

Saguache County Land Development Code
effective November 17, 2008

APPENDIX A

DEFINITIONS

- A.1. ABANDONED - means electricity turned off for one (1) year or more at a time.
- A.2. ACCESSORY DWELLING – a dwelling that contains living facilities including provisions for sleeping, eating, cooking and sanitation that may or may not be attached to the primary dwelling and may be no larger than 80% of the primary dwelling.
- A. 3. AGRICULTURAL RANGELAND - means land used solely for the purpose of grazing, raising, or pasturing livestock.
- A.4. AGRICULTURAL SUPPORT LANDS - means land used for storing farm or ranch machinery and equipment, lands intended for housing livestock, sheds and outbuildings which are used for the particular agricultural operation.
- A.5. AGRICULTURAL CROP LAND - means land used for the purpose of raising, growing, or cultivating any marketable crop including, but not limited to, grains, hay, and potatoes. Also used for storing farm or ranch machinery and equipment, lands intended for housing livestock, sheds and outbuildings which are used for the particular agricultural operation.
- A.6. ALLEY - a minor right-of-way dedicated to public use, which gives a secondary means of vehicular access to the back or side of properties otherwise abutting a street and which may be used for public utility purposes.
- A.7. ACTIVITY OF LOCAL INTEREST - designated activities for which Saguache County review and approval is required before development begins pursuant to C.R.S., 1973, 24-65.1-101.
- A.8. AREA OF LOCAL INTEREST - designated areas for which Saguache County review and approval is required before subdivision development begins pursuant to C.R.S., 1973, 24.65.1-101.
- A.9. AREAS OF SEVERE WIND EROSION HAZARD - means those lands subject to excessive wind erosion when native vegetation or crop residues are removed. These lands are identified as the following soil types in the Saguache County Area Soil Survey:
- A.9.1. Gunbarrel loamy sand
- A.9.2. Gunbarrel loamy sand, saline
- A.9.3. Mosca loamy sand

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- A.9.4. Space City loamy sand
- A.9.5. Space city loamy sand, saline
- A.9.6. Cotopaxi sand
- A.9.7. Dune land
- A.9.8. Kerber loamy sand
- A.10. AVALANCHE - means a mass of snow or ice, and other material, which may become incorporated therein, as such mass moves rapidly down a mountain slope.
- A.11. BLOCK - a parcel of land, intended to be used for urban purposes, which is entirely surrounded by public streets, highways, railroad right-of-way, public walks, parks or green strips, rural land or drainage channels, or a combination thereof.
- A.12. BOARD OF COUNTY COMMISSIONERS - means the Board of County Commissioners of Saguache County, Colorado.
- A.13. BUILDING - Any structure having a roof supported by columns or walls for sheltering of persons, animals, chattels, or any structures attached to it.
- A.14. BUILDING LINE OR SETBACK LINE - a line or lines designating the area outside of which building may not occur.
- A.15. CEMETERY – means a place where human remains or their asses are interned.
- A.16. COLLECTOR ROAD - right-of-way that collects traffic from minor streets and serves as the most direct route to a major street or community facility.
- A.17. COMMERCIAL - Commercial Business or Commercial Use means business or assembly or manufacturing activity that is intended for a mass market, distributed in large quantities and having profit as a chief aim.
- A.18. COMMERCIAL LAND - land used by retail or wholesale centers, service centers, shopping centers, food, clothing or other merchandising establishments intending to market or distribute goods and services.
- A.19. COMPREHENSIVE PLAN - a plan, or any functional element to the plan, as adopted and amended, for providing a framework and guide for accomplishing community aspirations and intentions. It states goals and objectives and

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recommends courses of action for future growth and development of land, public facilities and services, and environmental protection.

- A.20. CONSERVATION PLAN - means any plan developed by the landowner or operator and the soil conservation district, which describes measures to prevent, to the greatest extent possible, soil erosion/degradation from occurring on the land for which the plan was developed.
- A.21. CONSTRUCTION - means the assembly or excavation of, or for, any structures or facilities.
- A.22. COUNTY - Saguache County, Colorado.
- A.23. COUNTY ENGINEER - the duly designated engineer for Saguache County, Colorado, or the County's duly authorized representative.
- A.24. CUL-DE-SAC - a minor street having one end open to vehicular traffic and having one end closed and terminated by a turnaround.
- A.25. CULTIVATION - means the practice of plowing, disking, or any other mechanical disturbance of the soil to prepare the land for the purpose of producing a crop for harvest.
- A.26. DESIGNATION - means designation as an area or activity of state interest pursuant to Section 24-65-1-101 C.R.S. 1973.
- A.27. DEVELOPER - means a person who initiates or carries on a development or any portion thereof.
- A.28. DEVELOPMENT - means any construction or activity which changes the basic character or the use of the land on which the construction or activity occurs. The basic character of the land is deemed changed if the primary utilization of the land changes from one to another of the following categories: agricultural crop land, agricultural rangeland, agricultural support lands, commercial, industrial, mining, major facilities of public utilities, public facilities, recreation, residential, rural, mobile home, timber or unclassified.
- A.29. DISPOSITION - a contract of sale resulting in the transfer of equitable title to an interest in subdivided land, an option to purchase an interest in subdivided land; a lease or an assignment of an interest in subdivided land.
- A.30. DISTRICT - means the local soil conservation district organized as provided in C.R.S. 1973, 35-70-104.

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- A.31. EASEMENT - authorization by a property owner for the use by the public, a corporation, or persons, or any designated part of his property for specific purposes.
- A.32. ENGINEER - a person licensed as a professional engineer by the State of Colorado.
- A.33. EVIDENCE - a map, table, chart, contract, or any other document or testimony prepared or certified by a qualified person to attest to a specific claim or condition, which evidence must be relevant and competent.
- A.34. EXTRACTIVE ACTIVITY - includes all mining (inclusive of sand and gravel), oil/gas wells and quarries.
- A.35. FAMILY – two (2) or more persons related by blood or marriage or a group who need not be related by blood or marriage living in a dwelling unit.
- A.36. FLOOD HAZARD-PRONE AREA - an area lying in a flood plain as determined by the best available information. Maps of known flood hazard-prone areas are kept on file in the Land Use Administrator's office and are made a part of this Code as if set forth therein.
- A.37. FLOOD PLAIN - an area in or adjacent to a stream, which is subject to flooding as a result of the occurrence of an intermediate regional flood and which area thus is so averse to past, current, or foreseeable construction or land use as to constitute a significant hazard to public health and safety, or to property.
- A.38. FLOOD PROOFING - a combination of structural provisions, changes or adjustments to land, properties, and structures subject to flooding primarily for the reduction or elimination of flood damages to land, properties, structures, and contents of buildings in a flood hazard-prone area.
- A.39. FLOOD, INTERMEDIATE REGIONAL - a type of flood, including the water surface elevation and territorial occupation thereof, which can be expected to occur at any time in a given area based upon recorded historical precipitation and other data, but with an average statistical one-percent chance of being equaled or exceeded during any one year. The term is used interchangeably with a one-percent flood or one-hundred-year flood.
- A.40. GEOLOGIC HAZARD - means a geologic phenomenon, which is so averse to past, current, or foreseeable construction or land use as to constitute a significant hazard to public health and safety, or to property. The term includes, but is not limited to, avalanches, landslides, rock falls, mudflows, unstable or potentially unstable slopes, seismic effects, radioactivity, and ground subsidence.

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- A.41. GEOLOGIC HAZARD ZONE MAP - means A map of Saguache County or portions thereof, depicting identified and potential Geologic Hazard Zones, which map is hereby made a part of this Code as if set forth at length herein. Such map shall be filed in the office of the Land Use Administrator.
- A.42. GROUND SUBSIDENCE - means a process characterized by the downward displacement of surface material caused by natural phenomena such as removal of underground minerals by natural consolidation, dissolution of underground minerals, or by manmade phenomena such as underground mining.
- A.43. IMMEDIATE FAMILY MEMBER - husband, wife children, mother, father, sister, brother, or grandparents.
- A.44. INDUSTRIAL LAND - means land used for transportation, shipping, or storing of raw materials, manufacturing, fabrication and processing, or assembly of products.
- A.45. INDIVIDUAL SEWAGE TREATMENT REGULATIONS - means those regulations adopted pursuant to Section 25-10-104 C.R.S., 1973, including the most recent guidelines issued by the Colorado Department of Health, and any additional regulations adopted by the Board of County Commissioners.
- A.46. KEY FACILITIES - airports, major facilities of a public utility, interchanges involving arterial highways, rapid or mass transit terminals.
- A.47. LAND SLIDE - means a mass movement where there is a distinct rupture or zone weakness, which separates the slide material from more stable underlying material.
- A.48. LAND UNSUITABLE FOR CROPLAND - are those lands of heavy-textured soils adversely affected by sodic-saline conditions including the following soil types identified in the Saguache County Area Soil Survey:
- A.48.1. Hooper loamy sand
 - A.48.2. Hooper clay loam
 - A.48.3. Corlett - Hooper complex
 - A.48.4. Space City - Hooper complex
 - A.48.5. Arena loam
 - A.48.6. Biedell clay loam

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- A.48.7.Hapney clay loam
- A.48.8.Harlem, dry - Slick spots complex
- A.49. LAND UNSUITABLE FOR CROPLAND MAP - means a map of Saguache County or portions thereof depicting areas of heavy-textured soils which are unsuitable for cropland, which is hereby made a part of this Code as set forth herein. Such maps shall be filed in the office of the Land Use Administrator.
- A.50. LAND USE ADMINISTRATOR - the Land Use Administrator of Saguache County, Colorado, appointed by the Board of County Commissioners.
- A.51. LOT - a subdivision of a block or other parcel intended as a unit for the transfer of ownership or for development.
- A.52. LOT, CORNER - a lot located at the intersection of and abutting on, two or more streets.
- A.53. LOT, DOUBLE FRONTAGE - a lot that runs through a block from street to street and which has two non-intersecting sides abutting on two or more streets.
- A.54. LOT, REVERSE FRONTAGE - a lot that backs upon an arterial highway, a major street, a railroad, a physical barrier, or non-residential use, and to which vehicular access from the rear is usually prohibited. Also called a reverse frontage lot.
- A.55. MAJOR FACILITIES OF A PUBLIC UTILITY - means transmission lines, power plants, and major substations of electrical utilities; pipelines and storage areas of utilities providing natural gas or other petroleum derivatives; and non-agricultural pipelines to transport waste materials or water which would extend beyond the parcel of land where the pipeline originates.
- A.56. MAJOR THOROUGHFARE - a right-of-way that generally carries traffic throughout Saguache County or across urban communities.
- A.57. MAIN POWER SOURCE - the main service panel or electric disconnecting device located at a residence, commercial/industrial building, or irrigation pump motor, the point of connection to the electric utility.
- A.58. MARGINAL ACCESS OR FRONTAGE STREET - a minor street auxiliary to and located on the side of a major thoroughfare or arterial highway for providing and controlling access to abutting properties and adjacent areas.
- A.59. MINERAL RESOURCE - means coal, oil and natural gas, sulfur, sand and gravel, quarry aggregate, limestone, gypsum, base and precious minerals and

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- other inanimate constituents of the earth, in either solid, liquid or gaseous state which, when extracted from the earth is usable as a metal, a metallic compound, a chemical and energy source, a raw material for manufacturing or construction material. This definition does include geothermal resources, but does not include existing water rights for either, domestic, agricultural, or industrial purposes.
- A.60. MINERAL RESOURCE ZONE - an area in which minerals are located in sufficient concentrations in veins, deposits, bodies, beds, seams, fields, pools or otherwise as to be capable of economic recovery. This includes, but is not limited to, any area in which there has been significant mining in the past, there is significant mining activity presently, mining development is planned or in progress, or mineral rights are held by mineral patent or valid mining claim with the intention of mining.
- A.61. MINERAL RESOURCE ZONE MAP - means the map of Saguache County depicting proven, probable and possible mineral resource deposits, which is hereby made a part of this Code as if set forth a length herein. Such map shall be filed in the office of the Land Use Administrator.
- A.62. MINOR STREET - right-of-way, the primary purpose of which is to provide access to adjacent properties and which is designed so that its use by arterial traffic will be discouraged.
- A.63. MOBILE HOME - A structure designed to be transported on its own chassis after fabrication, which exceeds eight (8) feet in body width or thirty-two (32) feet in body length and which is suitable for year round habitation when the required plumbing, heating and electrical facilities are connected. The mobile home shall be complete and in working order, including sanitary, heating and electrical systems. Ready for occupancy when delivered and setup on the property.
- A.64. MOBILE HOME PARK - The placement of more than one mobile home within 500 feet of another on the same parcel of land shall create a mobile home park, except an active agricultural operation may place no more than three (3) mobile homes on ranch or farm property, to be used exclusively by any family member, ranch or farm employees and not to be used for rental units. The placement of any additional mobile home on that property shall create a mobile home park and all applicable regulations shall apply.
- A.65. MOBILE HOME PARK SPACE - A plot of ground within a mobile home park designed for the accommodation of one mobile home.
- A.66. MODULAR HOME - A structure designed to be transported after fabrication and located as a permanent addition to and becoming a part of the real property. Such a structure must meet minimum construction requirements of the Federal Housing

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- Administration. Such structure is subject to all local building, zoning and housing requirements.
- A.67. MUD FLOW - means a flowing mass of predominantly fine-grained earth material possessing a high degree of fluidity during movement.
- A.68. MULTI UNIT RESIDENCE – any building or portion thereof that contains separate individual living facilities, including provisions for sleeping, eating, cooking and sanitation for more than one family.
- A.69. NATURAL VEGETATION - means land having ground cover of any combination of grasses and/or brush which has not been cultivated prior to October 15, 1984.
- A.70. PERSON - means any individual, partnership, corporation, association, or company or other public or corporate body, including the federal government and includes any political subdivision, agency, instrumentality or corporation in the State.
- A.71. PLAN, PRELIMINARY - the map or maps of a proposed subdivision and specified supporting materials as described in Article II, drawn and submitted in accordance with the requirements of adopted regulations, to permit the evaluation of the proposal prior to detailed engineering design.
- A.72. PLANNED UNIT DEVELOPMENT (P.U.D.) - an area of land suitable for multi-purpose use such as residential, mixed residential, high density residential, business, commercial, recreational, open space or a combination of these uses. Lot sizes, setbacks, densities, land use and other criteria may be modified by requiring the use of a Development Conformance Agreement in conjunction with an approved P.U.D. plan.
- A.73. PLANNING COMMISSION - the Planning Commission of Saguache County, Colorado, appointed by the Board of County Commissioners.
- A.74. PLANNING COMMISSION, REGIONAL - San Luis Valley Regional Development and Planning Commission.
- A.75. PLANNING STAFF, REGIONAL - the professional staff of the San Luis Valley Regional Development and Planning Commission.
- A.76. PLANT – means any green that has sprouted from where the seed has been buried.

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- PLAT, FINAL - a map and supporting materials of certain described land prepared in accordance with Subdivision Regulations as an instrument for recording of real estate interests with the Saguache County Clerk and Recorder.
- A.77. PLAT, VACATION - a map indicating a proposed vacation of a dedicated street, road or easement, or vacation of a subdivision, or portion thereof.
- A.78. PUBLIC FACILITIES - any structure, road, or utility facility designed to serve the general public.
- A.79. RADIOACTIVITY - means a condition related to various types of radiation emitted by natural radioactive minerals that occur in natural deposits of rock, soils, and water.
- A.80. RECLAMATION - means the employment, during and after mining, of procedures reasonably designed to minimize to the extent practicable, the destruction from mining activity and to provide for the rehabilitation of surface resources adversely affected by mining activity through the rehabilitation of plant cover, soil stability, water resources and other measures appropriate to the subsequent beneficial use of such mined and reclaimed land.
- A.81. RECREATIONAL LAND - means any facilities established to provide tent or trailer camping intended for seasonal, vacation, and recreation activities, and including parkland.
- A.82. RECREATION VEHICLE - A pickup camper, motor home, wheeled camper with or without motive power used for temporary living and/or sleeping accommodations.
- A.83. RECREATION VEHICLE PARK - Any parcel of ground which has been planned, improved or used for simultaneous commercial placement of two (2) or more recreational vehicles or tent camping for human habitation and which furthermore meets all conditions listed in Article IV of these regulations.
- A.84. RESIDENCE – any building or portion thereof that contains living facilities, including provisions for sleeping, eating, cooking and sanitation.
- A.85. RESIDENTIAL LAND - means any land, which is divided or apportioned into three or more adjacent lots, blocks, tracts, or parcels of land and intended for single or multi-family dwellings, or planned unit developments.
- A.86. RESUBDIVISION - the changing of any existing lot, or lots, of any subdivision plat recorded with the Saguache County Clerk and Recorder.

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- A.87. ROCK FALL - means the rapid bounding or sliding or rolling of large masses of rocks or individual rocks.
- A.88. SECONDARY POWER LINE - electric conductor or lines that come from the low voltage side of the utility company's distribution transformer and operates at a voltage of less than 600 volts.
- A.89. SEISMIC EFFECTS - means direct and indirect effects caused by a natural or man-made earthquake.
- A.90. SERVICE BUILDING - a building housing toilet and bathing facilities with laundry facilities.
- A.91. SETBACK – the required distance, and the land resulting there from, between the property line and the closest possible point on a conforming structure.

Setback Measurement Procedure – Setbacks to be measured at ninety (90) degrees to straight lines at closest point of proposed foot print of structure, and radially to curved lines at closest point of proposed structure.

- A.92. SIGNIFICANT IMPACT - means any adverse effects on the surrounding community that potentially endangers the health, safety, economy, or resources of Saguache County citizens. It includes, but is not limited to the following examples:

- A.92.1. The imposition of any obstacle to the extraction of a known commercially extractable mineral resource

- A.92.2. A measurable increase in the cost of providing any governmental services

- A.92.3. A detrimental increase in air or water pollution

- A.92.4. A detrimental increase in noise or obnoxious odor around residential or potentially residential areas, except for ranching and farming activities as defined in Article XVII

- A.92.5. A major relocation or location of high population density

- A.92.6. Contribution to or initiation of hazardous traffic patterns

- A.92.7. A detrimental impact to significant Wildlife Resources

- A.92.8. A significant effect on the groundwater table and/or surface water rights

- A.92.9. A unmitigated wildfire hazard problem

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- A.93. SKETCH PLAN - a map drawn and submitted in accordance with the requirements of these Regulations, to evaluate feasibility and design characteristics.
- A.94. SOIL EROSION HAZARD MAP - means a map of Saguache County or portions thereof depicting areas of severe wind erosion hazard and lands unsuitable for cropland, which is hereby made a part of this Resolution as set forth herein. Such map shall be filed in the office of the Land Use Administrator.
- A.95. STREET - means a public way for vehicular traffic, whether designated as a street, highway, thoroughfare, parkway, throughway, road, avenue, boulevard, lane, place, or however otherwise designated.
- A.96. STRUCTURE - any building having a roof supported by columns or walls for sheltering of persons, animals, chattels or any structures attached.
- A.97. SUBDIVIDER OR DEVELOPER - any person, partnership, joint venture, association, firm, or corporation who shall participate as owner, promoter, developer, or sales agent in the planning, platting, development, promotion, sale, or lease of a subdivision.
- A.98. SUBDIVISION - "subdivision" or "subdivided land" means any parcel of land, which is divided into two or more parcels, separate interests, or interests in common. The term "subdivision" and "subdivided land" shall not apply to any division of land which creates parcels of land each of which comprise thirty-five (35) or more acres of land, none of which is intended for use by multiple owners.
- A.99. SUBDIVISION EXEMPTION - is a division of land that falls within the definition given in, and subject to, Article II of this Code.
- A.100. SUBDIVISION IMPROVEMENTS AGREEMENT - one or more security arrangements which may or may not be required by Saguache County to secure the construction of such public improvements as are required by these Regulations within the subdivision and shall include collateral such as, but not limited to, performance or property bonds, private or public escrow agreements, loan commitments, assignments or, receivable, liens on property, deposit of certified funds, or similar surety agreements. Such agreements shall not be interpreted as guarantees or warranties of such public improvements by Saguache County.
- A.101. SUBDIVISION REGULATIONS - means that portion of this Code outlined in Article II or any duly adopted regulations pertaining to the subdivision of land.

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- A.102. TERRAIN, FLAT OR ROLLING - average slope of fifteen percent (15%) or less and the ridges and draws are not well defined.
- A.103. TERRAIN, MOUNTAINOUS - average slope greater than fifteen percent (15%) and having ridges and draws that are steep and well defined.
- A.104. TIMBER LAND - means any land producing, or capable of producing, marketable timber.
- A.105. TRACT - a portion of land, usually not platted, and delineated by a metes and bounds description.
- A.106. UTILITY SERVICE FACILITIES - means electric distribution lines, natural gas distribution lines, telegraph and telephone lines, cable television lines, neighborhood substations and gas regulator stations.
- A.107. VACANT LAND – means any lot, parcel, site or tract of land upon which no buildings or fixtures, other than minor structures are located. Vacant land may include land with site improvements. Vacant land shall not include any lots within such subdivision or any portion of such development tract that improvements, other than site improvements or minor structures, have been erected upon or affixed. Vacant does not include agricultural land, producing oil and gas properties, severed mineral interests and all mines, whether producing or non-producing.
- A.108. WILDFIRE HAZARD - means a wildfire phenomenon, which is so averse to past, current, or foreseeable construction or land use as to constitute a significant hazard to public health and safety, or to property.
- A.109. WILDFIRE HAZARD INITIAL CONTROL ZONE - means an area identified as a general wildfire hazard area by the Colorado State Forest Service.
- A.110. WILDFIRE HAZARD ZONE - means an area containing or directly affected by wildfire hazard, and which is depicted on the official Wildfire Hazard Zone Map.
- A.111. WILDFIRE HAZARD ZONE MAP - means a map of Saguache County or portions thereof depicting identified Wildfire Hazard Zones which is hereby made a part of this Code as if set forth at length herein. Such map shall be maintained in the office of the Land Use Administrator.
- A.112. WORSHIP CENTER – means an active formal building that was constructed to allow people to meet to worship together for religious purposes.