII, §702.4, 1983)

14.07.100 Denial of License. Any person whose application for a license under this Title has been denied may request and shall be granted a hearing on the matter before the Zoning Enforcement Official under the procedure provided by Section 14.01.080 of this Title. (Ord. 60, Art. VII, §702.5, 1983)

14.07.110 Inspections for Mobile Home and Travel Trailer Parks. Whenever, upon inspection of any Mobile Home Community, the Zoning Enforcement Official finds that conditions or practices exist which are in violation of this Title, the Zoning Enforcement Official shall give notice in writing in accordance with Section 14.01.070 to the person to whom the license was issued that unless such conditions or practices are corrected within a reasonable period of time specified in the notice by the Zoning Enforcement Official, the license shall be suspended. At the end of such a period, the Zoning Enforcement Official shall reinspect such Mobile Home Community and, if such conditions or practices have not been corrected, he shall suspend the license and give notice in writing of such suspension to the person to whom the license is issued. Upon receipt of notice of such suspension, such person shall cease administration of such Mobile Home Community except as provided in Section 14.01.080 of this Title. (Ord. 60, Art. VII, §702.6, 1983)

Chapter 14.08

MOBILE HOME AND TRAVEL TRAILER PARK DEVELOPMENT STANDARDS

Sections:

- 14.08.010 Mobile Home and Travel Trailer Park Construction Requirements.
- 14.08.020 Mobile Home and Travel Trailer Park General Design Standards.
- 14.08.030 Additional Design and Regulation Standards for Mobile Home Parks.
- 14.08.040 Additional Design and Regulation Standards for Travel Trailer Parks.

14.08.010 Mobile Home and Travel Trailer Park Construction Requirements. The following construction requirements shall be applicable to both Mobile Home and Travel Trailer Parks, and shall be completed before any Certificates of Occupancy are issued:

A. Streets. Streets or accessways within the Mobile Home Park shall be paved or blacktopped at the time of first occupancy. Streets shall be a minimum of forty feet (40') wide. Street widths shall be measured from the back-of-curb to back-of-curb. On-street parking on one-way streets shall not be permitted. On-street parking on two-way streets shall be for a maximum of twenty-four (24) hours. Enforcement of on-street parking regulations shall be the responsibility of the Park owner. Dead-end streets shall not be permitted. Non-through streets shall end in a cul-de-sac having a minimum radius of thirty feet (30').

B. Fire Fighting and Prevention. Fixed installations for fire department operation shall be provided in accordance with Town of Dinosaur standards. Fire hydrants shall be installed in accordance with current standard specifications of the Town and the Fire District.

C. Buildings. Recreation buildings and other community service facilities are subject to the Town Land Use Regulations. Management offices, storage facilities, sanitary facilities and indoor recreation areas may be provided. No mobile home or travel trailer shall be placed closer than twenty feet (20') to a building.

D. Construction Requirements. All developers of any Mobile Home Park or Travel Trailer Park shall submit proposed plans of the same to Town Council for approval in the same manner as subdividers are required to present designs and plats. The subdivision regulations insofar as the requirements for platting and approval thereof shall be applicable to all developers herein.

(Ord. 60, Art. VIII, §801.1, 1983)

14.08.020 Mobile Home and Travel Trailer Park General Design Standards. The following Design standards shall be applicable to both Mobile Home Parks and Travel Trailer Parks, and shall be completed before any Certificates of Occupancy are issued:

A. Utilities. All utilities shall be placed underground in Travel Trailer Parks, tents shall not be permitted.

B. Open Space. Common areas or playgrounds shall be provided at the ratio of 200 square feet per mobile home rental space or travel trailer rental space and shall be centrally located, unless the mobile home or travel trailer is located adjacent to a playground area.

C. Park Size. The minimum size of a Mobile Home Park or Travel Trailer Park shall be two (2) acres.

D. Lighting. All streets and walkways within the Park shall have a minimum standard of illumination as provided by 175 watt mercury vapor lamps or equivalent LED lamps at a maximum spacing of 300 feet.

E. Storage Access. Storage access shall be provided for motorhomes, boats, boat trailers, tent trailers, horse trailers and detachable pickup campers.

(Ord. 60, Art. VIII, §802.1, 1983)

14.08.030 Additional Design and Regulation Standards for Mobile Home Parks. Mobile Home Parks shall be subject to the following Design and Regulation Standards in addition to those herein provided above:

A. Mobile Home Width. Mobile homes shall be a minimum of ten feet (10') in width measured wall-to-wall.

B. Parking. Off-street parking for a minimum of two (2) vehicles, within the minimum area of 400 square feet shall be provided at each mobile home space.

C. Garbage. Receptacles or containers shall be provided for each rental space. All containers shall comply with the applicable regulations with the Town of Dinosaur refuse collection requirements and removal shall be the responsibility of the Park owner.

D. Walkways. Walkways not less than two feet (2') wide shall be provided from streets to all public buildings.

E. Structural Additions. No other structural additions shall be built onto or become a part of any mobile home, except entrance steps. No mobile home shall support any building in any manner unless the addition is an awning, patio cover or carport, or storage building. Such additions shall comply with the current Town building codes.

F. Skirting. Each mobile home shall be skirted completely within forty-five (45) days of placement, with permanent, all-weather, non-combustible skirting material approved by the Zoning Enforcement Official. Allowance shall be made for ventilation. An entry panel or door

shall be available for access to utility connections. No galvanized metal, nor corrugated fiberglass may be used for skirting. The color shall be compatible with the Mobile Home.

G. Patio Pads. Patio pads shall be provided for each rental space. Patio pads shall have a minimum area of 200 square feet and shall be concrete or paved.

H. Mobile Home Hook-Ups. It shall be the responsibility of the Mobile Home Park owner to ensure that all utility hook-ups are completed according to Federal, State and local Codes.

I. Lot Area. Minimum lot size of 3500 square feet and a minimum frontage shall be not less than 30 square feet. Minimum front setback for a Mobile Home on a corner lot with inserting street shall be 20 feet; measured from the unit to the property line or back-of-curb, whichever is greater. If a Mobile Home space borders on a private street, the minimum side and rear yard setback shall be 8 feet. If a Mobile Home has parking spaces, 400 square feet to the side of the unit: a setback of 10 feet shall be allowed on a straight street.

J. Pets. Municipal Code shall apply.

(Ord. 60, Art. VIII, §803.1, 1983)

14.08.040 Additional Design and Regulation Standards for Travel Trailer Parks. Travel Trailer Parks shall be subject to the following Design and Regulation Standards in addition to those provided above:

A. Sanitary Facilities. Separate sanitary facilities for men and women shall be provided. Each facility shall contain one flush water closet and/or urinal and one lavatory for every ten (10) spaces and one shower for every sixteen (16) spaces or fraction thereof. Dumping facilities shall be provided and shall be approved by the Town.

B. Trailer Width. Maximum trailer width shall be eight feet (8').

C. Trailer Space. Each travel trailer rental space shall have a parking pad of 10 feet by 20 feet, that shall consist of concrete or blacktop at the time of first occupancy.

D. Travel Trailer Park Lot Size. Minimum lot size shall be 1000 square feet and a minimum frontage shall not be less than 20 feet measured from the edge of the parking pad to the property line or back-of-curb, whichever is greater. If a trailer borders on a private street, the minimum side and rear yard setback shall be 8 feet.

E. Parking. One off-street parking space that is paved or compacted gravel shall be provided for each rental space.

F. Garbage. Refuse collection and removal shall be the responsibility of the Park owner. There shall be a central dumping area as approved by the Town.

G. Pets. Municipal Code shall apply.

(Ord. 60, Art. VIII, §804.1, 1983)

Chapter 14.11

SEXUALLY ORIENTED BUSINESSES

Sections:

- 14.11.010 Purpose and Description.
- 14.11.020 Definitions.
- 14.11.030 Special Review Use Permit Required.
- 14.11.040 Separation Requirements.
- 14.11.050 Criteria for Permit Approval.
- 14.11.060 Review Process.

14.11.010 Purpose and Description. The purpose of this Chapter is to allow the reasonable location of sexually oriented businesses within the Town in a manner which will protect property values, neighborhoods and residents from the potential adverse secondary effects of sexually oriented businesses, while providing to those who desire to patronize sexually oriented business such opportunity in appropriate areas within the Town. It is not the intent of this Chapter to suppress any speech activities protected by the First Amendment to the United States Constitution but to impose content neutral regulations which address the adverse secondary effects that sexually oriented businesses may have on adjoining properties.

It has been determined, and reflected in the land use studies of various U.S. cities, that businesses which have as their primary purpose the selling, renting or showing of sexually explicit materials have negative secondary impacts upon surrounding businesses and residences. The experience in other U.S. cities is that the location of sexually oriented businesses significantly increases the incidence of crimes, especially sex offenses, including sexual assault, indecent exposure, lewd and lascivious behavior, and child molestation.

It has been determined, and reflected in the land use studies of various U.S. cities that sexually oriented businesses in business districts which are immediately adjacent to and which serve residential neighborhoods have a deleterious effect on both the business and the residential segments of the neighborhood, causing blight and down-grading of property values.

It is the intent of these regulations to allow sexually oriented businesses to exist within the Town in various dispersed locations rather than to allow them to concentrate in any one business area. It is further the purpose of these regulations to require separation requirements between sexually oriented businesses and residential uses, churches, parks, and educational institutions in an effort to buffer these uses from the secondary impacts created by sexually oriented business activity.

(Ord. 111, Art. V, §501, 2007)

14.11.020 Definitions.

A. Unless otherwise defined below, terms used in this Chapter pertaining to sexually oriented businesses shall be as defined in Section 5.14.020 of the Municipal Code.

B. Business: means and includes a sexually oriented business as defined in subsection (N) of Section 5.14.020 of the Municipal Code.

(Ord. 111, Art. V, §502, 2007)

14.11.030 Special Review Use Permit Required. A Special Review Use Permit is required for the operation of a sexually oriented business in the Industrial (I) Zone District. Additional requirements for the granting of a Special Review Use Permit are found in Section 14.03.020 of the Land Use Regulations. (Ord. 111, Art. V, §503, 2007)

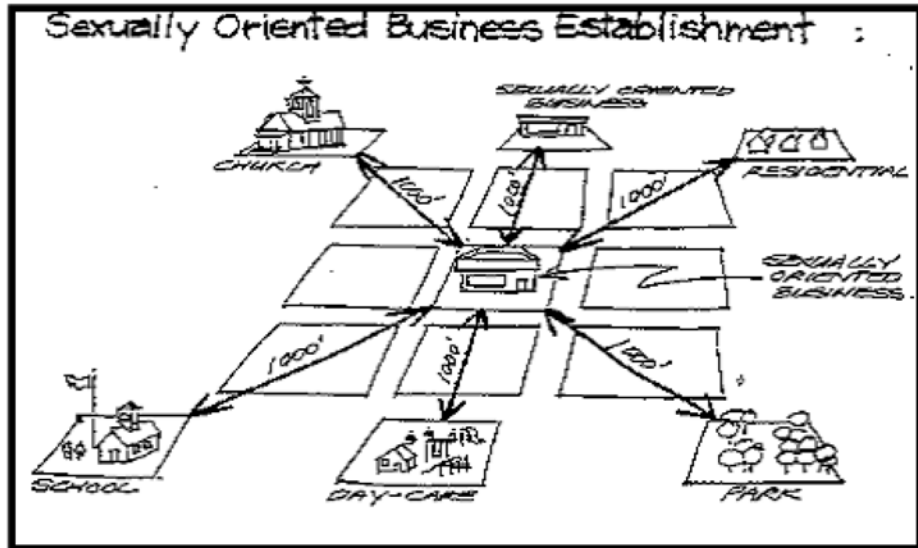
14.11.040 Separation Requirements. No sexually oriented business shall be located within one thousand feet (1,000') of another sexually oriented business, residentially zoned or used property, church, day care center, park or public or private educational institution (whether within or without the Town). A waiver of the foregoing restrictions may be applied for in accordance with subsection (B) of this Section.

A. Method of Measurement. The one thousand feet (1,000') separation measurement shall be made in a straight line without regard to intervening structures or objects from the nearest property line of the proposed sexually oriented business to the nearest property line of another sexually oriented business, residentially zoned or used property, church, park, day care center or educational institution.

B. Waiver Criteria. In establishing the provisions of this Section, the Town Council hereby finds and determines that there may be exceptional or extraordinary circumstances or conditions which are applicable to properties within the Town, or to the intended uses of properties within the Town that do not generally apply to the property or class of uses in the same zone district, and such that denial of an application for relief would result in an inability to reasonably utilize property. Therefore, it is necessary to provide for such extraordinary relief in the form of a waiver. In reviewing such applications for waivers, the burden shall be upon the applicant to meet the criteria set forth in this Section.

1. A waiver to the separation requirements set forth in this Section may be granted as a part of the Special Review Use review process if the presumptions in Section 14.11.010 of this Title are overcome by proof that the establishment of a sexually oriented business within one thousand (1,000') of another sexually oriented business establishment or establishment of a sexually oriented business within one thousand feet (1,000') of any residential zone district, residential use, park, church or public or private educational institution as applicable, will not have a

deleterious effect on surrounding residential and business areas by creating blight, downgrading of property values or tending to cause an increase in crime.



2. In granting a waiver to the separation requirements, the Town Council may impose reasonable conditions relating to hours of operation, screening, buffering and signage as long as the conditions imposed are not designed to prohibit the dissemination of protected materials under the First Amendment of the United States Constitution.

(Ord. 111, Art. V, §504, 2007)

14.11.050 Criteria for Permit Approval. It shall be unlawful for any person to conduct or establish any sexually oriented business activity or enterprise until a Special Review Use Permit for a sexually oriented business has been approved by the Town Council. Such permits shall be approved if the criteria set forth in Section 14.03.020 and the following criteria are met:

- A. The subject property is zoned Industrial (I);
- B. The subject property meets the one thousand foot (1,000') separation requirements as set forth in subsection (A) of Section 14.11.040 or a waiver has been granted pursuant to subsection (B) of the same Section;
- C. The proposed sexually oriented business building has a certificate of occupancy.

(Ord. 111, Art. V, §505, 2007)

14.11.060 Review Process. Applicants for a Special Review Use Permit for a sexually oriented business shall submit a completed Special Review Use application form which contains the information required by Section 14.03.020 of the Land Use Regulations, and, in addition, distances to other sexually oriented businesses, residentially zoned or used property, churches, day care centers, and park or public or private educational institutions. The application shall be reviewed pursuant to the Special Review Use permit process as outline in Title 14.03 of the Land Use Regulations.

(Ord. 111, Art. V, §506, 2007)