

You have provided justification for a rural home occupation as a special use. You need to display compliance with Section 5.3.2 for special use as well.

Rural Home Occupation.

(1)

Rural Home Occupation Defined. A rural home occupation is an accessory use of property, a dwelling, or a detached accessory structure which otherwise meets the requirements of a residential home occupation except as specifically modified and expanded by this Section.

(2)

Intent. The intent of the more broadly defined rural home occupation is to recognize the unique land use characteristics in low density agriculturally zoned areas and to reasonably accommodate the home-based businesses that traditionally occur in these areas.

(3)

Allowed Home Occupations. The following types of uses, in addition to those allowed as a residential home occupation, may qualify as rural home occupations, if the general standards of a rural home occupation are met:

- Contractor's equipment yards, construction businesses, welding shops;
- **Trucking and hauling businesses;**
- Vehicle storage or repair businesses; and
- **Other small businesses which primarily serve a rural agricultural or ranching clientele.**

(4)

Excluded Uses. The following types of businesses, among others do not qualify as a rural home occupation:

- Any heavy industrial, solid waste disposal, solid waste transfer, scrap tire recycling or mineral extraction use;
- Commercial uses or businesses which do not primarily serve a rural agricultural or ranching clientele (**Colorado Horse Hay definitely serves agricultural & ranching clientele**).
- Any use involving significant public occupancy or overnight accommodations other than those uses specifically allowed in the zoning district;
- Any commercial tower or utility use, not otherwise allowed; and
- Any outdoor concert, shooting range, race track or comparable use.

(5)

General Standards for Rural Home Occupation. Rural home occupations shall conform to the requirements and standards of a residential home occupation with the following specific allowances.

(a)

Outside Storage and Work Areas Allowed. Outside storage, parking and work areas are allowed provided these are set back a minimum of 50 feet from all property lines and are limited in combination to one acre or 5% of the total lot or parcel area, whichever is less. The screening standards of Chapter 6 of this Code shall apply to outside storage areas located on parcels less than 35 acres, and to all outside storage greater than 5000 square feet. (None of these items are an issue with our business.)

(b)

Employees. A maximum of 2 employees are allowed, who are not family members or principally employed in a use which is otherwise allowed on the lot or parcel. (We have no employees in our business. We have a couple Independent Contractors that haul for us on their own schedule. Our business is mainly a family business run by myself, my 4 sons, and a son-in-law.)

(c)

Trips Generated by Home Occupation Limited. The total number of one-way vehicle trips generated by the rural home occupation shall not exceed an average of 20 per day. (The total number of one-way trips generated by the business very seldom exceed 10 per day with a high being 14.)

(d)

Inoperable Vehicles. A maximum of 10 inoperable non-agricultural vehicles shall be allowed in conjunction with the rural home occupation. (We would have no inoperable vehicles on the premises.)

(e)

Environmental Impacts. The rural home occupation shall not result in any generation of solid waste or hazardous substances or petroleum or excessive noise, vibration, dust, glare, drainage, erosion or other environmental impacts to surrounding lot or parcel owners. (Our barn sets in the middle of our 30+ acres in a very rural setting and does not generate any of the above mentioned impacts to surrounding property owners.)

(f)

More than One Home Occupation Allowed. More than one rural home occupation is allowed on a single property, provided that aggregate impacts are limited to those allowed by this Code.

(C)

Rural Home Occupations as a Special Use.

(1)

Intent. The intent of allowing a rural home occupation as a special use is to provide a mechanism by which a business owner or entrepreneur may reasonably establish or expand their home occupation on a large residential or agricultural property in manner that protects neighboring properties from extreme or unreasonable impacts. (I believe this intent provides us the special use we need and I believe all neighbors, even though none are close, are protected from any impacts.)

(2)

Where Allowed. A rural home occupation is allowed as a special use on any parcel or lot that is 5 acres (We have 30+ acres) (including a legally-created 4.75-acre parcel or lot along a section line road) or more in area and is located in a residential or agricultural zoning district.

(3)

General Requirements. A rural home occupation by special use shall conform to all standards for locating and operating a rural home occupation except as otherwise modified by these standards and the special use approval.

(4)

Special Provisions and Allowances.

(a)

Special Use Approval Required. Where a special use approval is required to locate and conduct a rural home occupation, the special use may be approved administratively except where an adjacent property owner objects. In the case where a written objection is filed, the special use shall be referred to the Board of County Commissioners for consideration.

(b)

Limit of Administrative Approval. A rural home occupation which receives administrative special use approval shall expire 5 years from the date of approval. The special use may be renewed following the same procedure as the original application.

(c)

Special Use Fee. A rural home occupation by special use shall be subject to an application fee of 20% of the standard application fee for a special use.

(d)

Employees and Traffic. A rural home occupation approved by special use may be approved to employ a maximum of 10 employees and generate a maximum of 50 daily trips. (This would never be an issue with our business. We average 2-3 customers a day who come and pick up an average of 2-20 bales of hay. We also average 2-3 deliveries a day from our ranch with pickup trucks and flatbed trailers.)