



RECOMMENDATIONS – Land Use Code Amendments Working Group Horse Business Facility Regulations Study

0.0. GENERAL PROVISIONS

Modify the following definitions as follows:

0.1. Definitions

[0.1.1. Words and terms defined.]

Words in this section have the following meanings when used in this code:

~~*Boarding stable.* A facility for the care and feeding of more than four horses for a fee.~~

Boarded horse. A horse that for remuneration or a fee is kept and/or cared for by a party or entity other than its owner or lessee. A horse owned by the equestrian operation that is leased to another party but kept and/or cared for by the equestrian operation is considered to be a boarded horse.

Equestrian operation. A facility or place used for boarding (including equestrian pasture boarding), equestrian events and/or activities for remuneration and/or fee. Activities of an equestrian operation may include: horse boarding, riding lessons, horse training, competitions and exhibition events.

Equestrian event. A gathering of horses and people for predetermined activities that are outside of the routine activities of the equestrian operation where the total number of people attending exceed 3 per acre.

Equestrian trainee visit. Each visit of an individual trainee to an equestrian operation for a training session such as a riding lesson or educational class that is offered for remuneration or a fee. If the trainee boards their horse at the equestrian operation, their visits for lessons do not constitute an equestrian trainee visit.

Equestrian pasture boarding. Leasing of pasture for the purposes of horse grazing, recreation, and turn-out where the same pasture area is made available to 2 or more horse owners. Equestrian pasture boarding is characterized by shared responsibility between the horse owner and the pasture owner for care of the horses; or the horse owner receives access to the pasture and other facilities for the riding and grooming of their horse(s) and/or storage of equestrian equipment and supplies.

Farm. Any parcel of land containing at least three acres used primarily for the commercial, soil-dependent cultivation of an agricultural crop, the facilities and storage necessary for the management of a commercial custom farming operation or the hauling of farm products, the raising of fish, bees, plants or animals or the

raising of livestock, including horse breeding farms. This does not include feedyards, poultry farms, exotic animal farms or fur farms.

Horse boarding. The activity of keeping and/or caring for horses that are owned by or leased to another party or entity.

Lesson horse. A horse that is owned by the equestrian operation and used for riding lessons and/or training.

~~Livery stable.~~ A stable where the general public may hire horses for riding.

~~Riding academy.~~ A facility for the care and/or boarding of horses where instruction in riding, jumping and showing is offered.

Riding stable. A facility where horses are harbored and the general public may, for a fee, hire horses for riding.

~~Stable.~~ A facility where horses are kept.

4.1. ZONING DISTRICTS

Modify section 4.1 as follows:

- A. The purpose of zoning districts is to implement the Larimer County Master Plan, promote compatible land use patterns and establish standards appropriate for each zoning district.
- B. Uses followed by an (R) are allowed by right but they may be subject to Section 6 (site plan review) and all other requirements of this code.
- C. Uses followed by an (AR) require approval through the administrative review process described in section 12.
- D. Uses followed by an (MS) require approval through the minor special review process.
- E. Uses followed by an (S) require approval through the special review process described in section 4.5.
- F. Uses followed by a combination of (R/AR/MS/S) may be allowed by right or require approval based on thresholds in section 4.3 (use descriptions).
- G. Uses followed by an (L) require review through the location and extent review process described in section 13.0.
- H. Use descriptions in section 4.3 contain conditions that apply to certain uses.
- I. The number of dwelling units allowed on a site is based on the presumption that all other applicable standards will be met. The maximum density established for a zoning district is not a guarantee that such densities may be obtained, nor a valid justification for varying other dimensional or development standards.

Change Sections 4.1.1. FA-Farming, 4.1.2. FA-1 Farming, 4.1.3. FO-Forestry, 4.1.4. FO-1 Forestry, 4.1.5. O-Open, 4.1.8. RE-Rural estate and 4.1.21. AP-Airport to add a new Equestrian operation use in place of the existing Boarding stable use and to delete the existing Riding academy use as follows:

A. Principal uses:

Agricultural.

#. ~~Boarding stable (S)~~

#. Equestrian operation (R/AR/MS/S)

Recreational

#. ~~Riding academy (S)~~

Re-number the above sections to reflect the changes.

4.3. USE DESCRIPTIONS AND CONDITIONS

Modify the following use descriptions as follows:

4.3.1. Agricultural uses.

A. *Farm.* Any parcel of land containing at least three acres used primarily for the commercial, soil-dependent cultivation of an agricultural crop, the facilities and storage necessary for the management of a commercial custom farming operation or the hauling of farm products, the raising of fish, bees, plants or animals or the raising of livestock including horse breeding farms. This does not include feedyards, poultry farms, exotic animal farms or fur farms.

~~G. *Boarding stable.* A facility for the care and feeding of more than four horses for a fee.~~

G. Equestrian Operation. A facility or place used for boarding (including equestrian pasture boarding), equestrian events and/or activities for remuneration and/or fee. Activities of an equestrian operation may include: horse boarding, riding lessons, horse training, competitions and exhibition events.

Equestrian operations are allowed by use by right, administrative review, by minor special review and by special review as detailed in the formula and chart below:

Criteria	Number		Factor		Sub-total
Number of Horses Boarded or Kept for Training		X	1.0	=	
Number of Lesson Horses		X	0.5	=	
Number of Weekly Equestrian Trainee Visits		X	0.5	=	
Number of Equestrian Events Annually		X	1.0	=	
Points associated with the size of the property the business occupies*		X	1.0	=	
**Total Points					
*Size of the Property			*Points		
Less than 5 acres			10		
At least 5 acres but less than 10 acres			8		
At least 10 acres but less than 35 acres			5		
35 acres or more			0		
For Each additional 35 acres subtract 2 points					
**Total Points	Use allowed as follows:				
14.0 or less	By Right See item b. below.				
14.5 - 35.0	Administrative Review and approval required. See item c. below.				
35.5 - 50.0	Minor Special Review and approval required. See item d. below.				
50.5 or more	Special Review and approval required. See item e. below.				

- a. A single-family dwelling is allowed as an accessory building.
- b. An equestrian operation with 14.0 points or less as determined from the above formula is allowed by right provided the following criteria (item 2. below) is considered and the following standards are met:
 1. Noise, fumes, dust, odors, vibration or light generated as a result of the equestrian operation will, at the property line, be below the volume, frequency, or intensity such that they do not unreasonably interfere with the enjoyment of life, quiet, comfort or outdoor recreation of an individual of ordinary sensitivity and habits.
 2. Anyone investigating or making a determination on a complaint against an equestrian operation, reviewing an equestrian operation, or in any other way interpreting what “unreasonably interferes with the enjoyment of live, quiet, comfort or outdoor recreation of an individual of ordinary sensitivity and habits” shall consider the Larimer County’s Right to Farm and Ranch policy which states, in part, that Colorado is a "Right-to-Farm" State pursuant to C.R.S 35-3.5-101, et seq. Landowners, residents and visitors must be prepared to accept the activities, sights, sounds, and smells of Larimer County's agricultural operations as a normal and necessary aspect of living in a County with a strong rural character and a healthy agricultural sector. Those with an urban sensitivity may perceive such activities, sights, sounds, and smells only as inconvenience, eyesore, noise, and odor. However, State law and County policy provide that ranching, farming, or other agricultural activities and operations within Larimer County shall not be considered to be nuisances so long as operated in conformance with the law and in a non-negligent manner.
 3. Minor Special Review is required if the number of horses on the property exceeds 2 per acre.
 4. All applicable land use, health, and building codes must be met. Includes legal rights to water in compliance with State of Colorado, Department of Natural Resources, Division of Water Resources standards and access for equestrian operation use consistent with Section 8.14.2.M, access standards.
 5. The routine hours of operation open to the public are limited to the hours between 6:00 am and 10:00 p.m.
 6. Lights and amplified noise devices associated with outdoor arenas must be turned off by 9:00 p.m. if the arena is located within 250’ of a neighboring residence.
 7. The owner of the equestrian operation may (or) must complete and sign an Equestrian Operation Registration Certificate prior to operation. (Note: The working group was split on whether to include this as a required (must) or optional (may) standard.)
 8. A Resource Stewardship Plan, including chapters on air quality, water quality, soil erosion, plants, manure and dust management, storm water management, wetlands protection, pest and noxious weed management, is recommended but not required.
- c. An Equestrian Operation with 14.5 to 35.0 points as determined from the above formula shall be reviewed by the Planning Director through the administrative review process as set forth in Section 12.2.3. The Planning Director shall approve the use if the following criteria (item 2. below) is considered and the following standards are met:
 1. Noise, fumes, dust, odors, vibration or light generated as a result of the equestrian operation will, at the property line, be below the volume, frequency, or intensity such that they do not unreasonably interfere with the enjoyment of life, quiet, comfort or outdoor recreation of an individual of ordinary sensitivity and habits.
 2. Anyone investigating or making a determination on a complaint against an equestrian operation, reviewing an equestrian operation, or in any other way interpreting what “unreasonably interferes with the enjoyment of live, quiet, comfort or outdoor recreation of an individual of ordinary sensitivity and habits” shall consider the Larimer County’s Right to Farm and Ranch policy which states, in part, that Colorado is a "Right-to-Farm" State pursuant to C.R.S 35-3.5-101, et seq. Landowners, residents and visitors must be prepared to accept the activities, sights, sounds, and

smells of Larimer County's agricultural operations as a normal and necessary aspect of living in a County with a strong rural character and a healthy agricultural sector. Those with an urban sensitivity may perceive such activities, sights, sounds, and smells only as inconvenience, eyesore, noise, and odor. However, State law and County policy provide that ranching, farming, or other agricultural activities and operations within Larimer County shall not be considered to be nuisances so long as operated in conformance with the law and in a non-negligent manner.

3. Minor Special Review is required if the number of horses on the property exceeds 2 per acre.
 4. All applicable land use, health, and building codes must be met. Includes legal rights to water in compliance with State of Colorado, Department of Natural Resources, Division of Water Resources standards and access for equestrian operation use consistent with Larimer County Land Use Code Section 8.14.2.M, access standards.
 5. The routine hours of operation open to the public are limited to the hours between 6:00 am and 10:00 p.m.
 6. Lights and amplified noise devices associated with outdoor arenas must be turned off by 9:00 p.m. if the arena is located within 250' of a neighboring residence.
 7. Safe and adequate access and adequate on-site parking have been approved by the county engineer.
 8. Adequate sanitation facilities have been approved by the county health department.
 9. Lighting for the operation must comply with the requirements of Section 8.15.4. Development lighting design standards.
 10. A Resource Stewardship Plan, including chapters on air quality, water quality, soil erosion, plants, manure and dust management, storm water management, wetlands protection, pest and noxious weed management, is recommended but not required.
- d. Minor special review approval is required for any equestrian operation with between 35.5-50.0 points as determined from the above formula. The following standards shall apply:
1. Resource Stewardship Plan is required and shall include chapters on air quality, water quality, soil erosion, plants, manure and dust management, storm water management, wetlands protection, pest and noxious weed management.
 2. Routine hours of operation open to the public shall be defined as part of the review process.
 3. All buildings must be used consistently with their permitted use.

The following standards will need to be addressed with an amendment to Section 8 (to be completed at a later date):

1. *Must have legal rights to water supply (Section 8.1.2)*
2. *Must not allow light trespass onto neighboring properties (Section 8.15.4)*
3. *Road capacity of roadways providing access to property is adequate (Section 8.1.5)*
4. *Business has legal rights to property access for business purposes (Section 8.14.2.M)*
5. *Off-road parking standards (Section 8.6, edited to make it more appropriate for horse businesses and specifically dealing with provisions for adequate parking but not requiring parking areas to be paved)*
6. *Emergency services access and fire protection (Section 8.1.4)*

- e. Special review is required for any equestrian operation with 50.5 or more points as determined from the above formula. The following standards shall apply:
1. Resource Stewardship Plan is required and shall include chapters on air quality, water quality, soil erosion, plants, manure and dust management, storm water management, wetlands protection, pest and noxious weed management; and
 2. Routine hours of operation open to the public shall be defined as part of the review process.
 3. All buildings must be used consistently with their permitted use.

The following standards will need to be addressed with an amendment to Section 8 (to be completed at a later date):

- 1. Must have legal rights to water supply (Section 8.1.2)*
- 2. Must not allow light trespass onto neighboring properties (Section 8.15.4)*
- 3. Road capacity of roadways providing access to property is adequate (Section 8.1.5)*
- 4. Business has legal rights to property access for business purposes (Section 8.14.2.M)*
- 5. Off-road parking standards (Section 8.6, edited to make it more appropriate for horse businesses and specifically dealing with provisions for adequate parking but not requiring parking areas to be paved)*
- 6. Emergency services access and fire protection (Section 8.1.4)*

4.3.5. Recreational uses. Delete the following use description.

~~E. *Riding academy.* A facility for the care and/or boarding of horses where instruction in riding, jumping and showing is offered.~~

6.0. SITE PLAN REVIEW

Modify Section 6.1 as follows:

6.1. PURPOSE

The purpose of site plan review is to ensure that plans for the development of multiple family and nonresidential uses, excluding agricultural uses allowed by right and equestrian operations, comply with all applicable requirements of this code and any other approvals imposed by the county commissioners, the board of adjustment or floodplain review board.

12.0. COMMON PROCEDURES FOR DEVELOPMENT REVIEW

Add a new Section 12.2.3. Administrative Review as follows:

12.2.3. Administrative review. Applications for uses requiring administrative review approval must comply with the criteria and standards listed in the section 4.3 use descriptions. The planning director will make a decision to approve or deny an application within 45 days of submittal of a complete and sufficient application and will inform the applicant of said decision. A checklist of submittal requirements is included in the technical supplement to this Code. Any decision to deny a request for a use requiring administrative review approval must be in writing and include specific reasons for the action. The planning director's decision can be appealed by the applicant within 30 days to the board of county commissioners. The fee for administrative review will be collected when the application is submitted. All applications for administrative review require a pre-application conference as described in subsection 12.2.2, above.

Renumber the remainder of the section