



DEVELOPMENT GUIDELINES, REQUIREMENTS & APPLICATION PROCEDURES

June 15, 2004

**GARFIELD COUNTY REGIONAL AIRPORT
DEVELOPMENT GUIDELINES, REQUIREMENTS &
APPLICATION PROCEDURES
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PART I - INTRODUCTION

A. TITLE AND AUTHORITY

The title of these Regulations shall be “The Garfield County Regional Airport Development Guidelines, Requirements and Application Procedures”.

The Garfield County Regional Airport Development Guidelines, Requirements and Application Procedures and the amendments thereto are authorized pursuant to the Colorado Revised Statutes (1973), 41-3-106 which specifically grants the County power to “provide rules and regulations governing the use of such airport and facilities.”

B. PURPOSES

The Development Guidelines, Requirements and Application Procedures are designed and enacted for the purposes of establishing and implementing comprehensive development guidelines for all aeronautical and non-aeronautical land uses at Garfield Regional Airport. The Garfield County Regional Airport Development Guidelines, Requirements and Application Procedures shall hereafter be referred to as “these Regulations.”

C. LEGAL STATUS

1. Interpretation

These regulations are in addition to any other federal, state or county laws or regulation. Whenever the provisions of these Regulations are found to be inconsistent with any other law or regulation, the law or regulation imposing the more restrictive standards shall control. The provisions of these Regulations are minimum requirements that do not preclude imposition of more restrictive standards by agreement or by law.

2. Repeal

All Development Guidelines, Supplemental Site Planning Guidelines, Supplemental Regulations for specific locations and/or parcels and Development Standards of the Garfield County Regional Airport effective prior to the date of adoption of these Regulations, which are not incorporated herein, are hereby repealed. The repeal of any of the above mentioned guidelines and standards does not revive any prior regulations.

3. Severability

If any section, clause, provision or portion of these Regulations is adjudged unconstitutional or invalid by the court of competent jurisdiction, the remainder of these Regulations shall not be affected thereby.

4. Effective Date

These Regulations shall be in effect from June 15th 2004. These Regulations shall remain in effect until further notice from the Airport Manager

5. Amendments and Variances

The BOCC has the right to amend or approve a variance to these Regulations

6. Administration

These Regulations will be administered by the Airport Manager. No development may occur at Garfield County Regional Airport without the prior written approval of the BOCC.

D. VIOLATIONS

Any person, firm, or corporation violating any provision of a written approval agreement with the BOCC of these regulations shall be subject to all legal, equitable, statutory and common law rights and remedies available to the BOCC including, but not limited to, actions for declaratory relief, injunctive relief, specific performance, and damages.

E. RESPONSIBILITY

The ultimate responsibility for land use decision-making at Garfield County Regional Airport and the administration of these Regulations lies with the Garfield County BOCC. The BOCC shall have the right to amend these Regulations; shall have the sole right to regulate all items not specifically covered in these Regulations; may, at its discretion, approve a variance to any provision of these Regulations; and remains the ultimate arbiter except where such authority is modified by statute or regulation.

PART II – LAND DEVELOPMENT GUIDELINES

It is the goal of the BOCC to preserve the scenic quality of the Garfield County Regional Airport, hereinafter referred to as the “Airport”, for the benefit of its users and the continued high quality development of its properties in a manner consistent with sound fiscal management, preservation of environmental quality, and adequate provision of necessary services and facilities. The following guidelines set forth general policies for the realization of this goal within the framework of protection of the public health, safety, and welfare.

A. FISCAL IMPACTS

It is the policy of the BOCC to ensure that development will not result in the reduction of the quality of services, public facilities, or programs provided to those located at the Airport.

B. ENVIRONMENTAL QUALITY

It is the policy of the BOCC to:

1. Encourage features in any development proposal, which will conserve energy resources and minimize the consumption of energy. To that end, it is the policy of the BOCC to encourage orientation of structures to take advantage of the sun, to prevent structures or development from blocking direct sunlight to other structures, improvements, or uses; to encourage the use of barriers as defense against wind; to promote the use of landscaping to maximize cooling in summer and siting which conserves natural gas, electricity, and gasoline.
2. Preserve and protect its present water resources. To that end, it is the policy of the BOCC that no land use be initiated which would adversely affect the quantity, quality, or dependability of the BOCC’s water resources; or which would occur at the expense of established water dependent activities; or which would result in increased salinization of water, loss of minimum stream flows, destruction of wildlife habitats, or entail future major expenditures on the part of the general public to reacquire or redistribute water resources.
3. Prevent the acceleration of the erosion of soil and rock in order to reduce or eliminate erosion related problems such as stream sedimentation, dust, gullying, alteration of drainage patterns, exacerbation of flood hazards, loss of natural vegetation, visible scars, leaching of minerals, destruction of animal habitats, and increased maintenance cost for roads and other facilities.
4. Preserve the integrity of existing and natural drainage patterns in order that the aggregate of future public and private development activities will not cause storm drainage and floodwater patterns to exceed the capacity of the natural or constructed drainage ways or to subject other areas to increased potential for damage due to flooding, erosion, or sedimentation.

C. ADEQUATE PROVISION OF NECESSARY SERVICES AND FACILITIES

It is the policy of the BOCC to encourage development which utilizes existing services and facilities without overburdening such facilities and services, or resulting in the need to provide additional services and facilities. To that end it is the policy of the BOCC to:

1. Encourage development proposals which minimize automobile congestion and promote traffic safety.
2. Ensure that land is not committed to uses without adequate evidence that facilities to collect, treat, and dispose of anticipated types and quantities of wastewater are available or will be provided prior to commencement of such use and that such facilities will possess suitable capacity, quality of discharge, point of discharge, and dependability.
3. Ensure that land is not committed to uses without adequate evidence that a water supply of adequate quality, pressure, and dependability is available to support the use intended and to provide the protection from fire.

D. MAN-MADE AND NATURAL HAZARDS

It is the policy of the BOCC to encourage development which by virtue of location and design does not expose those located on its properties to avoidable natural and man-made hazards. To that end, it is the policy of the BOCC to:

1. Ensure that development does not impose a hazard to aircraft operations.
2. Ensure that development in proximity to Airport operations facilities and other facilities inherently hazardous by virtue of operation or location is designed, constructed and located in a manner compatible with the hazard.
3. Prevent development in floodplains, geologic hazard areas, or other natural hazard areas, which is incompatible with the hazard in terms of threats to public welfare, private property, and public property.
4. Ensure that developments are designed and located in such a way so as to provide for adequate emergency service, fire protection and law enforcement protection in a manner consistent with existing regulatory requirements.

PART III – DEFINITIONS

The following definitions shall apply to all portions of these Regulations. In certain cases, more detailed or more specific definitions may be found within a section. In certain cases, the more specific definition shall control.

A. RULES OF CONSTRUCTION OF LANGUAGE

1. The particular controls the general.
2. The word “used” shall include “arranged”, “designed”, “constructed”, “altered”, “converted”, “rented”, “leased”, or “intended to be used.”
3. The word “shall” is always mandatory and not directory. The word “may” is permissive.
4. Words used in the present tense include the future, unless the context clearly indicates the contrary.
5. Words in the singular number include the plural, and words used in the plural number include the singular, unless the context clearly indicates the contrary.

B. DEFINITIONS

ABUTTING. Having a common property line or district line with an adjacent property.

ACCESS APRON. The area adjacent to the public use ramp which is used for access to aprons of hangars with aircraft doors perpendicular to the edge of the ramp.

ACCESSORY USE OR STRUCTURE. A use or structure (exceeding 120 square feet) subordinate to the principal structure or use which serves a purpose customarily incidental to the principal use.

ACRE, GROSS. An area in any shape containing 43,560 square feet.

AIR CARGO. An entity that provides the carriage of property, operating under the appropriate FAR.

AIR CHARTER. An entity that provides on-demand, non-scheduled passenger services and operates under the appropriate FAR.

AIRCRAFT. Any contrivance, now known or hereafter invented, used, or designed for navigation for flight in the air. Excluded from this definition are ultra lights, gliders, and paragliders.

AIRCRAFT MAINTENANCE. The repair, adjustment or inspection of Aircraft. Major Repairs include major alterations to the airframe, power plant, propeller and accessories as defined in Part 43 of the Federal Aviation Regulations. Minor repairs include normal, routine inspection with attendant maintenance, repair, calibration, adjustment or repair of Aircraft and accessories.

AIRPORT. – All land with in the legal boundaries of Garfield County Regional Airport.

AIRPORT INFLUENCE AREA. An area within Garfield County, approximate to Garfield County Regional Airport, which is recognized by the BOCC as containing lands which might be affected by noise and/or safety hazards associated with aircraft operations associated with said Airport.

AIR OPERATIONS AREA (“AOA”). The portion of the Airport for use by Aircraft and any adjacent areas that are not separated by adequate security systems, measures or procedures – i.e. Aircraft movement area, Aircraft parking areas, loading ramps and safety areas.

AIRPORT LAYOUT PLAN. The currently approved, scaled dimensional layout of the entire Airport property, indicating current proposed usage for each identifiable segment as approved by the FAA and the BOCC.

AIRPORT MANAGER - Position appointed by the BOCC to administer and direct the operation of the Airport and to enforce Airport Rules and Regulations.

ALTER. To change any of the supporting members of a building such as bearing walls, columns, beams or girders.

ANTENNA. A metallic apparatus used for sending and/or receiving electromagnetic signals.

APPURTENANT RETAIL USES. Retail uses located with office buildings which are intended to provide a service primarily for the occupants of said office building, and which are not allowed exterior advertising. Such uses may include a sandwich shop, barber/beauty shop, snack shop/restaurant, day care, etc.

APRON/RAMP. The paved area between the public use ramp and the aircraft hangar door. This is normally used only by the hangar occupants.

AREA. Any area within a building or outside and adjacent or in the vicinity of a building.

AREA, GROSS FLOOR. The sum of the gross horizontal areas of the several floors of a building or portion thereof, including the basement, if any, as measured from the interior faces of the exterior walls of such buildings.

AUTO REPAIR, MINOR. Vehicle repair and/or servicing consisting of a minor nature, such as tune up, oil change, chassis lubrication, tire change or repair, wheel alignment, muffler repair or installation.

AUTO REPAIR, MAJOR. Vehicle repair consisting of assembly or disassembly of engine parts, body parts, transmission, chassis, axles, etc. and/or the process of painting.

AUTO WRECKING YARD. Any place where two or more vehicles not in running condition, or parts thereof, are stored in the open and are not being restored to operation, or any land, building or structure used for wrecking or storing of such motor vehicles or farm machinery, or parts thereof, stored in the open and not being restored to operating condition; and including the commercial salvaging of any other goods, articles or merchandise.

BERM. Mound of earth used for screening, definition of space, noise attenuation and decoration in landscaping.

BOCC. Board of County Commissioners of Garfield County, the entity with statutory responsibility for the operation, maintenance and financial control of the Airport.

BUFFER. A strip of land established to separate and protect one type of land use from another, to screen from objectionable noise, smoke or visual impact, or to provide for future public improvements or additional open space.

BUILDING. Any structure built for the shelter or enclosure of persons, animals, chattels, property or substances of any kind (not including fences), having one or more floors and a roof, permanently affixed to the ground.

BUILDING ENVELOPE. The portion of a lot within applicable setback requirements where building construction will be permitted.

BUILDING, HEIGHT OF. The vertical distance from the average finished grade immediately adjacent to the structure to the highest point of the structure, including rooftop appurtenances.

BUILDING LINE, FRONT. A line parallel to the front lot line at the rear of the front yard.

BUILDING, MAIN. A building in which is conducted the principal permitted use of the lot on which it is situated.

CANOPY. An accessory roof-type structure which is permanently affixed to the ground and typically not enclosed. As accessory structures these structures would be exempt from the minimum distance requirements between structures. These structures must meet all other minimum yard requirements within the zoning district.

COMMERCIAL AERONAUTICAL ACTIVITY(IES). Any aeronautical activity that involves, makes possible or relates to the operation of Aircraft, the purpose of such activity being to secure income, earnings, compensation or profit, whether or not such objective(s) is accomplished.

COMMERCIAL NON-AERONAUTICAL ACTIVITY. Any activity not directly related to the operation of Aircraft, (e.g. restaurant, rental car, ground transportation or other concessions), the purpose of such activity being to secure income, earnings, compensation or profit, whether or not such objective(s) is accomplished.

COMPATIBLE ARCHITECTURAL TREATMENT. Colors, materials and general architecture which is used within a development or used in conjunction with an adjacent development in order to provide land use compatibility so the effect of building façade treatment and rooftop screening is compatible with the other use(s) as may be determined by the Authority.

CONCRETE, MORTAR AND ASPHALT BATCHING OPERATIONS. A site, together with its accessory facilities, where sand, gravel, cement and various petroleum derivatives are compounded to manufacture concrete, mortar and asphalt.

CONVENIENCE COMMERCIAL. A retail or service commercial use which serves the area immediately surrounding the use by providing groceries, sundries and miscellaneous services which do not typically offer comparison shopping opportunities.

DISTRICT, ZONING. A portion of the County within which the use of land and structure(s) and the locations, height and bulk of structure(s) are governed, i.e., the A-1 classification is a district as is the R-1 classification.

DRIVE-THRU RESTAURANT OR REFRESHMENT STAND. An establishment in which food and/or beverages are sold to the customers, some or all of whom customarily consumes their purchases outdoors in or near their cars.

ENTITY. A firm, corporation, partnership, LLC, unincorporated proprietorship, association, group, joint venture, governmental entity, or any other entity whatsoever.

EXPLOSIVE AND HIGHLY FLAMMABLE OR HAZARDOUS MATERIALS. Materials or liquids which, when ignited, exhibit large scale, rapid and spectacular expansion, outbreak or other upheaval. Hazardous materials are as defined by State statute.

F.A.A. The Federal Aviation Administration of the United States Department of Transportation.

F.A.R. Federal Aviation Regulations, codified at Title 14 of Code of Federal Regulations.

F.A.R. PART 77. Federal Aviation Regulations pertaining to height and obstruction criteria within prescribed distances from an airport as these Regulations currently exist and may be amended from time to time. Part 77 Regulations may also affect lands located outside the boundaries of a defined Airport Influence Area.

FAST FOOD RESTAURANT. A restaurant operation located either within a retail center, or situated on its own freestanding “pad” which primarily 1) serves food that is prepared and/or packaged within five minutes and is generally intended for consumption away from the premises, 2) contains a drive-in facility, and/or 3) is intended to primarily serve the passerby and/or motoring public.

FIXED BASED OPERATOR (FBO). An entity which maintains facilities at the Airport for the purpose of engaging in the retail sale of aviation fuels, Aircraft sales/rental, flight instruction and training, Air Charter, Air Cargo, airframe and engine repair, avionics and Aircraft line services.

FLOODPLAIN. The area adjoining any river, stream, watercourse, lake, or other body of standing water which is subject to inundation by a 100-year flood as defined by the floodplain administrator.

FLOOR AREA, GROSS. All areas located within the outside walls of a building, exclusive of basement area, garage space and porches.

FLOOR AREA RATIO. The ratio of building gross square footage to the gross square footage of a parcel. For example, 21, 780 square feet of building on one acre of land (43,560 square feet) would equal a 1:2 floor area ratio.

GARAGE, PUBLIC. Any garage other than a private garage available to the public for the storage of vehicles and boats when such vehicles are parked or stored for remuneration, hire or sale.

GEOLOGIC HAZARD. A geological phenomenon which is so adverse to past, current or foreseeable construction or land use as to constitute a significant hazard to the public health and safety or to property. This term includes, but is not limited to, landslide, rockfall, seismic effect, mudflow, ground subsidence and unstable or potentially unstable slopes.

HOTEL. A commercial establishment offering lodging to transients, typically in completely furnished individual guest rooms or suites, and often having restaurants, public rooms, shops, etc., that are available to the general public.

IMPROVEMENTS. All buildings, structures, facilities, and accommodations (including but not limited to pavement, fencing, signs, landscaping, walkways, vehicle parking areas, Aircraft ramps and aprons) constructed, installed or placed on, under, or above Airport property. Plans and specifications for all improvements made by Operators must be approved by the BOCC for conformity with codes and standards.

KENNEL. Any premises where any combination of dogs, cats or other household pets, totaling four or more animals, six months of age or older, are kept, boarded or bred for the intention of profit.

LESSEE. The person(s) or entity holding a lease from the BOCC for a lot within the boundaries of Garfield County Regional Airport.

LOT. Any development site located within the boundaries of the Garfield County Regional Airport which is legally described in a lease agreement.

LOT, CORNER. A site bounded by two or more adjacent street lines which have an angle of intersection of not more than 135 degrees.

LOT COVERAGE. That portion of a lot area covered by a building(s), including all overhanging roofs and parking areas (note definition of UNOBSTRUCTED OPEN SPACE.)

LOT, DOUBLE FRONTAGE A lot having a frontage on two Non-intersecting streets as distinguished from a corner lot.

LOT, INTERIOR. A lot other than a corner lot.

LOT LINE, FRONT. The line separating a lot from a street or road upon which the principal building faces.

LOT LINE, REAR. The lot line opposite and most distant from the front line, except for corner lots. The rear lot line may be any lot line not fronting on a street. Triangular lots shall maintain a rear yard of not less than 25 feet from the point of intersection of the side lot lines.

LOT LINE, SIDE. Any lot line that is neither front nor rear.

LOT WIDTH. The distance between side lot lines measured at the rear of the front yard.

MICROWAVE DISH. A receiver for ultrahigh frequency electromagnetic waves.

MINERAL RESOURCE AREA. An area in which minerals are located in sufficient concentration in veins, deposits, bodies, beds, seams, fields, pools or otherwise, as to be capable of economic recovery. The term includes but is not limited to any area in which there has been significant mining activity in the past, there is significant activity in the present, mining development is planned or in progress or mineral rights are held by mineral patent or valid mining claim with the intention of mining.

MINIMUM STANDARDS. Qualifications established by the BOCC as the minimum requirements to be met as a condition for the right to conduct a Commercial Aeronautical Activity on the Airport.

MOTEL. A roadside hotel providing travelers with lodging, typically in completely furnished individual guest rooms which are united under one roof but have individual entrances, and with nearby parking space.

NOISE LEVEL REDUCTION (NLR). Construction techniques utilized for the purpose of reducing interior noise levels of structures to acceptable levels as may be determined by the BOCC.

NONCONFORMING STRUCTURE. A structure legally existing and/or used at the time of adoption of these Regulations, or any amendment thereto, which does not conform with the regulations of the zoning district in which it is located.

NONCONFORMING USE. A use legally existing and/or used at the time of adoption of these Regulations, or any amendment thereto, which does not conform with the use regulations of the zoning district in which it is located.

OFF-STREET PARKING. A site or portion of a site devoted to the off-street parking of motor vehicles including parking spaces, aisles, access drives and landscaped areas.

OPEN SPACE. Land utilized for the recreational, landscaping and/or buffering purposes. Examples include parklands and landscaping treatments within non-residential developments. Open space credit for non-residential developments shall be given for treatments such as berms, sodded areas, trees, water features, decorative rock treatments and in some cases, landscaped plazas and atriums.

OPERATOR. An entity that provides any one of the services listed under Part III , Section (1) though (9) of the Garfield County Regional Airport, Minimum Standards for Commercial Aeronautical Activities.

OUTDOOR STORAGE. The storage of any material outside of the principal permitted structure on any parcel, which material is either wholly or partially visible.

PREMISES OR BUSINESS PREMISES. The area under control of the Operator where permitted Commercial Aeronautical Activity is conducted, including ground space and improvements.

PRINCIPLES. All directors and officers of a corporation and stockholders owning more than ten percent (10%) share; all general and limited partners of a partnership, an LLP, an LLLP; managing “manager(s)” or managing “member(s)” of an LLC; managers of an LPA; owner of an individual proprietorship.

P.U.D. PLAN. The Preliminary Development Plan and/or The Final Development Plan controlling the Planned Unit Development.

PHARMACY. A place where medicines are compounded or dispensed and other medical accessory merchandise is displayed or sold.

PLANNED UNIT DEVELOPMENT (P.U.D.). An area of land controlled by one or more land owners to be developed under unified control or unified plan of development for a number of commercial, educational, recreational or industrial uses or any combination of the foregoing, the plan for which may not correspond in lot size, bulk or type of use, lot coverage

PROFESSIONAL OFFICE. A place of business for any of the following: accountants, architects, attorneys, bookkeeping services, brokers (of stocks, bonds, real estate), building designers, medical and dental professionals, corporate offices, drafting services, financial institutions, development companies, engineers, surveyors and planners, insurance agencies, interior decorators and designers (no retail sales allowed on premises), laboratories, landscape architects, pharmacies, notaries, typing, and secretarial services, and other similar businesses and professions.

PUBLIC IMPROVEMENTS. Certain roadway, traffic and drainage facilities required to support land use proposals. These facilities are required by the Garfield County Board of Commissioners via Subdivision Improvement Agreements to mitigate impacts resulting from vacant property,

PUBLIC STREET. A public right-of-way which provides the principle means of access to abutting property.

PUBLIC UTILITY. Every firm, partnership, association, cooperative, company, corporation and governmental agency, and the directors, trustees or receivers thereof, whether elected or appointed, which is engaged in providing railroad, airline, bus, electrical, rural electrical, telephone, telegraph, communications, gas, gas pipeline carrier, water, sewer, pipeline, street transportation, sleeping car, express, or private car line facilities and services.

QUASI-PUBLIC USE. Charitable, educational, cultural, and/or religious organizations or uses which, as a primary function of their operation, provide significant benefits to the health, safety and welfare of the citizens of Garfield County, as may be determined by the BOCC. Examples of such uses are religious organizations, private meeting halls and private schools.

RAMP. The paved operational area (other than runways and taxiways) that is available for public use.

RAMP TAXILANE. A portion of the ramp utilized for public use aircraft movement other than parking areas which is delineated by a centerline. Ramp leaseholders are responsible for ensuring the ramp taxilane is not used for aircraft parking or staging.

RAMP TAXIWAY. A portion of the ramp designated as a public use taxiway, and which is marked and provides clearance criteria as established in FAA Advisory Circular 150-5300-13.

RECREATION, PRIVATE/COMMERCIAL. Uses, structures and/or land utilized for the provision of recreational activities and/or open space which may be developed, operated and/or maintained for profit by an entity other than a public entity, such as a swimming pool, tennis court/club, recreation center, etc.

RECREATION, PUBLIC. Uses, structures and/or land utilized for the provision of recreational activities and/or open space which may be developed, operated and/or maintained by a public entity.

RECREATIONAL VEHICLES (R.V.S). A motor home, travel or camping trailer, boat, van or truck camper, with or without self-motive power, designed for temporary human habitation.

REPAIR FACILITY A facility utilized for the repair of Aircraft to include airframe, power plant, propeller, radios, instruments and accessories, operated in accordance with pertinent FAA regulations.

RESOURCE RECOVERY OPERATION. An industrial processing operation which primarily is conducted for the purpose of recycling and/or reuse of a product or products.

RIGHT-OF-WAY. An area or strip of land over which a right of passage has been recorded for use by vehicles, pedestrians, and/or facilities of a public utility.

RULES AND REGULATIONS The Garfield County Regional Airport Rules and Regulations adopted by the BOCC to protect the public health, safety, interest, and welfare of the Airport and the citizens of Garfield County, as amended from time to time.

SETBACK, BUILDING. The distance between the property line of a lot to the exterior face of a building; to the back of curb of a parking area; or to other improvements. The street property line is either the existing or proposed back of curb, whichever is more restrictive.

SETBACK, PARKING. The distance between the property line of a lot and any point on the exterior face of that portion of a building and an area for the parking of vehicles.

SIGHT TRIANGLE. An area of land located at intersections of streets, drives, and other public and/or private ways situated to protect lines of sight for motorists, within which, the height of materials and/or structures is limited.

SIGNS. Any object or device containing letters, figures and/or other means of communication or part thereof, situated outdoors or indoors, of which the effect produced is to advertise, announce, communicate, identify, declare, demonstrate, direct, display, and/or instruct potential users of a use, product and/or service.

SITE-SPECIFIC DEVELOPMENT PLAN. Pursuant to the Colorado Revised Statutes, as may be amended, a Plan approved by the BOCC, which grants a vested property right.

SMALL WIND ENERGY CONVERSION SYSTEM (SWECS). Any mechanism, including blades, rotors, or other moving surfaces, designed for the purpose of converting wind energy into mechanical or electrical power. For the purpose of these Regulations, towers, tower bases, guy wires and any other structures necessary for the installation of a small wind energy conversion system are also included.

STORAGE CAPACITY, FLOODPLAIN. The volume of space above an area of floodplain that can be occupied by floodwater of a given stage at a given tie regardless of whether the water is moving. Storage capacity tends to reduce downstream flood peaks.

STRUCTURE. Anything which is constructed or the use of which requires permanent location on the ground or attachment to something having a permanent location on the ground.

STRUCTURE, TEMPORARY. A structure which is not a permanent structure, or one which is constructed for a special purpose in contemplation of eventual removal. For the purpose of these Regulations, the term “temporary” shall mean a period of up to six (6) months.

SUBDIVISION IMPROVEMENTS AGREEMENT. One or more security arrangements which Garfield County shall accept to secure the actual cost of construction of such public improvements as may be required by the BOCC.

360 DEGREE ARCHITECTURAL TREATMENT. Building materials, color schemes and rooftop screening which is identical on all sides of a structure, and which encloses loading docks and other service areas.

TIE-DOWN/TIE-DOWN AREA. The area, paved or unpaved, suitable for parking and mooring of Aircraft throughout which tie-down points have been located.

TIRES, BATTERIES AND ACCESSORIES. Retail establishments which perform minor auto repair, as defined in this section.

TRANSMISSION LINES. Any electric transmission line and appurtenant facilities which emanate from a power plant or a substation and terminate at a substation, which are designed for or capable of the transmission of electricity at greater than 115 kilovolts.

USE. The purposes for which land or premises or a building thereon is designated, arranged or intended, or for which it is or may be occupied.

USE BY SPECIAL REVIEW. Use which must have approval of the BOCC before being allowed on the Airport.

USE, PRINCIPAL. The primary use located on a parcel.

USE SPECIAL EXCEPTION. Use which must have approval of the BOCC before being allowed on the Airport.

VESTED PROPERTY RIGHT. Pursuant to the Colorado Revised Statutes, as may be amended, a property right granted for three years after approval of a “site specific development plan,” as approved by the BOCC.

YARD, FRONT. Required unobstructed open space extending from the front lot line into a lot over the full lot width, excepting driveways and walks.

YARD, REAR. Required unobstructed open space extending from the rear lot line into a lot over the full lot width; provided, however, that exterior chimneys soffits, overhangs, decks, patio covers, bay windows and carports may extend into the rear yard a distance of up to 30 inches. Said rear yard shall be measured from the property line to the foundation or the nearest point of projection of the structure.

YARD, SIDE. Required unobstructed open space extending from the side lot line into a lot over the full lot depth; provided, however, that exterior chimneys, soffits, overhangs, decks, patio covers, bay windows and carports may extend into the side yard a distance of up to thirty (30) inches. Said side yard shall be measured from the property line to the foundation or to the nearest point of projection of the structure.

ZERO LOT LINE. A situation in which either two adjoining structures on adjacent but separate properties share a common wall or structure is built up to its property line with no easement or setback requirement.

65 Ldn. The “A weighted,” day/night average sound level which can be used to assess the amount of exposure to aircraft noise which can be expected at certain locations proximate to an airport. The 65 Ldn noise contour is recognized in these Regulations as having enough potential noise impact on certain land uses to warrant noise level reduction (NLR) methods in construction of these land uses.

PART IV – PERMITTED USES AND DEVELOPMENT REQUIREMENTS

A. PURPOSE

These criteria are established to avoid threats to the health, safety, welfare and property, both public and private, from noise, flight characteristics and crash hazards associated with General Aviation, including private, corporate and non-scheduled commercial air traffic.

B. GENERAL REQUIREMENTS

1. No structure or tree shall be erected, altered, or allowed to grow, or shall be maintained in any portion of the Airport Influence Area that is in excess of any of the airport imaginary surfaces described in these Regulations or the Airport Master Plan.
 - a) For purposes of computation, the base level of the site in question shall be the highest point on which a structure is proposed according to USGS 1:24,000 quad. In cases where conflicts exist, the USGS datum shall apply, except in cases in which the developer submits detailed engineering data which would result in alteration of the USGS datum.
2. Notwithstanding any other provisions of these Regulations, no use may be made of land within the Airport in such a manner as to create electrical interference with wireless communication aircraft, make it difficult for flyers to distinguish between Airport lights and others, result in glare in the eyes of flyers using the Airport or personnel engaged in air traffic control operations, impair visibility in the vicinity of the Airport or otherwise endanger the landing, taking off, or maneuvering of aircraft.

C. PERMITTED USES

Within the Airport, only the following uses may be established, provided said uses are established in conformance with the basic policies of the County and are specifically and individually approved by the BOCC on a case by case, parcel by parcel basis for compliance with use and/or height limitation, noise or other safety hazard, and all other criteria set forth by the Airport Master Plan and the approved Airport Layout Plan.

Refer to the West Terminal Area Plan, the Center Terminal Area Plan and the East Terminal Area Plan at the end of this Part.

1. WEST TERMINAL AREA PLAN

a. Small General Aviation Development Area

This area is intended to primarily accommodate small aircraft weighing less than 12,500lbs

Hangars
Tie-down facilities
Automobile parking
Public Restrooms

b. Environmental Mitigation Area

Air traffic control tower
ASOS
Deicing fluid storage
Fuel dispensing systems
Storm water detention ponds
Wind cones and segmented circles

c. Fuel Storage Area

Electrical vault
Fuel storage facility

d. Long Term Parking Area

Automobile parking

e. On-Airport Residence Area

Residences for airport employees only
Garages and storage sheds associated with above residences

2. CENTER TERMINAL AREA PLAN

a. Commercial Service Terminal Area

Air traffic control tower
Aircraft parking aprons
ARFF/SRE facilities
Automobile leasing and rental facilities
Automobile parking
Commercial service terminals
De-ice pads
General aviation terminals
Offices

Restaurants, taverns and cafeterias
Retail sales facilities

b. Large General Aviation Development Area

This area is intended to primarily accommodate large aircraft weighing more than 12,500lbs

Air traffic control tower
Aircraft parking aprons
Aircraft repair and maintenance facilities
Automobile leasing and rental facilities
Automobile parking
Hangars
Offices
Restaurants, taverns and cafeterias
Retail sales facilities
Tie-down facilities

c. Non-Aeronautical/Commercial Development Area

Automobile Parking Lots (including employees, storage and others);
Beauty Salon/Barber shop;
Building Material Sales Yard (excluding concrete mixing, creosote operation and outdoor storage);
Cabinet Shop, Electric Shop, Plumbing Shop, Heating Shop, Lithographic and/or Printing Shop, Furniture Reupholstering;
Carwash and/or Auto Detailing;
Commercial Wholesale Greenhouses;
Convenience Store;
County Shops;
Dry Cleaning and Dyeing Plant;
Dry Goods Store;
Furniture Store;
General Office, and Office/Showroom/Warehouse;
Hotels/Motels;
Laboratories (i.e., basic and applied research, experimental testing);
Laundry;
Manufacture, Fabrication, Processing or Assembling of Products;
Mini-warehouse/Self Storage;
Recreational Clubs (i.e., tennis, batting cage, golf facilities, volleyball, go cart track, swimming, skating)
Restaurants (including drive-thru “fast foods”), Taverns, Cafeterias;
Retail sale of any commodity manufactured, fabricated or processed on the premises or of any commodity designed especially for the use in agriculture, airport, mining, industry, business, transportation, or construction;
Retail Sales Facilities;

Special Trade Contractors, (including but not limited to plumbing, heating, and electrical);
Wholesale Business, Storage or Warehousing.

3. EAST TERMINAL AREA PLAN

a. Large General Aviation Development Area

This area is intended to primarily accommodate large aircraft weighing more than 12,500lbs

Air traffic control tower

Automobile parking

Hangars

Offices

b. Future Large General Aviation Development area

This area is intended to primarily accommodate large aircraft weighing more than 12,500lbs

Aircraft repair and maintenance facilities

Air traffic control tower

Aircraft parking aprons

Automobile leasing and rental facilities

Automobile parking

Hangars

Tie-down facilities

Offices

Restaurants, taverns and cafeterias

Retail sales facilities

D. PROHIBITED USES

In order to establish limits for objectionable uses or uses that are detrimental to the general welfare of the occupants of the Airport:

1. No use shall be permitted on any lot that injures the reputation of any lot, or is in violation of any laws of the United States or the State of Colorado.
2. Buildings are limited to uses, which in the opinion of the BOCC produce no adverse effects which may be detrimental to the health, safety, or welfare of persons or which may be harmful to property.
3. Temporary Improvements

No temporary improvements or mobile home, office or storage shall be installed or maintained on any lot without the specific written approval of the BOCC. All applications for approval of any temporary improvements will include provisions

for its dismantling and/or removal from the lot in question not later than five days after construction completion.

4. Prohibited Uses

Uses not specified in Section C, "Permitted Uses" are prohibited unless the BOCC determines the use to be similar in nature to those specified. Such prohibited uses shall include but are not limited to churches, hospitals, multi-family residences, residential hotels, convalescent hospitals, single-family residences, schools, cemeteries, auto repair (minor/major), auto wrecking yard, etc.

E. NONCONFORMING USES

1. Amortization Period

- a. Uses: Uses which are not in conformance with the requirements of these Regulations shall be discontinued no later than ten (10) years from the adoption hereof or at the end of the base term of an existing lease.
- b. Structures: Structures not in conformance with these Regulations shall be brought into conformance within ten (10) years of the adoption hereof or at the end of the base term of an existing lease. Failing this, they shall be removed.

2. Marking and Lighting

Notwithstanding the preceding provision of these Regulations, the owner of any nonconforming structure or tree shall be required to install, operate, and maintain thereon such markers and lights as shall be deemed necessary by the BOCC and/or FAA to indicate to the operators of aircraft in the vicinity of the Airport, the presence of such airport hazards. Such markers and lights shall be installed, operated, and maintained at the expense of the owner of such structure(s).

3. Existing Uses

No permit shall be granted that would allow the establishment or creation of an airport hazard or permit a nonconforming use, structure, or tree to be made or become higher, or become a greater hazard to air navigation than it was on the effective date of this regulation or any amendments thereto or than it is when the application for a permit is made.

F. USES NOT ITEMIZED

Upon petition or on its own initiative, the BOCC may add to the uses listed for properties at the Airport any other similar use, which conforms to the following special conditions:

- a. Such use conforms to the basic characteristics and purposes of the area to which it is to be added;

- b. If there are areas to which the use would be more or equally as appropriate, such use shall also be added to those areas.

G. **USES WITHIN 65 LDN CONTOUR**

Any facility proposed for development within the 65 Ldn contour must be reviewed and approved by the BOCC in accordance with FAR Part 150.

PART V - DESIGN CRITERIA

It is the objective of the BOCC to set forth minimum standards of design criteria for development and construction of improvements on Airport properties not otherwise addressed by supplemental regulations contained herein. To that end, the BOCC recommends adherence to the following guidelines so far as can be reasonably achieved in order to ensure development of consistently high quality and to protect and enhance the investment of those locating at the Airport. Without exception, design of any structure within the Airport properties shall conform with requirements contained in the Uniform Building Code, the edition of which is currently adopted by Garfield County, and the Uniform Fire Code the edition of which is currently adopted by the Rifle Fire Protection District.

A. GOALS

The following goals form the basis for these Regulations:

1. Economic - Protection of property values and enhancement of investment;
2. Environmental - Protection to minimize adverse impacts on the natural environment;
3. Function - Maintenance of acceptable planning and engineering standards of facilities and sites, yet flexible to respond to changes in market demand;
4. Visual - Maintenance of variety, interest, and a high standard of architectural and landscape design.

B. APPLICATION

The criteria set forth in this chapter shall apply to all properties located within the Airport boundaries and are in addition to any other jurisdictional requirements including but not limited to Garfield County Building Codes, Federal Aviation Administration Regulations, and the provisions of these Regulations.

C. VARIANCE

The BOCC may approve a variance to any provision of these Regulations in its sole and absolute discretion. Except any variance that would apply to public improvements to be maintained by Garfield County.

D. GENERAL DESIGN REQUIREMENTS

1. Codes

All construction, alteration, moving, demolition, repair, and use of any building or structure within a lot will be subject to the provisions of the appropriate Garfield County Building Code, NFPA 409 and any other applicable code or ordinance.

2. Site Grading and Drainage

In order to establish compatible grading and drainage relationships between buildings, parking, and adjacent properties and to control drainage and erosion:

- a. A site plan indicating proposed grading and drainage shall be reviewed, modified as determined and approved by a County Engineer before any construction is initiated.
- b. Any grades, berms, channels, and swales should be an integral part of the grading and paved surface design.
- c. Paved area grades be appropriate for the specific use and shall not be less than one-half of one percent slope.
- d. Drainage facilities and structures shall be designed to accommodate all storm water generated by the lot for a minimum five-year return period.

3. Erosion Prevention During Construction

Permanent and temporary erosion control measures for each parcel governed by this document will be designed, constructed and maintained in conformance with the latest addition of the Garfield County Storm Drainage Design and Technical Criteria.

In order to prevent loss of soil by water and wind erosion and to prevent dust nuisance to adjacent development:

- a. Practical combinations of the following technical principles should be used to provide effective erosion control.
 - (1) Expose smallest practical area of cleared land during construction.
 - (2) Provisions should be made to effectively accommodate the increased runoff caused by changed soil and surface conditions during and after development or construction.
 - (3) The permanent surfacing and landscaping should be installed as soon as practicable during construction activities.
 - (4) Temporary mulching should be used for imported fill subject to erosion during construction projects.
 - (5) Water down at frequent intervals all areas creating excessive dust.

4. Lot Aesthetics

In order to create a compatible and continuous relationship between site landscape areas and the adjacent lots; to maintain a pleasant appearance in all areas not covered by building or parking; and to enhance the existing character of the lot:

- a. A landscape and irrigation layout covering the area not occupied by building structures or pavement must be submitted to the Building and Planning Department.
- b. Landscaping in accordance with the plans submitted must be installed before occupancy of the building. If seasonal conditions do not permit planting, interim erosion control must be approved by the Building and Planning Department in writing.
- c. Plant materials must be approved by the Building and Planning Department.
- d. All parking areas which front on a street should be screened by a landscaped berm of a maximum height of three feet as measured from the adjacent parking lot surface. Berm slopes must not exceed 2:1 with a three foot (3') wide flat crown.

5. Aircraft Accesses (Aviation Lease Area Parcels Only)

In order to allow for the efficient and safe operation of aircraft and to minimize conflicts of pedestrians and automobiles with aircraft operations:

- a. A twenty (20) foot frontage apron minimum shall be required between the edge of the access taxiway and exterior wall of the hangar door. Apron shall be equal to 50% of depth of hangar for hangars 80' deep or less. Hangars greater than 80' shall construct apron to 60% of depth of hangar.
- b. Where two hangars access a common taxiway, a forty (40) foot access taxilane shall be required between the two frontage aprons, edge to edge. Where a common access taxiway is possible, the Lessee will be required to provide (construct and lease) one-half of said access taxilane. Actual taxilane width shall conform to FAA Guidelines. Minimum separation across a taxiway between hangars shall be 80'.
- c. Minimum setbacks from Side Lot Line to Utility Transformer or Meter shall be:
 - (1) No apron - ten (10) feet.
 - (2) With apron - forty (40) feet.

6. Buffers and Fences

In order to provide security and a visual buffer of unsightly areas such as storage and parking areas:

- a. No fence or wall of any kind shall be constructed unless specifically approved by the BOCC in writing.
- b. Objects such as water towers, storage tanks, processing equipment, cooling towers, communications towers, vents, and any other structures or equipment shall be architecturally compatible or effectively shielded from view from any street and shall be approved, in writing, by the BOCC before construction or erection of said structures or equipment.
- c. Screening fences and buffer areas shall be of a height at least equal to that of the material or equipment being stored.

7. Exterior Lighting

In order to create a functional, pleasing, and coordinated relationship of lighting, signs, and plant material for aesthetics, security, and safety:

- a. A lighting plan describing the exterior illumination layout and fixture selection must be approved by the Airport Manager in writing prior to construction.
- b. Lights shall not be placed to cause glare or excessive light spillage on neighboring sites or the air operations area.
- c. All parking lot and driveway lighting should provide relatively uniform illumination. Accent illumination is recommended at key points such as entrances, exits, loading zones, and drives.
- d. Concealed light sources are recommended.
- e. Security light sources shall be kept in operation all night.
- f. All exterior lighting shall be high pressure sodium fixtures.
- g. All exterior lighting fixtures shall direct light rays downward.

8. Storage Areas

In order to shield stored materials from public view:

- a. No articles, goods, materials, machinery, equipment, plants, animals or similar items should be stored or kept in the open, or exposed to public view, within the area between building setback line and line along the street.
- b. No outside storage or operations (other than aircraft related) of any kind shall be permitted on any lot, unless such activity is visually screened from the street in a manner approved by the Airport Manager. No outside storage shall extend above the top of such screening.
- c. Any article, good, or material to be stored other than in an enclosed, covered building shall be enclosed either with an architectural screen fence at least six feet in height or landscaped planting or both as directed and approved by the Airport Manager.
- d. No storage shed or peripheral buildings other than the main building on each lot shall be permitted except during construction or as may be approved for special use.

9. Maintenance

In accordance with the Lease Agreement and in order to ensure that all facilities are maintained in a neat and orderly manner:

- a. Each Lessee shall maintain its buildings, landscaping, drives, parking lots, or other improvements located upon the lot in good and sufficient repair and shall keep such premises painted, lawns cut, shrubbery trimmed, windows glazed, and otherwise maintain the lot and improvements in an aesthetically pleasing and first-class manner.
- b. Any improvements, planting, driveway, or parking lot service which are damaged by the elements, by vehicles, fire, or any other cause shall be repaired as promptly as the extent of damage will permit.
- c. Buildings which are vacant for any reason shall be kept locked; windows shall be glazed in order to prevent entrance by vandals, and maintenance shall continue as if occupied.
- d. Grounds shall be maintained in a safe, clean, and neat condition free of rubbish and weeds. Lawns shall be kept in a mowed condition. Roads and pavements shall be kept true to line and grade and in good repair. Drainage gutters or basins shall be kept clean and free of any obstacles. Fences shall be maintained in good condition. Damage to plantings created by vandalism, automobile, or acts of nature shall be corrected within 30 days. Undeveloped areas for future use or expansion shall be maintained in a ground cover specified in the planting list and trimmed and mowed only as necessary to ensure a neat appearance. Irrigation of undeveloped areas is not required.

E. BUILDINGS/HANGARS

1. No building may penetrate any surface as defined in F.A.R. Part 77.
2. Exterior building materials must be compatible with adjacent buildings, and shall not affect aircraft operations. As a general rule, reflective glass and other materials will not be approved.
3. No building, or any use of a building, will be permitted on any lot that adversely affects any other lot, the Airport, or violates any law of the United States, the State of Colorado or any minimum standards set forth by the Airport.
4. Exterior lighting should be uniform, with accent illumination at entrances, exits, loading zones, etc., and direct light rays downward.
5. T-hangars shall be of sufficient size to provide an opening with a minimum clear horizontal width of 39'6" and a minimum clear vertical height of 11'0". A minimum inside clear dimension of 29'7" shall be provided from inside of the rear wall to the inside of the closed hangar door. Each T-hangar unit shall provide the full width of 39'6" to within 12" of the center of the unit and a minimum clear width of 18'6" from the center to the rear wall.
6. Box hangars shall be no smaller than 40' x 60' and shall have at least one large hangar door with a clear horizontal opening no less than 39'6" and a clear vertical opening no less than 12'0".
7. Arch or Fabric hangars are discouraged.
8. A minimum of 26 gauge steel shall be used for exterior covering of walls, gable ends and roofs of hangars.
9. Concrete used for foundations, footings, floors and ramps shall have a minimum 28-day compressive strength of 3,500 psi.

F. SETBACKS

In order to provide sufficient space between buildings to ensure adequate light and privacy for Lessee and to allow for functional uses and landscaping and to provide adequate space between buildings and streets to ensure privacy and sound control for Lessee and create an acceptable setting:

1. Minimum Building Setback Requirements from:
 - a. Street right-of-way: 30 feet minimum.

- b. Side Lot Line: 25 feet, or as specified by Fire Code .
 - c. Structures located on the south side of streets or aircraft aprons may be required to provide additional building setbacks, depending on structure height, to allow necessary snow and ice melt from adjacent streets and aprons.
- 2. Parking Area Setback Requirements from:
 - a. Street right-of-way: 10 feet landscaped and bermed as required.
 - b. Side Lot Line: 5: feet.
 - c. Buildings: 5 feet sidewalk or landscaped area.
- 3. The entire parking setback area adjacent to any street shall be landscaped except that portion used for pedestrian access and access driveways.
 - a. Street right-of-way to Building - 30 feet
 - b. Street right-of-way to Parking Area - 10 feet
Use of a screening berm is recommended, where possible.
 - c. Side Lot Line to Building - 25 feet, or as required by Fire Code.
- 4. Side Lot Line to Parking Area - 5 feet
(not applicable if adjacent lots have a contiguous parking area)
- 5. Street right-of-way to Utility Transformer or Meter - 5 feet
- 6. Side Lot Line to Utility Transformer or Meter
 - a. No apron - 10 feet
 - b. With apron - 40 feet

G. PARKING

In order to allow for safe and convenient movement of motor vehicles and to provide as much as practical for landscaping within parking areas to soften visual impact, parking will be permitted only in paved designated parking areas, unless otherwise approved in writing by the BOCC, and will be constructed to meet the following criteria:

- 1. Number of Parking Stalls: Shall be as required to park the automobiles of all users of any Building and consistent with requirements set forth by the Airport's Minimum Standards and these Regulations. Minimum number of parking spaces shall be calculated as follows unless additional spaces are deemed necessary by the BOCC in order to accommodate an intended use:

**GUIDELINES FOR OFF-STREET PARKING
BY LAND USE AND EQUIVALENCY UNIT**

LAND USE	EQUIVALENCY UNIT	RECOMMENDED SPACES
Hangar (Commercial)	330 square feet of gross floor area	1
Hangar (Non-Commercial)	1000 square feet of gross floor area and may not be used for commercial use.	1 or .5 per unit for T-hangars and Box hangars up to 5,000 S.F.
Hangar (West Terminal Area)	NA	No requirements

2. Minimum Parking Stall Dimensions: (See Table Below).

MINIMUM PARKING STALL DIMENSIONS

PARKING ANGLE	STALL WIDTH	STALL LENGTH	AISLE WIDTH
90°	Full-Size Auto – 9’-0” Compact Auto – 8’-0”	Full-Size Auto – 19’0” Compact Auto – 17’0”	25’-0” (2 way)
Parallel	Full-Size Auto – 15’-0” Compact Auto – 14’-0”	Full-Size Auto – 23’0” Compact Auto – 21’0”	20’-0” (2 way)
45°	Full-Size Auto – 9’-0” Compact Auto – 8’-0”	Full-Size Auto – 20’0” Compact Auto – 18’0”	16’-0” (1 way)
60°	Full-Size Auto – 9’-0” Compact Auto – 8’-0”	Full-Size Auto – 22’0” Compact Auto – 20’0”	15’-0” (1 way)
Handicap Stall w/ramp	12’-0”	18’-0”	25’-0” (2 way)

The stall width shall be measured perpendicular to the direction of the stall and the stall and the stall length measured perpendicular to the direction of the aisle. Where there is a common driveway aisle, the Lessee will be required to lease and construct one-half of the aisle.

3. Parking Ratios:

- a. Ratio of full-size spaces to compact car spaces = 60% full size and 40% compact.

b. Handicapped parking spaces shall be provided as follows:

Number of Parking Spaces Provided	Number of Handicapped Spaces Required
1-24	0
25-74	1
75-99	2
100-199	3
200-299	4
300-399	5
400 and above	6 plus 1 for each 200 additional parking spaces provided

4. Lessee shall be responsible for compliance by its respective employees and visitors.
5. Parking will neither be permitted on any street nor parking setback areas.
6. A perimeter poured-in-place concrete curb is recommended within parking lots to prevent vehicular intrusion. Curbs should be continuous.
7. An access driveway (20 feet wide minimum) shall be provided and maintained between each automobile parking area and the street and between parking areas.
8. All parking spaces must be designated by painted lines or other approved methods.

H. UTILITIES

All utility improvements shall conform to the appropriate agency requirements. Lessee shall provide space or required utility easements, and prepare appropriate grantor documents for BOCC signature. The Lessee is responsible for the maintenance of all utility lines to their facility, and for keeping all shutoffs accessible for immediate use. All utilities installed within a public right of way must be approved and permitted by Garfield County.

1. In order to provide for the construction and maintenance of necessary utilities serving developed areas, Lessee shall:
 - a. Provide utility easements as required.
 - b. Install all utility lines underground. No pipe, conduit, cable, line for water, gas, sewage, drainage, steam, electricity, or any other energy or service shall be installed or maintained upon any lot (outside of any building) above the surface of the ground, except for hoses, movable pipes used for irrigation or other purposes during construction, or transformers.
 - c. Co-locate transformers with utility meters where possible and screen with vegetation.

- d. A water meter shall be installed by Lessee for each Lessee at Lessee's expense.

I. LANDSCAPING

The non-building area of a lot that is not paved shall be landscaped according to a landscaping plan approved by the Building and Planning Department in writing. The Lessee is responsible for landscape maintenance.

J. FAA REQUIREMENTS:

1. Notice of Proposed Construction or Alteration

The FAA Form 7460-1 shall be completed by the applicant and submitted to the Airport Manager who will forward it to the appropriate department of the FAA. This form shall be approved by the FAA on or about the time submittal is made to the BOCC for final approval of the Development Plan.

2. Non-Aeronautical Uses

FAA approval must be obtained for projects, which would not be considered "aeronautical uses" in accordance with Grant Assurances the Airport agreed to as a condition of accepting Federal grants-in-aid.

3. Possible Obstructions to the Navigable Airspace

Part 77 of the Federal Aviation Regulations establishes the maximum allowable heights of objects on or in the vicinity of airports. It does this by the definition of "imaginary surfaces" which, if penetrated by an object, would be considered an obstruction. Any planned development which would penetrate the Part 77 imaginary surfaces would most likely not have the backing of the FAA, and it is likely that the Airport would not pursue the project.

K. SIGNAGE

These criteria are provided in order to provide suitable graphics for business identification; communicate information in a straightforward and aesthetically pleasing manner; and establish a compatible relationship between sign structures and the natural environment and the overall design character of a lot. The signage portion of these guidelines is intended to achieve a compatible balance of good taste, adequate business identification, uniformity, and individual image, while at the same time improving the safety and efficiency of vehicular traffic. Only the general parameters are addressed. All signage must be specifically approved by the Building and Planning Department either in conjunction with the Development Plan, or as the result of an individual request.

Traffic signs within a public right of way must conform to the Manual On Uniform Traffic Control Devices (MUTCD) and be approved by resolution of the Board of County Commissioners.

1. General

- a. All signs are subject to the Garfield County Sign Code.
- b. All existing signs are considered approved if they met the requirements of the Garfield County Sign Code in effect at the time of construction.
- c. The Airport Directory Sign will be designed, constructed and maintained by the County. The Airport Manager shall determine what shall be placed on, removed from and in which order information shall appear on the directory sign.
- d. No signs shall be located closer than ten feet to any lot line.
- e. Wall signs shall not comprise more than five percent of the area of the building frontage upon which the sign is located. Wall signs shall be fixture signs; signs painted directly on the surface of the wall or projecting more than 15 inches shall not be permitted.
- f. A maximum of four signs per building frontage is allowed.
- g. No more than three directional signs, (or as approved by the BOCC in cases of large lots) will be permitted on any lot at any time. Directional signs can be used to give directions to traffic or pedestrians or give special instructions.
- h. Identification signs are restricted to advertising only the Lessee located on the lot.

2. Business Signs

- a. Fixed Base Operators (FBOs), by virtue of their airside activity, will be allowed to advertise the brand of fuel product they sell, as well as their business name on a freestanding sign. These signs may be double faced with a maximum sign area of 150' square feet. Existing freestanding signs are approved as constructed. FBOs shall request in writing any changes or revisions to the freestanding signs, and the Building and Planning Department will review and approve on an individual basis.
- b. Individual businesses including FBOs who deal primarily with transient aircraft and/or infrequent visitors to the Airport may have an identification sign on the sides of their buildings, Logo type signs will not exceed 120 square feet. Individual letters of name only signs shall not exceed four feet in height or 10% of the building height, whichever is less. Signs may be lit either

internally or by external lights, but in no case will they interfere with aircraft operation and/or control.

- c. Decorative logos may be included in the entranceway decor.
- d. Lessees who utilize an entrance other than the main entrance to a building may have a business identification sign, not to exceed six square feet either on or adjacent to their entrance door.

3. Parking Signs

Directional signs to parking areas will be in accordance with the Airport's Minimum Standards and consistent with these Regulations. Individual, visitor and handicap spaces may be identified by a standard sign, with the top not to exceed six feet above ground. Wherever possible, No Parking Zones should be denoted by a yellow painted curb.

4. Address Signs

All address signs shall be posted so the numbers are visible by emergency vehicles from the streetside access. Numbers should contrast with the background and be six to seven inches high.

5. Emergency Signs

Signage for emergency service vehicles and facilities will be determined by the Airport Manager.

6. Temporary Signage

Temporary signage may be approved by the Airport Manager in specific cases. Applicants shall request such signage in writing and provide a sketch of the sign, location map and desired time frame. All Airport Managers approvals will be in writing.

7. Project Identification Signs

Project identification signs may be installed during construction, and up to 30 days following issuance of the certificate of occupancy. Signage is limited to the side of the construction office plus one free-standing sign not to exceed 4'x8' and maximum of six feet high. Signs may include leasing information, except for prices.

8. Miscellaneous Signs

Miscellaneous signage not included in these guidelines shall be approved by the Building and Planning Department on an individual basis in writing.

10. Vacated Property

Signs pertaining to activities or occupants no longer using the property are to be removed within 30 days of vacating the property. After that time, the BOCC may remove the sign.

11. Prohibited Signs

The following signs are specifically prohibited:

- a. Neon signage, either on building walls, in windows, or located inside the building so that it can be seen from the street.
- b. Moving or flashing signs or lights.
- c. Rooftop signs.
- d. Electronic message boards used for advertising.
- e. Painted directly on the surface of the wall.
- f. Any sign not considered by the BOCC to be in good taste. i.e. hand drawn
- g. Any sign advertising a product (except FBO fuel), services, job openings, lease space, etc.

PART VI – APPLICATION PROCEDURES

A. PURPOSE

These guidelines and procedures are set forth to provide information to those seeking to develop leased parcels on Airport properties as well as define the requirements necessary to complete the application and approval process. In accordance with FAA regulations the County shall make available to the public ground lease parcels without unjust discrimination to each applicant. Solicited, through a Request for Proposal, or unsolicited proposals will be evaluated by County staff. After receipt of the Conceptual Plan the County staff will review and qualify the proposal upon the following selection criteria:

1. The Concept Plan is in harmony with the Airport Master Plan and Minimum Standards.
2. The benefit to the aviation related activities at the Airport provided by the proposed facilities and or services.
3. Whether special conditions relating to the selected parcel exist.
4. The financial capability of the applicant to construct the proposed facilities, to provide the proposed services and to meet the Conceptual Plan presented to the County.
5. The cumulative revenue to be generated for the County by the lease.

Applicants must direct all submittals to the Airport Manager for consideration, review, modification (if any) and approval for placement on the BOCC agenda.

B. PROCEDURAL GUIDELINES

Step 1 Pre-Submittal Meeting (Required for unsolicited proposals)

Applicants are required to schedule a pre-submittal meeting with the Airport Manager. This meeting gives the applicant an opportunity to present their idea and to discuss available parcels and their designated land use. This also gives the applicant valuable general comments on the feasibility of the idea and an opportunity to identify any potential problems associated with it.

Step 2 Concept Plan

Following pre-submittal discussions, the Concept Plan shall be submitted to the Airport Manager for consideration, review, modification (if any) and approval for placement on the Garfield County BOCC's agenda at a scheduled meeting. During this meeting, the applicant will be required to submit a completed

Development Application together with the appropriate application fee(s). Applicants must contact the Airport Manager for current fee schedules.

This meeting will give the BOCC an opportunity to review the Concept Plan and address any questions or concerns with the applicant and the Airport Manager. The following items will be required prior to any consideration of the Concept Plan by the BOCC, twelve (12) approved copies must be received, at the Airport Manager's office, not later than noon ten (10) days prior, to the date of the scheduled BOCC meeting. The applicant or their designated representative will be required to attend the scheduled meeting of the BOCC to present the Concept Plan.

The Concept Plan shall include:

1. Written narrative describing the proposed development to include:
 - a. Name of the person or entity making the request.
 - b. Parcel location desired to be leased.
 - c. Proposed use. (commercial/private)
 - d. Number of structures.
 - e. Type of structure(s), approximate size(s) of unit(s), and approximate maximum height of building(s) in feet.
 - f. Proposed timetable for development plan.
 - g. Anticipated construction expense with supporting documentation.

2. Plan drawings which include the following minimum information:
 - a. Title or name of the development above the term "Concept Plan"
 - b. Vicinity map, scale, north arrow and date of preparation.
 - c. Location and legal description of lot.
 - d. Total area of open space.
 - e. Location and proposed use(s) of building areas to include ranges of dimensions and square footage.
 - f. Location and dimensions of required building and landscaping setbacks as described within these Guidelines.
 - g. Parking area(s), verifiable based upon building square footage.
 - h. Topographic map depicting existing and proposed contours.
 - i. Utilities drawing depicting existing and proposed locations;
 - j. A scale of, preferably larger than, 1"=500' for concept plan and 1"=400' for development plan.

3. Summary of the standard lease policy and requests for lease condition.

Step 3 Development Plan

The function of the Development Plan is to define the proposed land use and its location, maximum height of structure(s), minimum building setbacks and signage criteria. The Development Plan also proposes and approves the function, right(s)-of-way, and widths of roads within and adjacent to the project area. This outlines the plan and the location, type and extent of access onto County roads and the necessary traffic controls for the development's access points.

Prior to the commencement of site grading, all grading and erosion control plans will be submitted to the Garfield County Engineer for review and approval. Prior to any construction within a public right of way the applicant must submit construction plans to the Garfield County Engineer for review and approval.

Concurrent with consideration of the Development Plan, the applicant must enter into a Lease Agreement with the BOCC for the proposed development parcel(s). If the Lease is a Sublease with an existing airport tenant, then the BOCC Consent to Sublease is required. These approvals may occur at the same Board meeting. Under no circumstances shall construction occur prior to entering into an approved Lease Agreement.

Prior to considering any Development Plan, a "Public Hearing" will be scheduled during a regular or special meeting of the BOCC notification of the time and place of the hearing will be published at least one time in the BOCC designated publication(s) so that interested members of the public and adjoining/nearby property owners may attend. The applicant or their designated representative will be required to attend the scheduled meeting of the BOCC to present the Development Plan.

The Development Plan process is the vehicle which grants any final approval or rights to items discussed in this Chapter. **Completed Development Plan submittal packets must be received ten (10) days prior to the BOCC meeting where the applicant's proposal will be heard.**

- a. Development Plan Submittal Requirements: To be considered complete and to be accepted by the Garfield County BOCC, the Development Plan submittal must include all of the items listed below or waiver requests for required items listed herein. The BOCC **will not** accept incomplete submittals. All of the items should be organized into individual packets with the associated sections as listed below:
 - (1) Letter of Intent: 12 copies. This letter fully describes the request, anticipated construction schedules and/or phasing plans, and history of the parcel or project. This letter shall give specific details of all aspects of the parcel's development, both past and future.

- (2) Letters of approval from all appropriate utility providers (i.e., water and sewer, gas, electric, phone ...): 12 copies. Based upon written notification to the provider(s) from the applicant of their intent to develop a parcel which includes
 - a. Proof that the provider has the ability to serve the full development according to requirements outlined by the applicant, or
 - b. Proof of inclusion with another tenant.
- (3) Letter from Rifle Fire Protection District: 12 copies. This letter states the impacts to the district caused by the development and the district's capabilities of servicing the development.
- (4) Phase I Drainage Conceptual Report: 3 copies. The Phase I Drainage Report covers the site area only, and shows the impact to regional facilities. For guidance in preparing the report consult the County Engineering Office.

NOTE: Please note that all parcels located within areas served by a detention pond will be subject to a pro rata fee for construction and maintenance of the detention facility. Any proposed development contributing to a regional facility not yet constructed may be required to provide temporary on site detention.

- (5) Folded Prints of Development Plan: 12 copies. See "Plan Map Requirements" below. Prints shall be folded so as to fit into a 9" x 12" envelope.
- (6) Waiver Request Letter: 12 copies. This letter which requests a waiver to the submittal process should include each item for which a waiver is requested and a detailed justification of the request. **This is a separate letter and should not be substituted for or combined with the Letter of Intent.**
- (7) Review Fees: Checks should be made payable to the Garfield County for the total amount of required fees. Contact the Airport Manager for current fee schedules. A fee to Garfield County Engineering department for review of construction documents may be assessed based upon the complexity of the project.
- (8) Preliminary Construction Budgets prepared by qualified professionals, cost estimators or contractors retained by the applicant.

- (9) Statement of Financial Condition of the applicant or a letter of credit sufficient to meet preliminary budgets, dated within 30 days of application (marked "CONFIDENTIAL"): 12 copies.
 - (10) Resume(s) of the principal(s) and key employees of applicant to include directors and officers, if a corporation: 12 copies.
 - (11) A minimum of three references: 12 copies each.
 - (12) Pending Lease Agreement (15 copies).
 - (13) Completed FAA Form 7460-1, if required: 12 copies.
 - (14) If it's determined that public improvements are required to support a proposed development, the developer will be required to enter an agreement with BOCC committing to the construction of said improvement.
 - (15) Construction drawings are required after development plan approval and prior to any construction commencing.
- b. Plan Map Requirements: 12 copies of each. The Development Plans shall be prepared on 22" x 34", minimum sized sheets, preferably larger than 1"=400' scale, and shall contain the following completed drawings:
- (1) Cover - Project name, date of the drawing, appropriate scale (1"=2,000' preferred), vicinity map with north arrow facing top of page, and an emphasis on the major roadway network within one (1) mile of the proposed site.
 - (2) Site Plan: Building outline, setbacks, parking areas and ratios, curb cuts, land and building use with square footage, distances between structures, maximum building heights, existing and proposed right(s)-of-way widths for all existing/proposed internal and external roadways, existing and proposed public and/or private roadways and their proposed points of access to adjacent and/or external roadways, unobstructed open space, and utility locations.
 - (3) Landscape Plan: Location, maximum dimensions and detailed descriptions of fences, walls, planters, screens, building or other materials used, plant materials and any other landscaping features as well as grassed areas (include type), planting schedule, lighting and signage, proposed criteria for signage types, locations and maximum dimensions, if known, of all proposed signs, building finish along with a landscape maintenance requirement. Streetscape guidelines must be used within any public right of way.

- (4) Grading Plan: Existing contours (dashed) to one hundred feet (100') outside property line; proposed contours (solid) tied to existing; finish floor elevations; building heights, conceptual drainage and any required storm detention facilities.
- (5) Erosion Control Plan: Must be in accordance with the current Garfield County Drainage Design and Technical Criteria.
- (6) Signage Plan: Including size, color, materials, and construction details.
- (7) Elevations: Building elevations depicting exterior façade on all sides.
- (8) Owner(s) of Record signature block.
- (9) Signature Block for the County Engineer or designee on Mylar.

Public improvements must be designated and constructed to the Garfield County Storm Drainage Design and Technical Criteria and the Garfield County Roadway Design and Construction Standards.

- c. Permit Drawing Requirements: The permit drawings shall be prepared on 22" x 34" minimum sized drawings.

All plans will be subject to review by the following agencies:

- Garfield County Regional Airport
- Garfield County Department of Engineering
- Garfield County Building and Planning Department
- City of Rifle Public Works
- Rifle Fire Protection District

The BOCC may impose any condition or requirement deemed necessary to protect the health, safety, and welfare of the public; to prevent a nuisance or hazard to property; and to ensure proper completion of the project. The BOCC shall approve, with or without conditions, approve contingent upon minor revision(s), deny the application, or defer action on the application to a future meeting pending completion of major revision(s) required for approval of the Development Plan.

- d. Following approval of the Development Plan the applicant shall deliver the following documents to the Building and Planning Department:
 - (1) One set of permit drawings, signed by a registered architect and/or professional engineer.
 - (2) One final permit set prepared on Mylar and electronically, for signature by the Building and Planning Department.

Step 4 Construction

- a. Submit application, construction drawings and signed plan map set to the Rifle Fire Protection District for review and approval.
- b. Submit application, construction drawings and signed plan map set to the Garfield County Building and Planning Department for building permit review and approval.
- c. Prior to the start of construction, the Applicant shall submit to the Airport Manger 1 original and 2 copies of the approved FAA form 7460-1, as required.
- d. Prior to the start of construction, the Applicant will arrange a pre-construction meeting with the Airport Manager and contractor to review Airport safety requirements, operational restrictions, and coordination procedures
- e. Prior to the start of construction, the applicant must submit a Payment Bond and a Performance Bond, or other acceptable surety to be approved by the BOCC, in sums equal to 100% of the applicant's construction contract. The bonding company shall furnish adequate copies of its Power of Attorney in conjunction with the executed bonds.
- f. Within thirty (30) days of project completion, the applicant shall submit reproducible Mylar and an electronic copy of as-built drawings of all improvements, including underground utilities either constructed or found in place. Vertical and horizontal locations shall be referenced to the Airport benchmark and station/offset system. The as-built drawings are to be signed by a Colorado Registered Professional Engineer or Registered Land Surveyor.

C. CHECKLIST FOR APPLICANTS

Pre-Submittal Meeting

- ❑ Schedule Pre-Submittal Meeting to discuss proposed development idea with Airport Manager.

Concept Plan

- ❑ Submit a draft concept plan to the Airport Manager for review.
- ❑ Submit twelve (12) approved copies at least ten (10) days prior to the BOCC meeting to include following:
 - ❑ Written narrative describing the proposed development to include:
 - ❑ Name of the person or entity making the request
 - ❑ Parcel location desiring to lease
 - ❑ Proposed Use
 - ❑ Number of structures
 - ❑ Type of structures(s), approximate size(s) of unit(s), and approximate maximum height of building(s) in feet
 - ❑ Proposed timetable for the development plan
 - ❑ Anticipated construction expense with supporting documentation
 - ❑ Plan drawings to include:
 - ❑ Title or name of the development above the term "Concept Plan"
 - ❑ Vicinity map, scale, north arrow and date of preparation
 - ❑ Location and legal description of lot
 - ❑ Total area of open space
 - ❑ Location and proposed use(s) of building areas to include ranges of dimensions and square footage
 - ❑ Location and dimensions of required building and landscaping setbacks as described within these guidelines
 - ❑ Parking area(s), verifiable based upon building square footage
 - ❑ Topographic map depicting existing and proposed contours
 - ❑ Utilities drawing depicting existing and proposed locations
 - ❑ A scale of, preferably larger than, 1"=500' for concept plan and 1"=400' for development plan.
 - ❑ Summary of the standard lease policy and requests for lease condition.

Development Plan

- ❑ Schedule placement on Garfield County BOCC Agenda (Public Hearing)
- ❑ Enter into Lease Agreement with BOCC and/or obtain Consent to Sublease
- ❑ Submit 12 Copies of Development Plan not later than ten (10) days prior to the date of the scheduled meeting with the BOCC to include the following:
 - ❑ Letter of Intent
 - ❑ Letters from appropriate utility Providers
 - ❑ Letter from Fire District
 - ❑ Phase I Drainage conceptual Report
 - ❑ Folded Plan Maps (12 copies folded so as to fit into a 9" x 12" envelope) of Development Plan in accordance with criteria set forth in these guidelines to include:

- ❑ Cover
- ❑ Site Plan
- ❑ Landscape Plan (including exterior lighting, signage, building finishes)
- ❑ Grading and Erosion Control Plan
- ❑ Signage Plan
- ❑ Elevations and Lot Corners
- ❑ Owner(s) of Record Signature Block
- ❑ Signature Block for Authority Chairman on Mylar
- ❑ Waiver Request Letter:
- ❑ Pay Review Fees
- ❑ Construction Budget
- ❑ Current Statement of Financial Condition of Applicant or a letter of credit (marked “CONFIDENTIAL”)
- ❑ Resume(s) of the Principal(s) and Key Employees of Applicant to include directors and officers, if a corporation
- ❑ A minimum of three references
- ❑ Pending Lease Agreement (15 copies)
- ❑ Completed FAA Form 7460-1, “Notice of Proposed Construction or Alteration,” if applicable (12 copies)

Post-Approval Requirements

Following approval of the Development Plan in conjunction with application to Garfield County for any building permit, the applicant shall deliver to the BOCC:

- ❑ One set of final construction drawings, signed by a registered architect or professional engineer
- ❑ One complete plan map set prepared on Mylar for signature by the BOCC Chair.

Construction

- ❑ Payment of Improvement Construction Fee, if applicable, within 30 days of Certificate of Occupancy
- ❑ Obtain Approval from Rifle Fire Protection District
- ❑ Obtain Building Permit from Garfield County
- ❑ Schedule Pre-Construction Meeting with Airport Manager and Contractor to review Airport safety requirements, operational restrictions, and coordination procedures.
- ❑ Within thirty (30) days of project completion, submit reproducible Mylar as-built drawings of all improvements in accordance with Part VI of these Regulations.