



Land Use Code Audit

Staff Review Draft 12.13.19

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I. Overview



A. Purpose of this Code Audit

The Code Audit has three purposes: (1) summarize the issues identified during the November Project Kick-off Meetings, (2) place those issues in the context of where they will be addressed during the drafting process, and (3) create a basic roadmap for the Dolores Land Use Code Update drafting tasks that gives the Town a preview of how the drafting will move forward. The Code Audit does not resolve the identified these issues – nor the new issues that will arise as we go - that is something we will do jointly through the drafting, review, and revision process.

B. Project Kick-off Meetings

The Town of Dolores held a series of project kick-off meetings in early November 2019. The Town Board introduced the LUC update project and provided input about Town development priorities and goals. Members of the Planning Commission provided input in a second meeting and follow-up call, and the project team heard from the following participants:

- Chamber/Downtown/Business Owners
- Town Building Inspector and Attorney
- Real Estate/Contractor/Surveyor/Builders
- Town Staff
- County/State/Federal/School
- Artisan/Craft/Light Industry Businesses
- Restaurants/Lodging

Members of the general public were also invited to attend “drop in” hours that were scheduled in three 90-minute blocks during the kick-off process. The feedback gathered from this outreach is attached as Appendix A. There will be multiple opportunities for additional project input across the term of the project. Each draft code section will be released for public review and comment and a project calendar will be posted on the Town’s website and in Town Hall.

C. Code Audit Content

The Code Audit contains the following sections:

II. Key Issues: Identifying the issues raised during the Project Kick-off Meetings.

III. Annotated Outline: Describing the organization of the updated LUC and the major changes that will be included in the update.

IV. Next Steps: Outlining the project drafting phases.

II. Key Issues



We have used the information we received in the project kick-off meetings and through our line-by-line review of the current Land Use Code to identify the key issues that will guide this process.

A. Areas of Specific Change

This list identifies the concepts about which there was broad agreement during the kick-off meetings:

1. Establish a broader range of zone districts that encourage a mix of housing types and uses and are reflective of the various neighborhoods and commercial centers in the Town. Information about updated zone districts is provided in Section 3.C, Zone Districts.
2. Specify a more extensive list of use-specific standards that provide predictability for property owners and neighbors. Information about updated use standards is provided in Section 3.D, Use-Specific Standards.
3. Update and add new, wider ranging hazardous area standards that address concerns about development on steep slopes, in the floodplain, and in fire-prone areas of the community. Information about updated hazard regulations is provided in Section 3.K, Hazardous and Environmentally Sensitive Areas.
4. Update the Downtown zoning to reinforce the Town's business-friendly approach to development and encourage the creation and expansion of both local and new businesses. Information about updated zone districts and use standards is provided in Sections 3.C, Zone Districts, and 3.D, Use-Specific Standards.
5. Revise the land use code to encourage a range of housing opportunities and choices. Information about updated zone districts and use standards is provided in Sections 3.C, Zone Districts, and 3.D, Use-Specific Standards.

B. Ideas for Further Consideration

These topics were raised with some frequency and will require more discussion to refine as the project moves forward:

1. Establishing flexible site standards for infill development and complex sites. Information about flexible site standards is provided in Section 3.E, Proportionate Compliance. We will need to more specifically identify current site development problems so we can identify ways to solve them.

2. Identifying a sliding scale approach to nonconformities that recognizes the long-term continued use of some nonconforming uses and structures. Information about nonconformities is provided in Section 3.O, Nonconformities. We need to further discuss how nonconformities are frozen in place so we can consider how the Town wants to change these regulations.
3. Placing greater emphasis on code enforcement. Information about enforcement is provided in Section 3.R, Violations and Enforcement. Previous code enforcement issues seem to have been caused by both unclear code language and inconsistent enforcement. We can discuss some of the bigger problem areas to see if LUC changes are needed for better enforcement.
4. Thinking about the role of technology in future land use development. Information about uses is provided in Section 3.D, Use-Specific Standards; home occupations will be included in this section. We will need to further discuss how technology may affect the Town.
5. Increasing environmental stewardship and developing standards that reflect Dolores as an eco-friendly community. Information about updated hazard regulations is provided in Section 3.K, Hazardous and Environmentally Sensitive Areas. We will need to further discuss how to define stewardship and eco-friendly.

C. Housekeeping

Problems with land use code organization and conflicting content were raised frequently during the kick-off meetings, including the following ideas:

1. Make the LUC easier to use by:
 - a. Eliminating conflicts in the regulations;
 - b. Adding photos, graphics, and illustrations;
 - c. Improving the coordination with the building code and other external Town codes; and
 - d. Adding an index.
2. Help users navigate the code; make the land use code more user-friendly.
3. Update the definitions.
4. Specify applicable ADA requirements.
5. Clarify the roles of reviewing bodies with respect to development applications.
6. Codify the interpretation process and track written interpretations for future code cleanup.

We anticipate including all of these approaches in the LUC update. We will work with the Town to refine them as we go to ensure that we are resolving all of the housekeeping issues.

D. Unresolved Issues

We heard a few issues that either have divided support in the community or currently do not seem to have a clear path to resolution:

1. Establishing a permanent railroad display in the park,
2. OHV tourism,
3. Role of architectural and site design standards,

4. Allowing taller structures Downtown, and
5. The possibility of annexation and future growth over the canyon rims.

We will raise these issues as we encounter them during the drafting process and request Town policy guidance about how to proceed.

E. Specific Issues

Finally, participants raised a number of individual and specific issues that can be addressed through the LUC update process. Some of these issues are in keeping with bigger picture issues addressed above and some specific issues may require individual consideration as we draft the various parts of the updated land use code.

- | | |
|---|--|
| 1. Tiny homes | 18. Personal storage (mini-storage, mini-warehouse) |
| 2. AirBNB/short-term rentals (draft regulations and policy questions submitted on 12.5) | 19. Access to lots |
| 3. Solar energy facilities and solar access easements | 20. Perimeter lighting on commercial uses |
| 4. Dark skies lighting | 21. Use of historic district |
| 5. Residential lot sizes and transitions | 22. Accessory dwelling units |
| 6. Sign code update | 23. Increased residential density |
| 7. Special event application process and parking issues | 24. Potential reuse of schools site |
| 8. Solar lighting on Main Street | 25. Active park space |
| 9. Business attraction | 26. Affordable housing |
| 10. Manufactured/mobile/modular housing clarification | 27. Complete sidewalks |
| 11. Tourism-based recreation and uses | 28. Parking standards and locations |
| 12. Pedestrian-friendly Downtown | 29. Subdivision standards |
| 13. Space for light industry | 30. Gravel roads and air quality |
| 14. Live/work options | 31. Tree preservation and species types |
| 15. Updated home occupation standards | 32. Applicability of the LUC to Town projects |
| 16. Marijuana regulations | 33. Role of the P Public district |
| 17. Craft liquor production regulations | 34. Applicability of flood standards to new/rehab development Downtown |
| | 35. Minimum house and garage sizes |
| | 36. Lot coverage standards |

III. Annotated Outline



As we get started with the drafting portions of the land use code update, we will make some changes to the code's organization that will allow us to better group the revised content and make the overall code easier to use. The high-level outline looks like this:

Article	Title
1	General Provisions
2	Measurements and Definitions
3	Zone Districts
4	Use-Specific Standards
5	Proportionate Compliance
6	Site Layout Standards
7	Subdivision Standards
8	Landscaping, Screening, and Trees
9	Parking, Loading, and Access
10	Connectivity and Mobility
11	Hazardous and Environmentally Sensitive Areas
12	Outdoor Lighting
13	Operational Performance Standards
14	Signs
15	Nonconformities
16	Common Development Review Procedures
17	Specific Development Review Procedures
18	Violations, Enforcement, and Penalties
	Index

Each article is described in more detail in the next sections.

A. Article 1: General Provisions

1. Purpose and Content of this Article

This article will contain general provisions that are relevant to the entire land use code and that identify how the zoning and subdivision regulations fit within the overall regulatory structure.

This article will include the following sections: Title, Purpose, Authority, Applicability, Severability, Relationship to Other Planning and Regulatory Documents (new), and Relationship to Other Regulations; Conflicting Provisions.

We will relocate the following provisions:

- a. Article 1.G, Municipal Services Outside of Town Boundaries, to Article 17, Specific Development Review Procedures (and we need to discuss this further)
- b. Article 1.H, Fees, to Article 16, Common Development Review Procedures
- c. Article 1.I, Vested Property Rights, to Article 17, Specific Development Review Procedures

2. Updated Regulations

We anticipate carrying forward most of the current general provisions in Article 1 with some editing for clarity or updating dates. We will work with the Town to update the purpose section, which currently provides:

Purpose

The Land Use Code is adopted for the purpose of promoting the health, safety and general welfare of the citizens of the Town of Dolores. It is adopted in accordance with, and is intended to implement, The Dolores Comprehensive Plan, as adopted [September 8, 1997]. More specifically, this Land Use Code is intended to do the following:

1. Extend greater opportunities for traditional community living, working, housing, and recreation to all citizens and residents of Dolores;
2. Maintain property values by stabilizing expectations and ensuring predictability in development;
3. Preserve the historic, small town character of the community by directing new development appropriate locations and minimizing the visual impact of development;
4. Prevent overcrowding of buildings and sites to avoid excessive concentrations of population, to promote energy conservation and facilitate the provision of adequate transportation, water, sewage, schools, businesses, parks and other public facilities and services;
5. Reduce development sprawl and the excessive segregation of land uses that cause unnecessary traffic congestion and increase the costs of provided adequate public facilities and services.
6. Encourage a more efficient use of land and public services and to direct new development in a more traditional pattern of mixed- and multiple-use and varied housing types;
7. Provide a procedure which can relate the type, design and layout of residential development to the particular site, the particular need for housing at a particular time, and to the Town's goal of encouraging mixed-use development while preserving and protecting existing residential areas.
8. Establish a process that effectively and fairly applies the regulations and standards of this Land use Code, respects the rights of property owners and the interests of citizens.

B. Article 2: Measurements and Definitions

1. Purpose and Content of this Article

This article will contain information about how to understand and interpret the terms within the LUC.

It will include three sections:

- a. Rules of construction,
- b. Rules of measurement, and
- c. Definitions.

We will relocate Section 2.C, Interpretations, to Article 17, Specific Development Review Procedures.

2. Updated Regulations

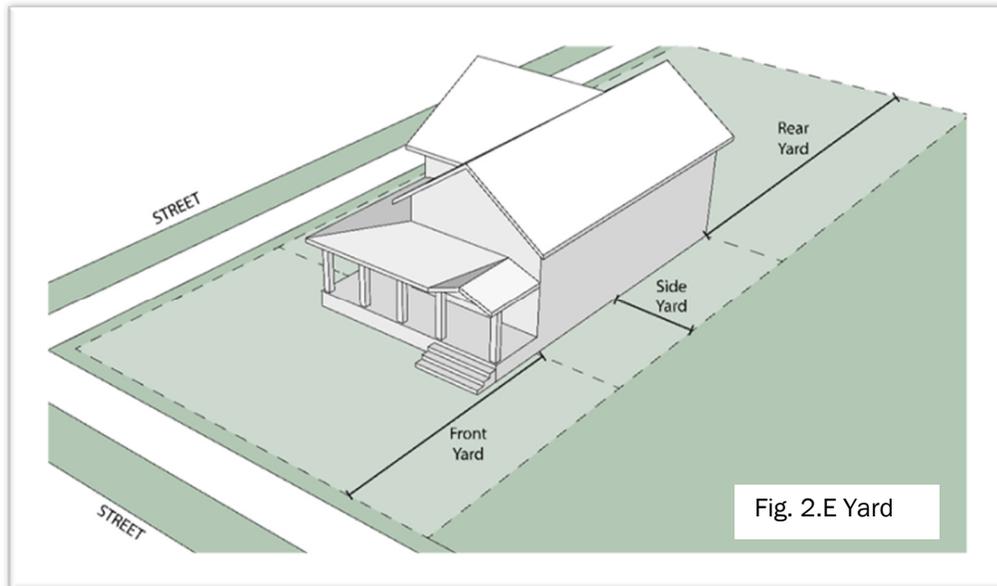
This article will be based in part on the definitions found in Article II, that we will revise and add to as necessary to ensure that the definitions are comprehensive. We will verify that all uses are defined and that that definitions of terms related to requirements of federal or state law conform to applicable provisions of those laws.

This article will also contain a new section that provides instructions for most of measurements used in the LUC, most of which seem to be included in the definitions. This current definition of yard provides an example:

Yard: An open space on the lot that is not obstructed from any point 30 inches above the general ground level of the graded lot to the sky except as authorized

We will revise this to provide measurement instructions for a yard and a supporting graphic:

Yard: **The horizontal distance measured perpendicular from the lot line to the face of the building's exterior wall. A yard shall be maintained as open space** on the lot that is not obstructed from any point 30 inches above the general ground level of the graded lot to the sky, except as for authorized ~~obstructions~~ **encroachments as identified in Section x.**



The measurements will include, at a minimum: lot area, lot width, lot depth, lot lines (front, side, and rear), building coverage, total lot coverage, setbacks, and height. Illustrations will be provided showing how to make certain measurements, such as

setbacks on flag lots, pie-shaped lots and lots with no street frontage. We will work with staff throughout the drafting process to develop a list of measurements to be illustrated.

C. Article 3: Zone Districts

1. Purpose and Content of this Article

This article will identify the range of applicable zone districts collected into six categories: resource, residential, mixed-use, commercial, industrial, and public. We anticipate that it will include the following sections:

- a. Districts Established
- b. Official Zoning Map
- c. Resource-35 District
- d. Resource-10 District
- e. Large Lot Residential District
- f. Residential xx District (new, lot size between LLR and R-1 to allow lot splits)
- g. Residential 6,000 District (current R-1, 6,000 sf lot size)
- h. Residential xx District (new, smaller lot size based on existing neighborhoods)
- i. Residential Mixed Density 1 (current MFR)
- j. Residential Mixed Density 2 (new, lot size averaging to fit Downtown)
- k. Residential Manufactured Home (current MH)
- l. Downtown Mixed-Use (current CB-1 modified to fit existing lot dimensions)
- m. Downtown Mixed-Use Historic (current CB-2 modified to fit existing lot dimensions)
- n. Highway Mixed-Use (current CH revised to address lot sizes and configurations)
- o. Public 1 (new, parks and open spaces)
- p. Public 2 (current, revised to allow civic uses with two or more buildings)
- q. Industrial (new, light industrial)
- r. Dimensional Standards: Encroachments and Exceptions (current Section 3.D)

We will relocate Section 3.C, Use Regulations, to Article 4, Use Specific Standards; Section 3.N, Planned Unit Development to Article 17, Specific Development Review Procedures; and all of the individual design standards will be grouped in Article 6, Site Layout Standards. We will also move the measurement standards from Section 3.D to Article 2, Measurements and Definitions, and update as necessary.

2. Updated Regulations

We will reorganize this article around the individual zone districts, with the goal of including both relevant information and updated cross-references in each district that allow a code user to determine what type of development is permissible in the district. We will make suggestions about adding a number of new districts, identified above, that will create a wider range of lot sizes and development options. The new and updated districts will be drafted to reflect existing development and lot sizes, both to ensure that redevelopment and infill development works with the character of surrounding

development as well as to limit the number of nonconformities in the Town. We anticipate working with the Town to determine how best to make this happen and adjusting the final number and contents of the zone districts accordingly. As we draft the new zone districts, we also anticipate having a discussion with the community about how to best fit tiny houses into the community.

Each district will contain a complete purpose statement that identifies the role and long-term policy purposes of each zone district, and where important, differentiates somewhat similar districts. There will also be cross-references to the permitted and accessory use tables in Article 4, dimensional standards for primary uses and accessory uses, and any applicable district-specific regulations for each zone district. In addition, exceptions to dimensional standards will be included in their own section. We propose moving away from the consolidated dimensional table (Section 3.D, Area Regulations) and identifying district-specific dimensions within each district or small group of districts, similar to this example from another community:



Tiny house

Table 32.02-25: Suburban Residential Low Flex (S-RLF) Dimensional Standards

	Single Unit, Detached	Single Unit Attached, Two Unit, and Multi-Unit	Non-Residential
Lot Requirements			
Lot Size (sf, min.)	5,000	3,600 / du	5,000
Frontage (ft., min.)	25	18 / du	25
Width at Setback (ft., min.)	50	18	50
Coverage (% , max.)	70	70	70
Building Placement			
Setbacks (ft.)			
Front	25	25	25
Side, Internal [1]	5/14	5/14	5/14
Side, Street	15	15	15
Rear	25	25	25
Structure Size			
Height (ft., max.)	35	35	35
Footprint Size (sf, max.)	--	--	10,000
Residential Development [2]			
Units per structure, max	1	8	--

Notes:

- [1] Attached units: applicable to the exterior of the structure, not between individually attached units.
- [2] Does not apply to accessory dwelling units.

D. Article 4: Use-Specific Standards

1. Purpose of this Article

This article will include all of the use-related regulations, including the following:

- a. Organization of Use Table
- b. Interpretation of Uses
- c. Primary Use Table
- d. Use-Specific Standards for Primary Uses
- e. Accessory Use Table
- f. Use-Specific Standards for Accessory Uses
- g. Temporary Use Table
- h. Use-Specific Standards for Temporary Uses
- i. Special Events



Home occupations are addressed in the accessory use section

2. Updated Regulations

We will update the current use table to provide more detail and better group the uses within the larger use categories. We will incorporate the new zone districts into the table and then work with the project technical committee to populate those districts while reviewing all of the current use allocations to confirm that: (1) the right uses are allowed (2) in the right district (3) with the right level of review (staff, planning commission, board). We will create separate, supporting tables for accessory and temporary uses. This article will also include criteria for interpreting new uses into the use tables.

Here is a use table example from another community:

USE CATEGORY	OL	OM	OMH	OH	CS	CG	CH	CB	CO	SR	IL	IM	IH	Supplemental Regulations
Subcategory														
Specific use														
Hotel/motel	–	–	S	S	P	P	P	P	P	–	S	S	S	
Rural retreat	–	–	–	–	–	–	–	–	–	–	–	–	–	
Marina	S	S	S	S	S	S	S	S	S	S	S	S	S	
Office														
Business or professional office	P	P	P	P	P	P	P	P	P	P	P	P	P	Section 35.200
Medical, dental or health practitioner	P	P	P	P	P	P	P	P	P	P	P	P	P	Section 35.200
Blood bank or plasma center	–	–	–	–	P	P	P	P	P	–	P	P	P	Section 35.020
Parking, Non-accessory	P	P	P	P	P	P	P	P	P	P	P	P	P	Section 35.190
Retail Sales														
Building supplies and equipment	–	–	–	–	P	P	P	P	P	–	P	P	P	
Consumer shopping goods	–	S[3]	S[3]	P[3]	P	P	P	P	P	–	P	P	P	
Convenience goods	–	S[3]	S[3]	P[3]	P	P	P	P	P	–	P	P	P	Section 35.020
Self-service Storage Facility	S	S	S	S	S	P	P	P	P	–	P	P	P	Section 35.240
Sexually Oriented Business Establishment	–	–	–	–	P[2]	P[2]	P[2]	P[2]	– ³⁰	–	S	S	S	Section 35.250
Studio, Instructional or Service	P	P	P	P	P	P	P	P	P	–	P	P	P	
Trade School	–	–	–	–	S	P	P	P	P	–	P	P	P	
Vehicle Sales and Service														
Commercial vehicle repair/maintenance	–	–	–	–	S	P	P	P	P	–	P	P	P	
Commercial vehicle sales	–	–	–	–	S	P	P	P	P	–	P	P	P	

This article will also house the current and proposed use-specific standards (current Section 3.D.2), organized by primary, accessory, and temporary use. We will update the current standards as needed and propose new standards based on the feedback described in Section II of this Code Audit, as well as instruction from the project technical

committee. The use table will include a column to cross-reference the relevant section for each use-specific standard.

E. Article 5: Proportionate Compliance (new)

1. Purpose of this Article

The proportionate compliance standards establish a sliding scale for redevelopment compliance with new site standards.

2. Updated Regulations

The goal of this section is to limit the burden of new site development standards on a redevelopment project and thereby provide incentives to tackle more complex projects. The new standards in this article will create a series of “triggers” that establish the degree to which a redevelopment project will need to meet applicable, measurable standards. Proportionate compliance can be based on increase in structure size or building permit valuation which is then used as the proportion for compliance. A simple hypothetical is a building that increased in size by 50% from the original structure. Without proportionate compliance, this change would trigger a requirement for 10 parking spaces. With proportionate compliance, only five spaces will need to be added.



F. Article 6: Site Layout Standards

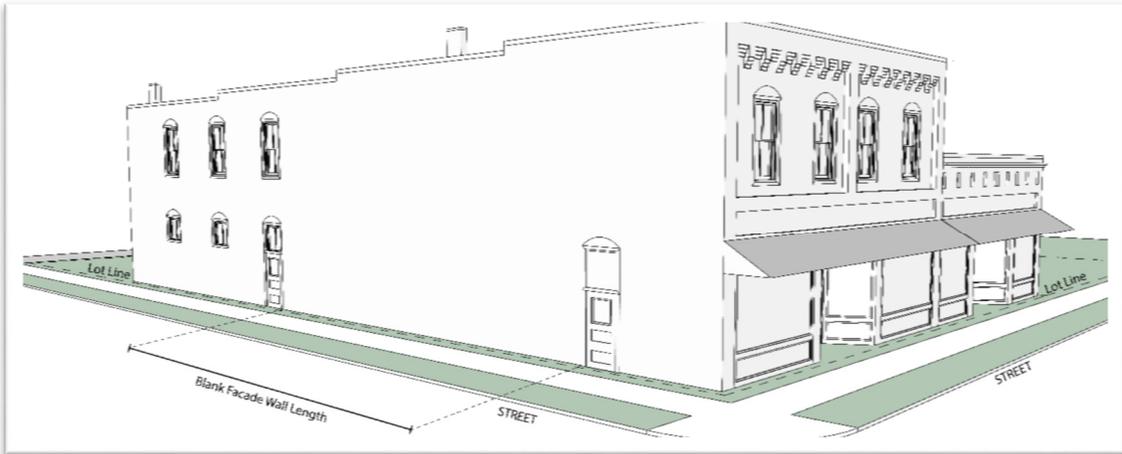
1. Purpose of this Article

This article will include current and new site development standards and updated design standards.

2. Updated Regulations

This section will include standards addressing basic aspects of multifamily, mixed-use, and non-residential building and site design such as site layout, building orientation, parking lot location, and transitions between different development types. Objective standards will be provided wherever possible.

We will also carry forward and update the current building design standards (e.g., articulation, blank façade lengths, roof pitch, blank walls, and materials), from the current zone districts (see, e.g., 3.H.6, Design Standards) to better differentiate how they can apply to specific zone districts and building types. We will add illustrations to help explain design requirements, such as this sample of a blank façade space from another community:



G. Article 7: Subdivision Standards

1. Purpose of this Article

The subdivision standards, currently located in Article 4, establish the design and infrastructure requirements for new subdivisions.

2. Updated Regulations

We did not receive a great deal of feedback about the subdivision regulations during the project kick-off meetings. This could be because they work really well, and it could be because they are never used. Either way, we will carry forward and update the current regulations while better integrating zoning and subdivision standards for clarity about infrastructure requirements for projects that are already subdivided. We will also propose new standards for cluster subdivisions that allow for open space conservation while still encouraging small lot development.

Additionally, we will take a closer look at the street and sidewalk standards as we make recommendations about standards that provide a better connected pedestrian system. Some of this content may be moved to Article 10, Connectivity and Mobility.

H. Article 8: Landscaping, Screening, Trees, and Fences

1. Purpose of this Article

This article establishes the requirements for onsite landscaping, buffering, screening, and preservation of trees.

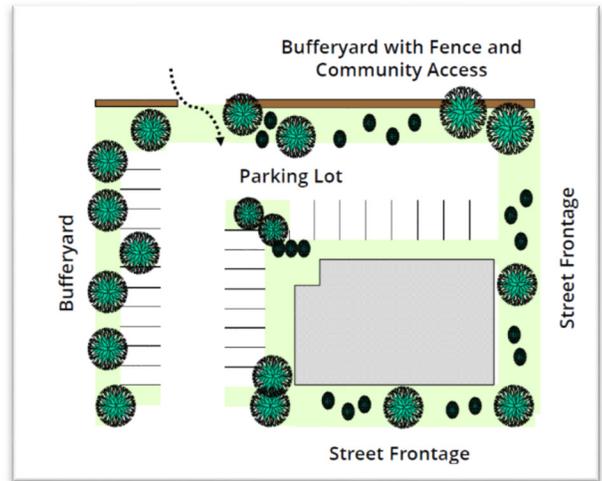
2. Updated Regulations

The current landscape regulations, Article 5,E, appear to rely heavily on the landscape and site plan, but very little information is provided about what should be included on that plan. We will create a more complete set of landscape plan standards to both let the applicant know what belongs on the plan and give the Town criteria against which to measure the proposed landscaping.

We will also clarify and update the current landscape standards to establish better detailed requirements for all areas of a lot: street frontage, parking lot, abutting other lots, and screening as viewed from publicly accessible locations. This is not to say that the Town has to require a great deal of landscaping, but it does need to be more clear about what, specifically, is required.

This article will also include new standards for required minimum planting sizes and we will work with the project technical committee to update the permitted and prohibited tree list. We will review the tree preservation process and standards with the project technical committee and revise any provisions that are not working as intended.

Section 5.D, Fences and Walls will be incorporated in this article and updated as necessary.



I. Article 9: Parking, Loading, and Access

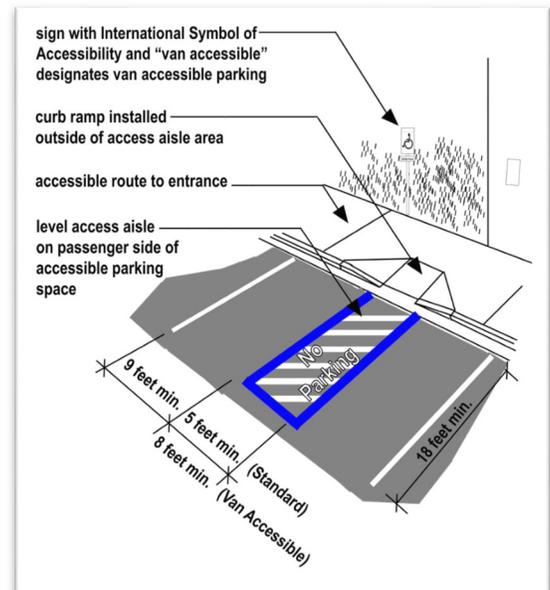
1. Purpose of this Article

This article establishes minimum and maximum parking requirements for different structures, uses, and geographic areas in the Town.

2. Updated Regulations

Article V.B identifies the Town's current parking requirements. They are very minimal, which is fine, but we heard mixed feedback about whether this approach has achieved the Town's parking goals. Because there are many ways to set parking requirements, we anticipate having a more detailed discussion with the project technical committee about revisions to the parking standards and possibly drafting a set of policy questions for Planning Commission and Town Board feedback.

We will update this section to more clearly identify accessible parking requirements and clarify parking lot design and construction requirements. We will also add standards for drive-thru design (location and stacking) and bicycle parking. The current standards do not seem to include loading requirements; we can add standards if this would be useful to the Town.



J. Article 10: Connectivity and Mobility

1. Purpose of this Article

The connectivity section establishes requirements for the connectivity of the

pedestrian network, either through sidewalks or trails. The mobility section establishes requirements for the layout of a connected street system.

2. Updated Regulations

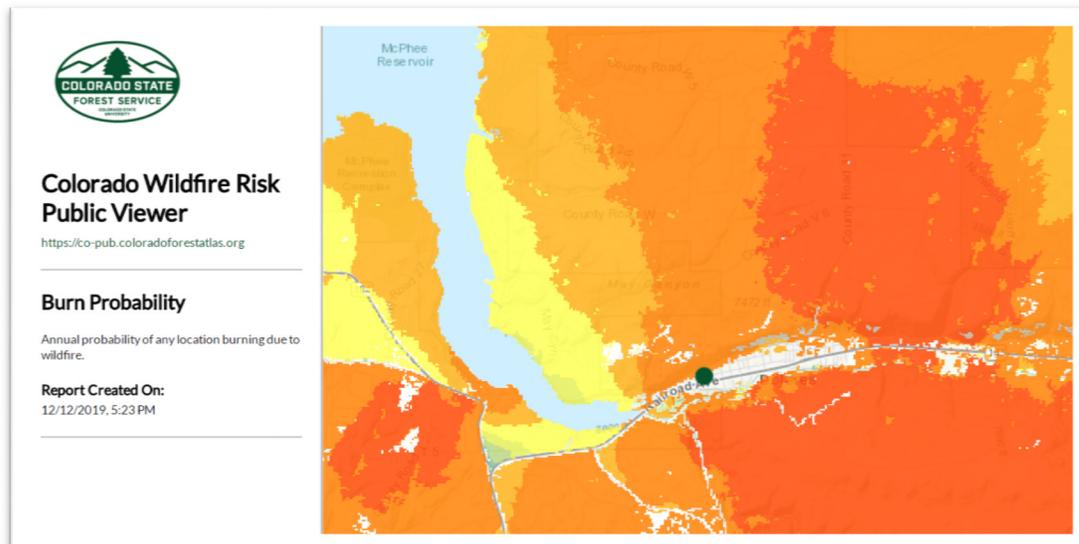
This section will update and expand, as necessary, current Section 5.C, Sidewalks and Trails. In addition, it will establish standards for traffic impact assessments so the Town can consider the amount of additional traffic that will be generated by new development. The standards will also include basic required street connectivity between new developments and subdivisions to existing streets, existing developments, and future developments.

K. Article 11: Hazardous and Environmentally Sensitive Areas

1. Purpose of this Article

The article identifies regulations for areas where development could either be dangerous to the property owner or detrimental to a fragile environment. This article will include the following sections:

- a. Site-Specific Hazard Assessment (new)
- b. Ridgeline Hazard Standards (current Section 5.J)
- c. Steep Slope Development Standards (current Section 6.O, Areas of State and Local Interest/1041 Standards)
- d. Wildfire Mitigation Requirements (new)
- e. Geologic Hazard Areas (current Section 6.O, Areas of State and Local Interest/1041 Standards)
- f. Wildlife Habitat Areas (current Section 6.O, Areas of State and Local Interest/1041 Standards)
- g. Riparian Buffer Standards (new)



2. Updated Regulations

We anticipate that Article 11 will provide the Town with a more comprehensive approach to guiding development in hazardous and sensitive areas. Because many of these standards are very technical in nature, we anticipate first drafting a complete set of

updated regulations - based on peer communities, best practices, and assistance from the Colorado Department of Local Affairs (DOLA) – and then spending time with the project technical committee, Planning Commission, and Town Board making edits and gathering public feedback.

L. Article 12: Outdoor Lighting

1. Purpose of this Article

This article will establish a comprehensive site of outdoor lighting standards.

2. Updated Regulations

We heard some support and some skepticism about the idea of establishing a dark skies lighting ordinance in Dolores. We anticipate drafting the outdoor lighting standards and submitting them for more specific policy discussions with the Planning Commission and Town Board.



Full cutoff lighting

M. Article 13: Operational Performance Standards

1. Purpose of this Article

This article carries forward the Town’s current basic performance standards that establish baseline limits on off-site impacts of noise, smoke, odors, fire, vibration, and glare.

2. Updated Regulations

We anticipate carrying forward Section 5.I, Operational Performance Standards, without change.

N. Article 14: Signs

1. Purpose of this Article

This article regulations the size, type, and location of permitted permanent and temporary signs.

2. Updated Regulations

Current Section 5.G, Signs, will be updated to clarify how the code applies, bring the current regulations into compliance with the 2015 United States Supreme Court decision in *Reed v. Town of Gilbert*, and to make the entire section easier to enforce.

We heard mixed reviews of the current sign code during the kick-off meetings. Some residents believe it is too permissive and others don’t think enough signage is allowed. As we work through revisions to this section, we will ask a series of questions to the project technical committee about where current sign allocations should be adjusted. When the new regulations have been drafted, we will seek more public input about how much signage Dolores businesses and residents want to allow.

The updated sign regulations will include a full set of sign-related definitions, tables that help everybody understand what types of signs are allowed where, and additional graphics. We will also move the nonconforming sign provisions from Article 7.C into the sign regulations. Here is an example sign table and illustrative photos from another community:

Table 27-900.6: Attached Signs

Sign Type	Number	Height (max., ft.)	Sign Area per Sign (max., sf.)	Illumination	Additional Standards
Awning	1 per awning	Lower 1/3 of awning	25% of signable area of awning	External	27-904.B, Awning Signs
Canopy	1 per canopy	24 in. above canopy		External or Internal	27-904.B, Canopy Signs
Projecting	1 per street frontage	Same as wall [1]	48	External or Internal	27-904.B, Projecting Signs
Wall	1 per street frontage	Same as wall [1]	32	External or Internal	27-904.B, Wall Signs
Wall, Tenant	1 per tenant	Same as wall [1]	4	External or Internal	27-904.B, Wall Signs

Notes:

[1] May not project above wall on which located

Fig. 27-715.A: Sample Images of Awning Signs



Fig. 27-715.B: Sample Images of Canopy Signs



O. Article 15: Nonconformities

1. Purpose of this Article

The nonconformities provisions govern how legal uses, structures, lots, and “site features” such as parking lots or landscaping, that do not comply with the new code can be used and expanded.

2. Updated Regulations

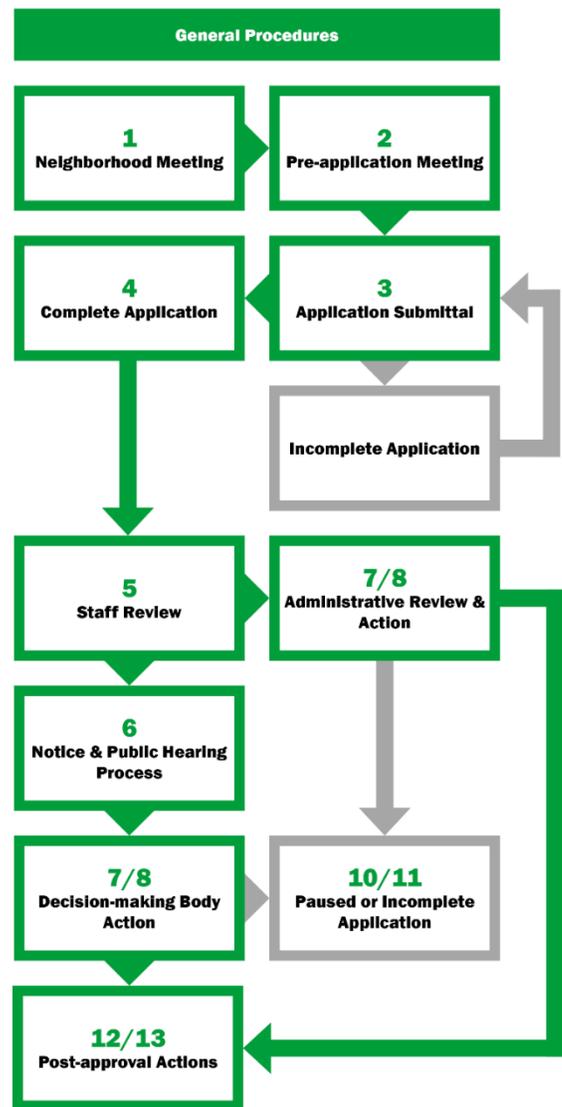
Article 7, Non-Conformities, seems to be in fairly good shape if the Town wants to continue the same approach to nonconformities. We heard during the kick-off meetings, though, that some nonconformities do not make sense and the nonconforming status creates problems for property owners without necessarily improving the Town's overall development pattern. We will work with the project technical committee to identify: (1) places where changes elsewhere in the LUC could eliminate nonconformities that do not serve a purpose (e.g., properties with structures that pre-existed a setback change), and (2) discuss where the Town could use a less restrictive approach to nonconformities that should maintain a nonconforming status. We will make changes accordingly and seek further feedback from the Planning Commission and Town Board.

P. Article 16: Common Development Review Procedures

1. Purpose of this Article

This article will establish the general procedures and criteria by which development applications will be reviewed for compliance with the Land Use Code (e.g., submission of applications, notice requirements, appeals, etc.). Procedural descriptions will be consolidated and standardized as much as possible to avoid redundancy. This article will include the following:

- a. Optional and Required Pre-Application Meetings
- b. Application Submittal Requirements
- c. Fees
- d. Determination of Complete Application
- e. Staff Review
- f. Public Notice Requirements
- g. Action by Recommending and Decision-Making Bodies
- h. Continuance, Withdrawal, and Inactive Applications
- i. Successive Applications
- j. Modification of Approvals
- k. Lapsing and Extension of Approvals
- l. Appeals
- m. Roles of Recommending and Decision-Making Bodies (current Sections 7.A and B)



2. Updated Regulations

Current Article VI, Administration and Procedures, accounts for slightly less than half of the current LUC. This article is very repetitive and difficult to decipher. We propose reorganizing it into two articles: this article, that contains all of the common or general information that is repeated with each specific application type, and the following Article 17 that provides the core information for all of the specific application types without the repetition about how to initiate the application or what public notice is required.

We will provide an overview table at the beginning of Article 16 that identifies the specific steps require for each application type, similar to this table from another community:

Table 26.1: Specific Application Procedural Steps

Application Types		Pre-Meetings		Application and Review				
Procedure	Section	Pre-app Mtg.	Neigh. Mtg.	Written App.	Fee Payment	Det. Complete.	Staff Review	Notice/Hearing
✓ = Step is Required; ○ = May be Requested by Staff or Applicant								
Ordinance Amendment	27-1	✓	○	✓	✓	✓	✓	✓
Site Plan Review	27-2	✓	○	✓	✓	✓	✓	
Subdivision Plat	27-3							
Major Subdivision		✓	○	✓	✓	✓	✓	✓
Minor Subdivision				✓	✓	✓	✓	
Special Use Permit	27-4	✓	✓	✓	✓	✓	✓	✓
Appeal of Administrative Determination	27-5	✓		✓	✓	✓	✓	✓
Variance	27-6	✓		✓	✓	✓		✓
Historic Preservation	27-7	✓		✓	✓	✓	✓	✓
Vested Rights	27-9	✓		✓	✓	✓	✓	✓
Minor Modification (new)	27-10							
Design Adjustment (new)	27-11							
Sign Permit	27-12			✓	✓	✓	✓	
Temporary Use Permit (new)	27-13			✓	✓	✓	✓	
Building Permit	27-14							
Certificate of Occupancy	27-15							

The following sections will then identify how to complete each step of the application process. Variations to specific steps will be identified in the application type that requires the variation. For example, if the Town also wants to provide voluntary email notice for rezoning applications, that information will be included in the rezoning process section.

Q. Article 17: Specific Development Review Procedures

1. Purpose of this Article

This is the companion to Article 16 that specifies how the Town will process specific applications. It will include all of the current procedures and some new ones:

- a. Zoning Map and Land Use Code Amendment (current Section 6.C)
- b. Comprehensive Plan Amendment (current Section 6.D)

- c. Planned Unit Development (current Section 3.N)
- d. Major Subdivision - Preliminary and Final Plats (current Sections 6.E-I)
- e. Minor Subdivision (current Section 6.L)
- f. Condominium/Townhouse Subdivision (current 6.M)
- g. Replats and Plat Amendments (current Section 6.J)
- h. Conditional Use Permits (current Section 6.K)
- i. Special Exceptions (current Section 6.R)
- j. Appeals (current Section 6.P)
- k. Variances (current Section 6.Q)
- l. Administrative Adjustment (new)
- m. Site Plan Review (new)
- n. LUC Interpretation (current Section 2.C)
- o. Historic Preservation (current Section 6.S)
- p. Annexation (current Section 6.N)
- q. Tree Removal Permits (current Section 6.T)
- r. Sign Permits (current Section 6.U)
- s. Temporary Use Permits (current Section 6.V)
- t. Zoning Development Permits (current Section 6.W)
- u. Certificate of Occupancy (current Section 6.X)

2. Updated Regulations

We will carry forward all of the current specific procedures, move the PUD and Interpretation procedures from other parts of the code, and add two new processes:

- a. Administrative Adjustment: allows Town staff to administratively approve minor adjustments to measurable standards either at the time of application or following approval. For example, if an applicant realizes during construction that the side setback measurement will be one foot short because of a site-specific issue, Town staff will be able to approve the one foot deviation without requiring the resubmission of the subdivision application.
- b. Site Plan Review: creates a full site plan that can be used for permit approval as well as in conjunction with other applications, such as rezoning or conditional use permit.

R. Article 18: Violations, Enforcement, and Penalties

1. Purpose of this Article

The Violations, Enforcement, and Penalties article generally identifies the LUC enforcement process available to the Town pursuant to Colorado law.

2. Updated Regulations

We will carry forward all of the current provisions of Article 8, Enforcement and Penalties. We anticipate adding more specific descriptions of actions that are LUC violations and working with staff to clearly identify the enforcement process for code users.

IV. Next Steps



When the Planning Commission and Town Board have had the opportunity to review and comment on this Code Audit, we will start the LUC drafting tasks. We anticipate drafting the update LUC as follows (subject to schedule changes to allow more time with a draft or specific issue):

January-February	Zone Districts, Use-Specific Standards, Measurements and Definitions
February-March	Landscaping/Trees, Outdoor Lighting, Hazardous and Environmentally Sensitive Areas; Proportionate Compliance
March-April	Parking, Loading, and Access; Mobility and Connectivity
April-May	Subdivision Standards, Signs, Operational Performance Standards
May-June	Public Outreach Round 2 (specific dates TBD)
June-July	Common and Specific Development Procedures
July-August	Nonconformities; Violations, Enforcement, and Penalties; General Provisions
August-September-October	Complete Full Draft Dolores Land Use Code

V. Appendix

Comments Collected during the 2019 Kickoff Meetings

*means additional person(s) supported these comments

- Broad mix of uses downtown.
- Allow mixed residential and commercial in downtown
- Allow increased building height in downtown with residential upstairs
- Change codes to make some conforming buildings and signs conforming
- Discuss architectural standards for downtown
- Residential transitions and mixes-range of lot sizes
- Update zone district options
- Draft LUC standards that support downtown ***
- Involve the public ****
- Clarify processes
- Consider future technology *
- Make LUC user friendly *
- Encourage new businesses *****
- Tiny houses ****
- Create opportunities for more housing choices **
- Better coordination/integration with hazard regulations, floodplain/slopes **
- Solar energy facilities/solar access**
- Dark skies lighting *****
- Business friendly **
- Annexation ***
- Streamlined approval process *
- Environmental stewardship *
- Downtown viability ****
- ADA Accessibility *
- Code enforcement compliance
- ECO friendly community ****
- Sign regulations update
- Special event process
- Make LUC easy to understand

- Eliminate conflicts in regulations
- Update definitions **
- Simplify approval process **
- Address enforcement **
- Eliminate conflicts with building codes
- Help code users navigate the code
- The LUC should be more flexible to create opportunities for development on complex sites
- Not all existing conditions should be nonconforming
- Allow greater building height in downtown
- Maintain sales tax
- Parking-ADA locations
- What do form based codes do and how does that work in Dolores *
- Infill development
- Affordable housing and housing that residents can afford
- Future of tourism, historical district and OHV *****
- Railroad display opportunities