

4-04-02-01-10

**TRUCKING**

Due to the magnitude of the use, the Director of Public Works may add additional standards regarding trucking routes and the size of loads to protect the general welfare of the citizens.

4-04-02-02

DATA CENTER

4-04-02-02-01

SPECIAL USE PERMIT REQUIRED

Data Centers intended to operate as an accessory use to the primary use onsite shall obtain a special use permit. Examples of where data centers could be an accessory use include, but are not limited to, oil and gas facilities, geothermal facilities, solar and wind energy facilities. With an approved special use permit, data centers as an accessory use would be allowed in the following zone districts: A-2, A-3, C-0 through C-5, and I-1 through I-3.

4-04-02-02-02

SITE SPECIFIC REQUIREMENTS

1. Site Plan: the site plan for a Data Center shall include the following:
  - a. A complete list of all equipment to be installed onsite with maximum heights of such equipment.
  - b. A complete equipment inventory that includes all permanent or temporary equipment and the height and use of such equipment.
  - c. A site plan diagram depicting all equipment and layout, including equipment related to the primary use and proposed accessory use.
  - d. The distance of the data center(s) and all associated equipment siting relative to: the primary use, existing residences or platted residential lots, residential uses, high occupancy building units, school or future school facilities, state licensed daycares, environmentally sensitive areas, and designated parks and open spaces.
  - e. An evaluation and review of impacts of the accessory use for access to the site or primary use by inspectors, contractors or subcontractors, employees, or emergency responders.
  - f. The amount of parking that may be required. Any full or part-time occupied structures shall require additional site plan review.
2. Emergency Preparedness and Response: Data Centers shall not cause unreasonable risks of emergency situations such as explosions, fires, gas, oil or water pipeline leaks, ruptures, hydrogen sulfide or other toxic gas or fluid emissions, and hazardous material vehicle accidents or spills.

- a. Emergency Preparedness Plan. Each Applicant is required to implement an emergency preparedness plan for each Data Center. The plan shall be referred to the Office of Emergency Management (OEM), and the applicable fire district, filed with the County and updated as conditions change (responsible field personnel change, ownership changes, etc.). The emergency preparedness plan shall consist of information that is required by the Director of the Community & Economic Development Department. These items may include a fire district will serve letter, 24-hour emergency numbers, and information regarding site access and information (See appendix A).
3. Safety Standards for accessory use Data Center at an Oil & Gas Facility:
- a. Automatic safety protective systems and surface safety valves. Applicant shall install an automated safety system prior to commencement of use of data center as an accessory use at oil and gas facilities. Automated safety system shall include the installation, monitoring, and remote control of a surface safety valve or a wellhead master control valve and shall be able to remotely shut-in wells on demand. Surface safety valve or a wellhead master control valve shall be equipped to operate remotely via the automated safety protective system. Operator shall test the automated safety system quarterly to ensure functionality and provide results of testing to County upon request.
- i. For any upset or malfunction of the data center or associated equipment, the automatic safety system must be capable of immediately shutting-in the source well(s).
- b. Containment. In order to minimize and prevent liquid spills and releases from accessory use Data Center's at Oil & Gas Facilities, the following shall be required:
- i. Berms or other secondary containment devices around data centers and associated equipment, including generators. Where data centers are liquid cooled, berms or secondary containment shall enclose an area sufficient to contain at least 150% of the maximum volume of liquid.
- ii. Berms or other secondary containment devices shall be sufficiently impervious as to contain any spill or released material.
- iii. Inspection of all berms and containment devices at regular intervals, but not less than monthly.
- iv. Maintain all berms and containment devices to ensure they are in good condition.

- c. Any supply line at the site shall be high temperature flexible hosing, be of adequate strength to withstand at least the maximum discharge pressure of the supplied gas, if used, and shall be inspected by the applicant at regular intervals, but not less than monthly for evidence of damage or weakness.
- d. Fire Suppression. The Data Center shall contain an onsite fire suppression system.
- 4. Off-site impacts: An evaluation and review of potential off-site impacts from the data center use including, but not limited to, visual impacts, noise, odor, and light and applicant-proposed best management practices or control measures to mitigate or avoid such impacts.
- 5. State agency approvals: Applicant shall provide proof of state agency approvals, where applicable.
- 6. Building Permit may be required depending on the facility.

4-04-02-02-03      **SETBACK FROM RESIDENTIAL PROPERTIES**

Setback for Data Centers as an accessory use shall follow those for the associated principal use. In addition:

- a. For data centers within 2,000 feet of a residentially used or zoned property line, requirements to minimize or avoid impacts include the following:
  - i. Neighborhood meeting: A neighborhood meeting that complies with Section 2-02-14-04 is required.
  - ii. Air quality: General air quality protection measures and site-specific air quality protection measures that comply with section 4-11-02-03-03.
  - iii. Noise: The application shall control noise levels in accordance with section 4-11-02-03-03.
  - iv. Visual Mitigation: Landscaping and screening requirements may also be applied to address any potential impacts to nearby residential uses.

~~4-04-02-02~~4-04-02-03 **INERT FILL OPERATIONS**

~~4-04-02-02-01~~4-04-02-03-01      **SPECIAL USE PERMIT REQUIRED**

Inert fill operations intended to be in operation for more than six (6) months shall obtain a special use permit. Inert fill operations may be issued a Temporary Use Permit by the Community and Economic Development Department for a maximum

of six (6) months. Importation of less than 10 cubic yards of inert fill is exempt from the requirement to obtain a temporary use or special use permit. The exempted volume of fill material must meet inert fill for grading definition.

~~4-04-02-02-02~~4-04-02-03-02 **MAXIMUM FILL AREA**

No Special Use Permit for inert fill shall be issued if the area to be filled is greater than ten (10) acres. Any operation proposed to fill greater than ten (10) acres shall be processed as a Conditional Use Permit (see Chapter 2).

~~4-04-02-02-03~~4-04-02-03-03 **MAXIMUM AMOUNT OF FILL MATERIAL**

A Conditional Use Permit (see Chapter 2) for inert fill is required if the amount of material is greater than five-hundred thousand (500,000) cubic yards. Any operation proposed to fill a site with less than five-hundred thousand (500,000) cubic yards may be processed as a Temporary Use/Special Use Permit, depending on the duration of the project.

~~4-04-02-02-04~~4-04-02-03-04 **PERIOD OF OPERATION**

Special Use Permits for inert fill may only be issued for a maximum of five (5) years. Any operation proposed to operate less than six (6) months may be processed as a Temporary Use Permit. Any operation proposed to operate for greater than five (5) years shall be processed as a Conditional Use Permit (see Chapter 2).

~~4-04-02-02-05~~4-04-02-03-05 **HOURS OF OPERATION**

The inert fill operation shall limit its hours of operation from 7:00 a.m. to 7:00 p.m., unless otherwise restricted by the Board of Adjustment.

~~4-04-02-02-06~~4-04-02-03-06 **SOURCE OF MATERIAL**

The site operator shall have sole discretion of the source of fill material and shall provide details of the source material with the permit application. Proof of clean, inert material may be provided by any one of the following:

1. A signed letter from the source providing the fill material certifying that the material is clean.
2. Phase I environmental site assessment or due diligence report for the borrow site demonstrating no Recognized Environmental Conditions (REC).
3. Sampling and analysis of the material to be used as fill demonstrating the material does not contain contaminants in excess of respective EPA residential screening levels. Specifically, two composite samples each consisting of 3 discrete samples shall be collected from 1,000 cubic yards of material with one composite sample collected for each additional 1,500 cubic yards. Laboratory analysis of the following contaminants must be provided:
  - a. VOCs and SVOCs
  - b. 8 RCRA metals (As, Ba, Cd, Cr, Pb, Hg, Se, Ag)

- c. Polycyclic Aromatic Hydrocarbons
- d. PCB at the Director of Community and Economic Development’s discretion
- e. Pesticides at the Director of Community and Economic Development’s discretion

~~4-04-02-02-07~~4-04-02-03-07 **GROUNDWATER IMPACTS**

Fill material is not likely to contaminate ground water.

~~4-04-02-02-08~~4-04-02-03-08 **TRAFFIC/HAUL ROUTE**

The haul route for the traffic to and from the fill operation shall be provided with the permit application and may be jointly reviewed and a recommendation forwarded to the Board of Adjustment for their consideration and decision.

~~4-04-02-02-09~~4-04-02-03-09 **GRADING AND DRAINAGE**

The final grading and drainage plan shall be provided with the permit application and may be approved by the Community and Economic Development Department.

~~4-04-02-034~~4-04-02-04 **TEMPORARY STRUCTURES (TENTS)**

~~4-04-02-03-01~~4-04-02-04-01 **SPECIAL USE PERMIT REQUIRED**

A Special Use Permit shall be obtained for any temporary structure intended to be located on a property for more than ninety (90) days. Any structure intended to be used for less than ninety (90) days may obtain a Temporary Use Permit.

~~4-04-02-03-02~~4-04-02-04-02 **PERIOD OF OPERATION**

Special Use Permits for temporary structures may only be issued for a maximum of two and a half (2.5) years.

~~4-04-02-03-03~~4-04-02-04-03 **CODE REQUIREMENTS**

All Temporary Structures shall meet the building and fire code requirements prior to approval of any Temporary or Special Use Permit.

~~4-04-02-03-04~~4-04-02-04-04 **MAXIMUM SIZE**

Temporary Structures shall not exceed a gross floor area of eight hundred (800) square feet per structure. If multiple temporary structures are located on one site, all requirements of the Adams County Temporary Structures under Section 4-07-02-03 shall be followed.

~~4-04-02-03-05~~4-04-02-04-05 **LOCATION**

The temporary structure shall be located on gravel, recycled asphalt, or paved parking lot or on agricultural land. The structure shall not block or be located within any right-of-way or public sidewalk. The structure shall not be located within any

required parking spaces. The structure shall meet all zone district requirements for which the structure is located.

~~4-04-02-03-06~~ 4-04-02-04-06 **HEIGHT**

The temporary structure shall not exceed the height limit of the zone district in which the structure is located.

~~4-04-02-03-07~~ 4-04-02-04-07 **EXITS**

Stands (wood-built structures): Any stand measuring more than twenty-five (25) feet in length across the face shall have two (2) exits. Exit doors shall be a minimum of twenty (20) inches in width and six (6) feet in height and swing in the direction of egress. Stands with floor areas between three hundred (300) and four hundred (400) square feet must have three (3) exits.

1. Tents: All aisles within a tent shall measure no less than forty-eight (48) inches in width. All tents shall have at least two sides of the tent open and unobstructed for use as an exit.

~~4-04-02-03-08~~ 4-04-02-04-08 **CONSTRUCTION MATERIALS**

All temporary structures shall be constructed of wood, metal, fire retardant tent as approved by the Community and Economic Development Department or other approved materials. Stands shall not have wheels or tires. Combustible construction materials shall be painted with a water based latex paint.

~~4-04-02-03-09~~ 4-04-02-04-09 **ANCHORING**

All temporary structures shall be properly anchored to the ground as approved by the Community and Economic Development Department.

~~4-04-02-03-10~~ 4-04-02-04-10 **WIRING**

Electrical wiring shall meet all requirements of the State of Colorado.

~~4-04-02-04-04~~ 4-04-02-05 **VENDING AND PRODUCE STANDS**

~~4-04-02-04-04~~ 4-04-02-05-01 **SPECIAL USE PERMIT REQUIRED**

Vending and/or produce standards intended to be in operation shall obtain a Special Use Permit. However, vending and/or produce stands may be issued a Temporary Use Permit by the Community and Economic Development Department for a maximum of ninety-days (90) in advance of any hearing before the Board of Adjustment.

No Special Use Permit shall be required for a produce stand located on agriculturally zoned land provided the stand is an accessory use and meets the performance standards in Section 4-03-02-02-05. In addition, no Special Use Permit shall be issued if the stand has been erected on the subject site

without a Temporary Use Permit from the Community and Economic Development Department.

~~4-04-02-04-02~~4-04-02-05-02 **MINIMUM LOT AREA**

No vending or produce stand shall be located on a parcel of land less than four hundred (400) square feet in size.

~~4-04-02-04-03~~4-04-02-05-03 **LOCATION**

The stand shall be located on a gravel, recycled asphalt, or paved parking lot or on agricultural land. The stand shall not block or be located within any right-of-way or public sidewalk.

~~4-04-02-04-04~~4-04-02-05-04 **PERIOD OF OPERATION**

The stand shall operate for no more than ninety (90) days annually.

~~4-04-02-04-05~~4-04-02-05-05 **HOURS OF OPERATION**

The stand shall limit its hours of operation to 7:00 a.m. to 7:00 p.m..

~~4-04-02-04-06~~4-04-02-05-06 **SETBACKS**

The setbacks for the zone district shall apply.

~~4-04-02-04-07~~4-04-02-05-07 **PARKING**

Parking for the stand shall not block or be located within any right-of-way or public sidewalk. At least five (5) off-road parking spaces shall be provided per two hundred (200) square feet of stand area.

~~4-04-02-04-08~~4-04-02-05-08 **ACCESS**

All vending and produce stands shall have highway, arterial, or collector road access.