

Weld County Code Ordinance 2025-15

In the Matter of Repealing and Reenacting, with Amendments, Chapter 23 Zoning of the Weld County Code

Be it ordained by the Board of County Commissioners of the County of Weld, State of Colorado:

Whereas, the Board of County Commissioners of Weld County, Colorado, pursuant to Colorado statute and the Weld County Home Rule Charter, is vested with the authority of administering the affairs of Weld County, Colorado, and

Whereas, the Board of County Commissioners, on December 28, 2000, adopted Weld County Code Ordinance 2000-1, enacting a comprehensive Code for the County of Weld, including the codification of all previously adopted ordinances of a general and permanent nature enacted on or before said date of adoption, and

Whereas, the Weld County Code is in need of revision and clarification with regard to procedures, terms, and requirements therein.

Now, therefore, be it ordained by the Board of County Commissioners of the County of Weld, State of Colorado, that Chapter 23 of the Weld County Code be, and hereby is, repealed and re-enacted, with amendments, to read as follows.

Chapter 23 Zoning

Amend Sec. 23-1-90. - Definitions.

The following specific words and phrases, when appearing in this Chapter in uppercase letters, shall have the meanings stated in this Section:

Delete *BUILDING UNIT*.

Insert *OCCUPIABLE SPACE*: As defined in Chapter 2 of the International Building Code, as adopted in Chapter 29 of this code.

Amend Sec. 23-4-700. Minimum distance from oil and gas facilities in all zone districts.

No BUILDING containing OCCUPIABLE SPACE shall be constructed within two hundred fifty (250) feet of any OIL AND GAS FACILITY, nor within seventy-five (75) feet of any plugged and abandoned oil and gas well. No other BUILDING shall be constructed within seventy-five (75) feet of any OIL AND GAS FACILITY, nor any plugged and abandoned oil and gas well. This provision shall not apply to the expansion of a BUILDING permitted or existing as of December 30, 2022, provided such expansion does not increase the BUILDING footprint by more than fifty percent (50%). No VARIANCE from this section shall be granted such that it would allow any BUILDING to be

constructed within seventy-five (75) feet of any OIL AND GAS FACILITY, nor any plugged and abandoned oil and gas well.

Be it further ordained by the Board that the Clerk to the Board be, and hereby is, directed to arrange for Municode to supplement the Weld County Code with the amendments contained herein, to coincide with chapters, articles, divisions, sections, and subsections as they currently exist within said Code; and to resolve any inconsistencies regarding capitalization, grammar, and numbering or placement of chapters, articles, divisions, sections, and subsections in said Code.

Be it further ordained by the Board, if any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is for any reason held or decided to be unconstitutional, such decision shall not affect the validity of the remaining portions hereof. The Board of County Commissioners hereby declares that it would have enacted this Ordinance in each and every section, subsection, paragraph, sentence, clause, and phrase thereof irrespective of the fact that any one or more sections, subsections, paragraphs, sentences, clauses, or phrases might be declared to be unconstitutional or invalid.

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