

c. Other Temporary Signs

Temporary signs not specifically regulated by the preceding Subsections shall be displayed only in accordance with the following conditions:

- i. Such signs shall be limited to freestanding, window or wall signs only, shall not exceed 32 square feet in total surface area per use, and shall comply with the applicable height and setback regulations for the district in which they are located.
- ii. Such signs shall not remain in place for more than 30 days; except, that the building official may, for good cause, extend the time up to 30 days upon written application.

10.6.13 ABANDONED MINES**A. General Provisions**

All development with undermining and/or mine shafts shall provide the Town with Geological and Geotechnical Hazards reports prepared, signed and stamped by a professional in the field of undermining. The reports shall be referred to the Colorado Geological Survey for review and comment. Recommendations from the reports and Colorado Geological Survey shall be evaluated by the Town when considering appropriate land uses, restrictions applicable to land development, and foundation design due to undermining constraints. Undermining and/or mine shafts shall be noted on Sketch Plans, Preliminary Plats, Final Plats and Site Plans.

B. Mineshafts

1. All mineshafts shall be capped and monumented in accordance with State requirements, and accepted by the State before Final Plat or Site Plan approvals.
2. Mineshafts shall not be located on a residential lot.
3. Mineshafts may be located in a street right-of-way, tract, or in a non-residential lot with an easement restricted for parking, open space or landscape use. Any modifications to this provision proposed by the applicant for Town consideration shall be in compliance with recommendations from the Geological and Geotechnical Hazards reports and the Colorado Geological Survey.
4. Minimum dimensions for tracts/easements and minimum distances from abandoned mineshafts to residential lots and non-residential structures shall be determined based on recommendations from the Geological and Geotechnical Hazards reports and the Colorado Geological Survey.

C. Mine Tailings

If mine tailings are located on a property, the removal of mine tailings shall be addressed in a Development Agreement. The Town shall require submittal of a professional certification that the mine tailings and hazard associated with the tailing has been removed and completed.

10.6.14 DEVELOPMENT AND DESIGN STANDARDS TO ACCOMMODATE OIL AND GAS WELLS AND PRODUCTION FACILITIES**A. Existing Oil and Gas Wells and Production Facilities**

1. All development with existing oil and gas wells and associated above ground production facilities shall provide the following setback to lots, buildings, streets, trails and parks from existing wells and associated above ground production facilities:
 - a. Residential lots and non-residential buildings, community parks, neighborhood parks and pocket parks, shall be set back a minimum of 350 feet.

- b. Street right-of-ways and trails shall be setback a minimum of 150 feet.**

- c. Exceptions to A.1.a shall be as follows:**

- i. Residential lots platted prior to May 4, 2018 and residential lots designated in plats submitted to the Town pursuant to completed Preliminary Plat, Final Plat, or Minor Subdivision applications prior to May 4, 2018 shall be subject to the former minimum 150 foot setback standard.
- ii. Non-residential buildings, other than assembly buildings, shall be subject to the former minimum 150 foot setback standard if at least one of the following conditions exists prior to May 4, 2018:
 - (A) The non-residential building is existing.
 - (B) The non-residential lot is existing.
 - (C) The non-residential lot is proposed in a completed Preliminary Plat, Final Plat, or Minor Subdivision application submitted to the Town.

2. In a residential subdivision the well and associated production facilities shall be placed in a non-development tract.
3. In order to minimize the impact on streets and pedestrian paths and tracking of debris onto streets and pedestrian paths, subdivision design shall provide the following Town requirements and improvements for access roads to oil and gas wells and associated production facilities:
 - a. Subdivision shall minimize the need for access roads to connect to streets with local street classifications.
 - b. An access plan for the well and production facilities shall be submitted to the Town identifying which local streets that are impacted by well access needs. The streets identified shall be designed to address the weight load requirements of the vehicles accessing the well and production facilities.
 - c. The developer shall improve the well and production facilities access road from the point of connection to a street a minimum distance of 200 feet on the access road. The access road shall be improved as a hard surface (concrete or asphalt) for the first 100 feet from the street and then improved as a crushed surface (concrete or asphalt) for 100 feet past the hard surface in the appropriate depth to support the weight load requirements of the vehicles accessing the well and production facilities.
 - d. The Town may require the developer to gate or restrict access (bollards) to the access road to minimize unauthorized use of the access.
 - e. If an access road intersects with a pedestrian trail or walk, the developer shall pave, as a hard surface (concrete or asphalt), the access road 100 feet either side of the trail or walk and if necessary, replace the trail or walk to address the weight load requirements of the vehicles accessing the well and production facilities.
 - f. All proposed access road changes or restrictions shall be approved by the mineral right owner before Final Plat approval.
4. Developments with existing oil and gas wells and associated above ground production facilities shall add fencing to non-fenced wells and facilities or upgrade fencing for wells and facilities in conformance with the following requirements.

- a. Oil and gas well facilities (above ground) within the Town shall be fenced with wrought iron fencing or Ameristar Impasses or Stronghold fencing or approved equivalent, as determined by the Community Development Director.
 - b. The fencing color shall be bronze unless the Community Development Director approves black fencing. Black fencing will only be approved by the Community Development Director if fencing or site furnishings in the adjacent developments have approved black elements.
 - c. All proposed fencing changes shall be approved by the mineral right owner before Final Plat approval or for sites already platted, before Site Plan approval.
5. Developments with existing oil and gas wells and associated above ground production facilities shall paint the wells and associated above ground production facilities a color determined by the Community Development Director. All proposed paint improvements shall be approved by the mineral right owner either before Final Plat or Site Plan approval.
6. Developments with existing oil and gas wells and associated above ground production facilities shall provide screening by installing berming with landscaping when required by the Town. All proposed landscape improvements shall be approved by the mineral right owner either before Final Plat or Site Plan approval.

B. Oil and Gas Well Pipelines

1. Gas and oil well pipelines and their associated easements shall not be located on residential lots.
2. Streets should be platted so pipelines cross at a substantially right angle to the street.
3. The Final Plat shall show easements for gas and oil well pipelines that are a minimum of 30 feet wide.

C. Abandoned Oil and Gas Wells and Production Facilities

1. Oil and gas wells and production facilities shall be abandoned and reclaimed before approval of a Final Plat. The following shall be completed before approval is granted by the Town:
 - a. A letter of confirmation from the State shall be submitted to the Town regarding the completion of the abandonment and reclamation process in accordance with State law and COGCC regulations.
 - b. Recorded documentation of abandonment of easements associated with the well shall be submitted to the Town.
2. Capped wellheads shall be identified by a concrete and brass monument that will be recorded and noted on the final plat.
3. All subdivisions with wellheads abandoned and reclaimed in accordance with state law and COGCC regulations shall use the following standards to plat lots and streets:
 - a. Streets may be platted over abandoned wellheads if conflicts do not occur with infrastructure requirements within the street.
 - b. A non-residential lot may contain an abandoned wellhead. The plat shall identify a building setback of 25 feet from the monumented abandoned wellhead.
 - c. Residential lots 1 acre or larger may plat over an abandoned wellhead. The plat shall identify a building setback of 25 feet from the monumented abandoned wellhead.

- d. Abandoned wellheads, and the required setback surrounding the abandoned wellhead, shall not be located in single-family lots under 1 acre in size.
- e. Abandoned wellheads, and the required setback surrounding the abandoned wellhead, shall not be located in multi-family lots.
- f. In subdivisions where an abandoned wellhead cannot be placed in a street or lot meeting the standards of this Subsection; the abandoned wellhead shall be placed in a tract. The abandoned wellhead and required setback surrounding the abandoned wellhead may not be located in a park.

D. Future Oil and Gas Wells and Production Facilities

1. All subdivisions that have oil and gas rights associated with the property that have not been executed need to take those rights into consideration when platting. The Town strongly encourages developers to either purchase the mineral rights or to negotiate the co-location of future and/or existing wells to minimize the impact on subdivision of the property.
2. Any agreements between the property owner and mineral right owner shall be submitted to the Town. Location and setback information agreed to in the agreement shall be reflected on the plat.
3. If co-location of facilities will affect existing or proposed Town owned sites, then the Town shall be a party to the agreement.
4. The following setbacks shall be provided to future oil and gas wells and above ground production facilities:
 - a. Residential lots and non-residential buildings shall be set back a minimum of 350 feet. This setback may be reduced as an incentive to developers to co-locate facilities. Developers who propose to co-locate facilities shall provide the Town with a copy of a recorded surface use agreement with the mineral right owner/lessee prior to approval of a Site Plan, Final Plat, or Minor Subdivision. For applications that require a Preliminary Plat, the applicant shall provide the Town with a draft of the surface use agreement and/or a letter from the mineral right owner/lessee acknowledging that they are actively negotiating a surface use agreement to co-locate the facilities as represented by the applicant. Any reduction of the 350 foot setback proposed by the applicant for Town consideration shall be in compliance with all COGCC regulations and requirements.
 - b. Street right-of-ways shall be setback a minimum of 150 feet from future oil and gas wells and above ground facilities.
5. The future oil and gas well and production facilities setbacks identified above shall be identified on the plat.
6. In a residential subdivision the future well and associated production facilities shall be placed in a tract.
7. Subdivision design shall address the following Town requirements for future access roads and pipelines to future oil and gas wells and associated production facilities:
 - a. Subdivision design shall minimize the need for future access roads to connect with local street classifications. If future access roads are designed to connect to local streets then the local streets accessed shall be designed to address the weight load requirements of the vehicles accessing the well and production facilities.
 - b. An access plan for the future well, production facilities, and pipelines shall be submitted to the Town. The Plan shall identify which local streets that are

impacted by well access needs. The streets identified shall be designed to address the weight load requirements of the vehicles accessing the well and production facilities. The Plan shall also identify routing of future pipelines so that the appropriate easements and or tracts can be created during the platting process to accommodate the pipelines.

- c. Future gas and oil well pipelines and their associated easements on the Final Plat shall not be located on residential lots.
- d. Streets shall be platted so future pipelines will cross at a substantially right angle to the street.
- e. The Final Plat shall show easements for future gas and oil well pipelines that are a minimum of 30 feet wide.