



PLANNING AND ZONING COMMISSION MEETING APRIL 2, 2024 AGENDA

April 02, 2024 at 6:30 PM
Town Hall – 420 Central Avenue

If you wish to attend virtually, please visit the town website under the government tab for the
zoom link: <https://townofdolores.colorado.gov>

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Identification of Actual or Perceived Conflicts of Interest
5. Public Participation (5 minutes per person)

This is an opportunity for citizens to address the commission at this time or during a public hearing. Each person will have 5 minutes. The planning commission encourages public comment by the following sources: live at the town hall, virtually via zoom (see the town website for the link), or by submitting your comments, via email, to the town clerk at tammy@townofdolores.com any time before the dated board meeting.

6. Approval of the Agenda
7. Consent Agenda
 - a. EnterTextHere
8. Staff Updates
 - a. Interim Manager's Report: Leigh Reeves
 - b. Attorney's Report Jon Kelly
 - c. Building Official Report: David Doudy
9. Commissioner Updates
 - a. Report on March 5, 2024 P Z meeting
10. Public Hearings
11. Discussion

- a. Conditions under which the New Land Use Code regulations for commercial parking lots and landscaping would be triggered. Review of language presented at the March 5, 2024 meeting. Attorney Kelly will present the material at the meeting.
- b. Bufferyards 7.2 C 1. Review of presentation of March 5, 2024 meeting. Attorney Kelly will present the updated information at the meeting.
- c. Corridor Mixed Use zone discussion. Attached, section 3.7 and section 4.5 and 4.6
Interim Manager Reeves is going to discuss the information of Corridor Mixed Use zone.
- d. EnterTextHere

12. Future Agenda Items

13. Adjournment

**Planning And Zoning Commission
Minutes
March 5, 2024 6:30 p.m.
420 Central Ave Dolores Co. 81323
Or Virtually by The Link Below:**

Join Zoom Meeting
<https://zoom.us/j/92252992315>
Meeting ID: 922 5299 2315
One tap mobile
+16699006833,,92252992315# US (San Jose)
+12532158782,,92252992315# US (Tacoma)

1. **Call To Order.** Chairperson Robinson called the meeting to order at 6:34 p.m.
 - 1.1 **Introduction of Interim Town Manager Leigh Reeves and Commissioner Lainey Nemanic, appointed February 12, 2024.** Assistant Clerk Swope introduced the new Commissioner Nemanic and Interim Manager Reeves. (Reeves was called away temporarily during the introductions and Clerk Swope related the events bringing Interim Manager Reeves to her position with the town. Former Manager Ruud resigned in February and the Board of Trustees made a public decision to hire Reeves as Interim Manager.)
2. **Pledge Of Allegiance.** The group recited the pledge.
3. **Roll Call.** Present at the meeting were Chairperson Robinson, Commissioners Heeney, Tucker, Powell, and Nemanic, Ex officio Youngquist and Lewis, Staff members, Attorney Kelly, Building Official Doudy, Interim Manager Reeves and Assistant Clerk Swope.
4. **Identification Of Actual or Perceived Conflicts of Interest. None.**
5. **Public Participation 5 minutes per person.** Billy McCoy of north 3rd signed up to speak but reserved to use his time for later in the meeting. Chairperson Robinson told Mr. McCoy there is no public input scheduled on the agenda this time. He thought there was as at the last two meetings there was a lot of public interaction with discussions about the triggers for landscaping and parking requirements. Jake Carloni owner of Dolores Bike Hostel wanted to express his disappointment with the new business plan for the Dolores Mountain Inn of 30-day rentals. He says the impact on Dolores during tourist season will be negative overall for the businesses in town that see more visits from overnight tourists than longer stay customers.
6. **Approval of the Agenda.** Commissioner Powell moved and Commissioner Tucker seconded to approve the agenda.

yes: all.
No: none.

7. Consent Agenda

7.1 Minutes of the February 6, 2024 meeting.

Commissioner Tucker moved and Commissioner Heeney seconded to approve the consent agenda.

Yes: all.
No: none.

8. Presentations / other business

8.1 Nina Williams, Coordinator of Dolores Watershed Resilient Forest Collaborative, to discuss plans to apply for a grant to complete a Watershed and Wildfire Mitigation Plan from the Colorado Water Conservation Board for the upper Dolores River.

Attachment: email from Ms. Williams

Ms. Williams introduced herself as the coordinator of the Dolores Watershed Resilient Forest Collaborative (DWRFC). The collaborative is a network of stakeholders in Montezuma and Dolores County. They work in the upper Mancos and Dolores River watersheds. Town of Dolores is listed as a member of the collaborative. The vision is a resilient and healthy watershed and forest that serves the communities within the watershed. The collaborative works with communities, the Forest Service, Bureau of Land Management, Parks and Wildlife, and the forest products industry. The Collaborative is also a member of the Collaborative Forest Landscape Restoration Program, a national program that the San Juan National Forest has a contract with, which is a 10-year contract worth \$30 million in restoration, watershed, wild land fire mitigation and other forest health pursuits. The service area of this contract is the Dolores River watershed including Boggy Draw, Italian Canyon, and House Creek recreation areas.

The Dolores Watershed Resilient Forest Collaborative is investigating applying for a grant to complete a Watershed and Wildfire Mitigation Plan from the Colorado Water Conservation Board for the upper Dolores River. The Program can be accessed here: [Wildfire Ready Watersheds](#) and the Grant Program here: [Colorado Watershed Grants](#). The collaborative is curious if the Town of Dolores would be interested in participating in this project as a stakeholder and partner. The benefits could be flood mitigation and remedy within the town limits, improving bridge structures and streambank preservation. Ms. Williams invited the Interim Manager Reeves to attend a meeting with the stakeholders on March 7 via zoom.

8.2 Commissioner terms and reappointments. Timeline and process. Attachment: Title 2 of the Dolores Municipal Code, current occupied terms. Length of terms etc.

Attorney Kelly will address the method to stagger the terms beginning this year (2024) and present language to the Board of Trustees at the March 11, 2024 meeting. The

Board of Trustees will direct the staff to advertise for 4 vacancies, 2 for 2-year terms and 2 for one-year terms. Starting in 2025, the vacancies will be filled with 2-year terms.

9. Staff Reports

9.1. Interim Manager; attached. Manager Ruud February Report to the Board, attached.

Interim Manager Reeves updated the Commission about the recent purchase of the Community Center. The town will establish a 5-person advisory board consisting of 4 at-large community members and one town trustee as Ex Officio. Mark Youngquist has been appointed Ex Officio for the Community Center Board by the Mayor. The Ex Officios will be appointed by the Mayor after the April 2, 2024 election and the elected trustees are seated.

Commissioner Heeney asked for clarification about the status of the Galloping Goose rail car. Recently, the town passed the ownership of the rail car to the Galloping Goose Historical Society.

Reeves will be attending a meeting on Weed Management. Reeves attended the Montelores Coalition stakeholders meeting February 29 2024. Reeves attended the grand opening of Elemental Strength, the new gym. Dolores Mountain Inn sold to a company who intends to rent rooms for 30-day periods. Reeves says the business plan meets the requirements of the Land Use Code and the building code. Reeves plans on inviting Sensa Wolcott to the Board of Trustees meeting after the election to continue the discussion about watershed plans. The Commission will be included in this meeting. Attorney Kelly reminded the Commission that the first step of a water shed plan is an engineering and hydrology study. Ms. Williams stated that the DWRf collaborative may have the capacity to do the study and include the town's interest.

9.2. Attorney Kelly presenting language for item 11.2

9.3. Building Official Doudy: attachment February 2024 report to the Board of Trustees.

Doudy updated the Commission on the accident at the new town hall building. A vehicle crashed into the south wall of the building where the Board room will be. The owner of the Del Rio is having stucco repaired on the west face of the building. This does not advance the structure to a new level of compliance.

The coffee house formerly Loops' is under new ownership. The contractor hired to do the remodel started work without a permit and was stopped until the paperwork could be completed and a permit issued.

Doudy has talked with a potential purchaser of the 96 Central property, formerly the Second Chance Thrift Store who is considering opening a smoke shop.

Assistant Clerk Swope was sent to the 2024 session of Edu Code, an International Code Council production to get certification as a building permit technician. The permit

technician will be the first person in the department who collects information from the applicant, provides the proper applications and reviews the submittal before sending it forward. It helps with the Insurance Services Office (ISO) rating assigned to municipalities. The last ISO evaluation found the town deficient in a few areas, one being the lack of a certified permit technician, and the other was Board and Committee training. Doudy has planned for members of the Commission and Board to receive training this year.

10 Commissioner Updates.

10.1 Chairperson Robinson. Attached: February 2024 Report to the Board of Trustees.

11. Discussion:

11.1. Consistency of definitions within the Land Use Code and the Building Code: No attachment. Review of amendments to the language presented to the commission on February 5, 2024. (Included in the presentation for item 11.2)

11.2. Conditions under which the New Land Use Code regulations for commercial parking lots and landscaping would be triggered. Review of language presented at the February 5, 2024 meeting. Attachment: Attorney Kelly presentation with Commissioner input.

11.3 Bufferyards 7.2 C 1. Review of presentation of February 5,2024 meeting.

Attorney Kelly gave Commissioner Nemanic a brief review of the ongoing development of the Land Use Code up to the point the Commission is currently discussing, the trigger points of 7.2 Landscaping and 8.2 Parking. The Board of Trustees has directed the Commission to review the existing triggers for additional requirements in these two sections. At a previous meeting, the Commission considered adding a trigger for parking lot improvements and removing the provision of allowing a street between zones to function as the bufferyard.

The Commission has determined to leave the “street is a bufferyard” provision in the Code, they will be reviewing language from Attorney Kelly regarding a change in the trigger point for landscaping and parking requirements that matches the valuation method used in the Building Code for determining substantial improvement. This is a standard square foot cost of construction table to determine the value of the structure measured against the value of the improvement.

This change would replace the square foot increase of a structure method to determine minimal change and proportionate change.

The Commissioners advocated for the landscaping and parking lot standards to provide an interface between business and residential uses.

Mayor Holkestad attended the meeting and advised the Commission to be specific with the language they present to the Board of Trustees for adoption.

The zone district that falls under the existing requirements is a narrow section of town

that runs the length of Railroad Avenue from 3rd Street to the east edge of town on the south side and from 1st Street to 14th Street on the north side of Railroad.

The discussion included contrasts of opinion on the impact of the landscaping requirements such as the perceived impact on the community if landscaping is not required as opposed to the perceived impact on the property owner who is considering development or redevelopment.

The parking lot improvements discussion included addressing the need of a storm drainage study that would be required before standards can be determined for parking lots drainage or storage capacity.

11.3. Weed Management Plan Update from Interim Manager. Interim Manager Reeves will be attending a meeting with fellow town managers and the county administrator to discuss a plan for compliance with the Colorado Weed Act on Thursday, March 7. No attachment.

11.4 Watershed Plan. No attachment

This item was touched on during the presentation from Ms. Williams. Interim Manager Reeves will be the contact person for the town and the DWRP Collaborative.

12. Future Agenda Items: to be determined.

13. Adjournment

Linda Robinson, Chairperson

Ann Swope, Assistant Clerk



Interim Manager's Report

Date: March 11, 2024

To: Board of Trustees

From: Leigh Reeves

- Continued work with CDPHE, Steve DiNardo, Ken Charles, David Doudy and Heather Robertson. This team will be managing different components of the abatement and demolition of our current Town Hall. We will need to close town hall for a full week to complete this move efficiently, safely and completely.
- Although, I was hoping to move by the swearing in of the new board, the accident will postpone our move for 4-6 weeks. David will have a better time line at the time of the meeting.
- Sean Gantt will be facilitating a candidate forum in the Board room on Wednesday, March 13th from 6:30 to 8pm.
- We closed on the Community Center, February 29th. Requests for advisory board members was published on Wednesday, March 6th. The due date to receive the individual letters of interest is March 15th by 5pm. Guidance needed - does the board want to get two members with the interim manager to review the individuals and schedule interviews? Just work off letters?
- Nina Williams of the Dolores Watershed Resilient Forest Collaboration(DWRF) presented to the P&Z Commission last Tuesday. There is currently money to help evaluate fire resiliency and complete a plan for recovery. It will also address current flooding issues according to the state program manager, Chris Sturm. There is an opportunity to have a flood mitigation plan as part of this grant. I would like to know if we are interested in the Watershed planning.



- Attended our Seniors lunch with Ann and Heather last Wednesday. It has grown significantly since the last time I was there with about 26 attendees.
- Jon will be presenting an ordinance to discuss ADUs and water taps
- Heather and I will be attending Region9 board meetings moving forward.
- Called Rob Englehart, with the county, to schedule Mag-chloride treatment on streets this year and was informed that he was no longer authorized to provide services to the Town of Dolores per Travis Anderson. I would like to check in one more time about the Sheriff's contract for discussion.
- Can we dissolve the affordable housing task force?

Building Official/Building Inspector report

Current projects:

1. #1110- Framing Inspection
2. #1111- Framing inspection
3. #1110- Rough-in Plumbing inspection
4. #1111- Rough-in Plumbing Inspection
5. #1110- Roof sheathing inspection
6. #1111- Roof sheathing inspection
7. #1110- Insulation inspection
8. #1111- Insulation inspection
9. #1110 - Drywall inspection

New permits: Three permits for a total of \$883.03

1. #1135 - Stucco Repair
2. #1136 - Bathroom addition
3. #1137 - Sewer Line replacement

Consultations - Phone and in person

68 Phone and in-person

Construction Inspections

14 construction inspections of permits issued.

Future projects on the horizon:

Possible change of use and occupancy for one of the commercial buildings in town. More will follow once the sale is completed.

Business Inspections

Two - Fire and Life Safety Inspections

Food trailer/truck inspections

None

STR Inspections

None this period

Internet Technology

Worked with Netforce on recovery of deleted files from town manager computer and server

SPECIAL PROJECTS

- 1. New Town Hall
 - **CRASH**
 - Work continues in the unaffected areas of the building

STR's

No report as of this month

Compliance issues

No new compliance issues this month

Report to the Board of Trustees on the
 Planning & Zoning Commission meeting held
 March 5, 2024

Discussions that generated discussions of potential interest to the Board and items for future P&Z meeting agendas

Agenda Item/Description		Discussion
11.1	Consistency of definitions within the Land Use Code and Building Code	In a continuation of discussions at the January 9 and February 6 P&Z meetings, Attorney Kelly presented draft language to clarify the meaning and calculation of “fair market value” [Building Official Doudy had recommended linking “fair market value” to International Code Council (ICC) tables.
12.2	Conditions under which the New Land Use Code regulations for commercial parking lots and landscaping would be triggered	In a continuation of discussions at the January 9 and February 6 P&Z meetings, Attorney Kelly presented draft language for specifying the conditions that would trigger the 2022 LUC’s requirements for landscaping and parking lots for remodels of existing commercial properties . These conditions are linked to the calculation of fair market value to International Code Council (ICC) tables..
11.3	Bufferyards	Attorney Kelly presented draft language amending the Applicability Standards in the 2022 LUC (Section 7.2.C.1.) for bufferyards. The commissioners agreed that streets could serve as bufferyards.
10.3	Weed Management Plan	At the February 6 P&Z meeting, Commissioner Tucker reported that County’s efforts have been affected by budget cuts. He and Interim Manager Reeves will monitor and report to the P&Z Commission on the County’s weed-management efforts and compliance with State requirements as additional information becomes available.
	Watershed Management Plan	Interim Manager Reeves will coordinate with Nina Williams (Coordinator Dolores Watershed Resilient Forest Collaboration) and Sensa Wolcott (Watershed Coordinator, Mancos Water Conservancy District), about their fund-raising and planning efforts and to see about arranging a workshop for the Dolores Town Board and P&Z.
12	Potential agenda items for April P&Z meeting	<ul style="list-style-type: none"> • Conditions under which 2022 Land Use Code regulations for commercial parking lots and landscaping would be triggered – with the trigger linked to the calculation of fair market value to International Code Council (ICC) tables. • Bufferyards, Attorney Kelly • Watershed Management Plan, Interim Manager Reeves

A. General Provisions

The following general standards apply to the uses identified in this article.

- a. *No building or structure shall be erected, converted, enlarged, replaced, reconstructed, or altered for use, nor shall any building, structure or land be used or changed in such a way that it does not comply with all of the district regulations established by this Land Use Code for the district in which the building or structure or land is located.*
- b. *A lot may contain more than one use.*
- c. *Each of the uses may function as either a principal use or accessory use on a lot, unless otherwise specified.*
- d. *Uses are either permitted by-right in a district, permitted by-right with specific development or design regulations, or require a conditional use permit in order to be developed.*

B. Use Table Organization

- a. *This section identified the uses that are permitted on a lot or in a development as follows:*
 - (i) *Table 4.1 identifies the primary uses permitted in each zone district.*
 - (ii) *Table 4.3 identifies the accessory uses permitted in each zone district.*
- b. *Definitions for individual uses are provided in Article 2, Measurements and Definitions.*

C. Primary Use Classification General Descriptions

1. Organization

- (i) *To organize the uses in the Table 4.1, Primary Uses, land uses and activities are classified into general “use categories” that are based on common functional, product, or physical characteristics, such as the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered, and site conditions. The use categories in Table 4.1 are:*
 - 1. Residential
 - 2. Civic and Institutional
 - 3. Commercial
 - 4. Industrial, Wholesale, and Storage
 - 5. Transportation, Utilities, and Communication
- (ii) *Where there are also groups of uses with a use type, the use type may also be organized into “use groups” and “use type subgroups” where there are a number of possible variations of a use type, such as residential dwellings or group living. This classification provides a systematic basis for assigning present and future land uses into appropriate zoning districts.*
- (iii) *The use categories and use groups are described below for the purpose of providing a general description of each use category and use group along with examples of primary and some accessory uses that might be permitted within the category or group. Not all of these uses are permitted in every zone district. Accessory uses described in this*

section may also be allowed as primary uses in some zone districts. To determine which uses are permitted in which district see Table 4.1.

2. Residential Uses

(i) Use Category Description: This is a category of uses offering habitation on a continuous basis that is established by property ownership or tenancy with a minimum term of at least 30 days. This use category also includes group residential facilities.

(ii) Use Types

1. Household Living: This use type is characterized by residential occupancy of a dwelling unit by one or more persons. Uses where tenancy may be arranged for a shorter period are not considered residential; they are considered to be a form of transient lodging.

Group Living: This use type is characterized by residential occupancy of a structure by a group of people who do not meet the definition of "Household Living". Generally, group living structures have a common eating area for residents. The residents may receive care, training, or treatment, and caregivers may also reside at the site.

Uses by District

Land and buildings in each zone district may be used for any of the principal land uses authorized in for that district in Table 4.1 and according to the type of approval specified in that table.

Schedule of Use Regulations

The Permitted Use Table shall be interpreted as follows:

Permitted Uses

Uses identified with a /P/ in a district column are permitted in the specific district, subject to compliance with any applicable use standards and all other provisions of this Code.

Permitted uses must be in compliance with all applicable standards in this Land Use Code. Some uses have use-specific standards in Section 4.5. These standards are cross-referenced for convenience in Table 4.1; applicants are responsible for compliance with all standards whether or not a cross-reference is provided.

The location of a use in a structure is limited in some zone districts and identified with a "PL" in the district column.

Conditional Uses

Uses identified with a /C/ in a district column may be permitted in the specific district only upon approval of a Conditional Use Permit by the Board of Trustees in accordance with the procedures and standards of Section 13.11, Conditional Use Permits.

Use Not Permitted

Uses identified with a dash / -- / in a district column are not allowed in the specific district.

Table 4.1: Primary Uses

	L L R	n e w	R 1	n e w	M R F	M H	C B 1 + 2	C H	L I	n e w	P	R 1 0	R3 5	Additio nal Use Limitati ons
	L L R 1	L L R 2	N R 1	N R 2	N R 3	M H P	D M U	C M U	I N D	P 1	P 2	R 1 0	R 35	
Key: /P/ Permitted Use /PL/ Permitted with Use Limitations /C/ Conditional Use /-/ Not Permitted [1] Affordable Housing Required														
RESIDENTIAL														
Households Living (dwelling unit/structure)														
1 du/structure	P	P	P	P	P	P	C	P L	--	--	--	P	P	
2 du/structure	P	P	P	P	P	P	P L	P L	--	--	--	--	--	Sec. 4.5.A
Townhomes (3 or more attached units)	C [1]	C [1]	C [1]	P	P	--	C	P	--	--	--	--	--	Sec. 4.5.A
3-4 du/structure multifamily	--	--	C [1]	P	P	--	P L	P L	--	--	--	--	--	Sec. 4.5.A
5-8 du/structure apartment	--	--	--	--	P	--	C	P L	--	--	--	--	--	
9+ du/structure apartment	--	--	--	--	P	--	--	P L	--	--	--	--	--	
Manufactured Home	--	--	--	--	--	P	--	--	--	--	--	--	--	Sec. 4.5.A
Group Household Living														
Groups Recognized by Colorado Statutes														
Community Residential Facility, Large (9 to 15)	--	--	P	P	P	P	P	P	--	--	P	--	--	Sec. 4.5.A
Community Residential Facility, Small (8 or fewer)	P	P	P	P	P	P	P	P	--	--	P	P	P	Sec. 4.5.A
Independent Groups														
Assisted Living Facility	--	--	C	C	P	--	P	P	P	--	P	P	P	
Nursing Home	--	--	C	C	P	--	P	P	P	--	P	P	P	
Shared or Co-Living Facility	--	--	--	--	--	--	C	--	--	--	--	--	--	
PUBLIC, CIVIC, AND INSTITUTIONAL														
Assembly														
Civic Assembly		--	--	--	P	P	P	P	P	--	P	--	--	
Religious Assembly	P	P	P	P	P	P	P	P	C	--	P	--	--	
Education														

Table 4.1: Primary Uses

	L L R	n e w	R 1	n e w	M R F	M H	C B 1 + 2	C H	L I	n e w	P	R 1 0	R3 5	Additio nal Use Limitati ons
	L L R 1	L L R 2	N R 1	N R 2	N R 3	M H P	D M U	C M U	I N D	P 1	P 2	R 1 0	R 35	
Key: /P/ Permitted Use /PL/ Permitted with Use Limitations /C/ Conditional Use /-/ Not Permitted [1] Affordable Housing Required														
School, College or University	--	--	--	--	--	--	C	P	--	--	P	--	--	
School, Primary and Secondary	P	P	P	P	P	--	P	P	--	--	P	--	--	
School, Trade, Business, Technology, Vocational	--	--	--	--	--	--	--	P	C	--	P	--	--	
Government and Public Safety														
Emergency Services	P	P	P	P	P	--	P	P	P	P	P	P	P	
Government Buildings and Offices	--	--	--	--	--	--	P	P	P	--	P	--	--	
Government Facilities, Yards, and Storage	C	--	--	--	--	--	--	P	P	P	P	--	--	
Health Care and Social Assistance														
Hospice Facility	--	--	--	--	P	--	--	P	--	--	P	--	--	
Hospital or Health Care Facility	--	--	--	--	--	--	P	P	--	--	P	--	--	
Office and Clinical Services	--	--	--	--	--	--	P	P	--	--	P	--	--	
Parks and Recreation														
Recreation and Play Fields	P	P	P	P	P	P	C	C	--	P	P	--	--	
COMMERCIAL														
Amusement and Recreation														
Amusement, Indoor														
Large (20,000 sf GFA or more)	--	--	--	--	--	--	C	C	--	--	--	--	--	
Small (less than 20,000 sf GFA)	--	--	--	--	--	--	P	P	--	--	--	--	--	
Amusement and Recreation, Outdoor														
Large (1 acre or larger)	--	--	--	--	--	--	--	--	--	P	P	--	--	
Small (less than 1 acre)	--	--	--	--	--	--	--	C	--	P	P	--	--	
Adult Entertainment	--	--	--	--	--	--	--	--	C	--	--	--	--	
Animal Sales and Services														

Table 4.1: Primary Uses

	L L R	n e w	R 1	n e w	M R F	M H	C B 1 + 2	C H	L I	n e w	P	R 1 0	R3 5	Additio nal Use Limitati ons
	L L R 1	L L R 2	N R 1	N R 2	N R 3	M H P	D M U	C M U	I N D	P 1	P 2	R 1 0	R 3 5	
Key: /P/ Permitted Use /PL/ Permitted with Use Limitations /C/ Conditional Use /-/ Not Permitted [1] Affordable Housing Required														
Boarding/Kennel	C	C	--	--	--	--	--	C	--	--	--	--	--	
General Sales and Services	--	--	--	--	--	--	--	P	--	--	--	--	--	
Shelter, Animal	--	--	--	--	--	--	--	--	P	--	--	--	--	
Veterinary														
Small Animal	--	--	--	--	--	--	--	P	P	--	--	--	--	
Large Animal	--	--	--	--	--	--	--	--	P	--	--	--	--	
Assembly, Entertainment and Trade														
Large (50,000 or more sf GFA)	--	--	--	--	--	--	C	C	--	--	--	--	--	
Small (less than 50,000 sf GFA)	--	--	--	--	--	--	P	P	--	--	--	--	--	
Adult and Child Care														
Adult Day Care (16 or more adults)	--	--	--	--	--	--	P	P	--	--	P	--	--	
Adult Day Care (up to 15 adults)	--	--	--	--	--	--	--	P	--	--	P	--	--	
Day Care Center (more than 6 kids)	C	C	C	C	C	P	P	P	--	--	P	--	--	
Day Care Home (up to 6 kids)	P	P	P	P	P	P	C	C	--	--	--	--	--	
Commercial Service														
Business Service	--	--	--	--	--	--	P	P	P	--	--	--	--	
Cemetery/Crematorium	--	--	--	--	--	--	--	--	P	C	P	--	--	
Personal Service	--	--	--	--	--	--	P	P	--	--	--	--	--	
Repair Service, Consumer	--	--	--	--	--	--	P	P	P	--	--	--	--	
Studio or Instruction Service	--	--	--	--	--	--	P	P	--	--	--	--	--	
Eating and Drinking Establishment														
Bar or Tavern	--	--	--	--	--	--	P	P	--	--	--	--	--	
Craft Alcohol	--	--	--	--	--	--	P	P	P	--	--	--	--	
Restaurant														
with drive-thru	--	--	--	--	--	--	--	P	--	--	--	--	--	

Table 4.1: Primary Uses

	L L R	n e w	R 1	n e w	M R F	M H	C B 1 + 2	C H	L I	n e w	P	R 1 0	R3 5	Additio nal Use Limitati ons
	L L R 1	L L R 2	N R 1	N R 2	N R 3	M H P	D M U	C M U	I N D	P 1	P 2	R 1 0	R 35	
Key: /P/ Permitted Use /PL/ Permitted with Use Limitations /C/ Conditional Use /-/ Not Permitted [1] Affordable Housing Required														
without drive-thru	--	--	--	--	--	--	P	P	--	--	--	--	--	
Financial Services														
Financial Institution, no drive-thru	--	--	--	--	--	--	P	P	--	--	--	--	--	
with drive-thru	--	--	--	--	--	--	--	P	--	--	--	--	--	
Alternative Financial Services	--	--	--	--	--	--	--	P	P	--	--	--	--	
Lodging														
Bed and Breakfast Inn	P	P	P	P	P	--	C	--	--	--	--	--	--	Sec. 4.5.B
Boarding or Rooming House	C	C	C	C	C	--	--	--	--	--	--	--	--	Sec. 4.5.B
Hotel/Motel	--	--	--	--	--	--	P	P	--	--	--	--	--	
RV Park	--	--	--	--	--	--	--	C	C	C	C	--	--	Sec. 4.5.B
Short-Term Rental	P L	P L	P L	P L	P L	--	P L	P L	P L	--	--	P L	P L	Sec. 4.5.B
Office														
Business or Professional	--	--	--	--	--	--	P	P	P	--	--	--	--	
Parking, Commercial														
Parking, primary use	--	--	--	--	--	--	--	C	C	--	--	--	--	
Retail Sales														
General with drive-thru	--	--	--	--	--	--	--	P	--	--	--	--	--	Sec. 4.5.B
without drive-thru	--	--	--	--	--	--	C	P	--	--	--	--	--	Sec. 4.5.B
Vehicle Sales and Service, Personal														
Car Wash	--	--	--	--	--	--	--	P	P	--	--	--	--	
Service Station, fuel only	--	--	--	--	--	--	--	P	P	--	--	--	--	
with convenience store	--	--	--	--	--	--	--	P	P	--	--	--	--	
Vehicle Sales and Rental	--	--	--	--	--	--	P	P	P	--	--	--	--	
Outdoor Sales Lot	--	--	--	--	--	--	--	P	P	--	--	--	--	

Table 4.1: Primary Uses

	L L R	n e w	R 1	n e w	M R F	M H	C B 1 + 2	C H	L I	n e w	P	R 1 0	R3 5	Additio nal Use Limitati ons
	L L R 1	L L R 2	N R 1	N R 2	N R 3	M H P	D M U	C M U	I N D	P 1	P 2	R 1 0	R 35	
Key: /P/ Permitted Use /PL/ Permitted with Use Limitations /C/ Conditional Use /--/ Not Permitted [1] Affordable Housing Required														
Vehicle Maintenance and Repair, Minor (5,000 sf or less)	--	--	--	--	--	--	P	P	P	--	--	--	--	Sec. 4.5.B
Vehicle Maintenance and Repair, Major (> 5,000 sf)	--	--	--	--	--	--	--	--	P	--	--	--	--	Sec. 4.5.B
INDUSTRIAL, WHOLESALE, AND STORAGE														
Energy Production														
Solar Energy Facilities	--	--	--	--	--	--	--	--	P	C	P	--	--	
Wind Energy Conversion Systems	--	--	--	--	--	--	--	--	P	C	P	--	--	
Industrial and Construction Services														
Auction House	--	--	--	--	--	--	--	--	P	--	--	--	--	
Contractor Yard, General/Trade	--	--	--	--	--	--	--	--	P	--	--	--	--	
Heavy	--	--	--	--	--	--	--	--	P	--	--	--	--	
Industrial Sales and Services	--	--	--	--	--	--	--	--	P	--	--	--	--	
Truck, RV, and Heavy Equipment Rental, Sales, and Service	--	--	--	--	--	--	--	--	P	--	--	--	--	
Manufacturing, Assembly, or Processing														
Light, Artisan/Craft	--	--	--	--	--	--	C	C	P	--	--	--	--	
General	--	--	--	--	--	--	--	--	P	--	--	--	--	
Heavy, Hazardous, Objectionable	--	--	--	--	--	--	--	--	C	--	--	--	--	
Marijuana	Uses defined in Dolores Ord. #546, Series 2020, as amended (DMC)													
Cultivation Operations	--	--	--	--	--	--	P/ C [1]	P/ C [1]	--	--	--	--	--	DMC
Infused Product Manufacturing	--	--	--	--	--	--	--	--	P/ C [1]	--	--	--	--	DMC

Table 4.1: Primary Uses

	L L R	n e w	R 1	n e w	M R F	M H	C B 1 + 2	C H	L I	n e w	P	R 1 0	R3 5	Additio nal Use Limitati ons
	L L R 1	L L R 2	N R 1	N R 2	N R 3	M H P	D M U	C M U	I N D	P 1	P 2	R 1 0	R 35	
Key: /P/ Permitted Use /PL/ Permitted with Use Limitations /C/ Conditional Use /-/ Not Permitted [1] Affordable Housing Required														
Light Infused Product Manufacturing	--	--	--	--	--	--	--	--	P/ C [1]	--	--	--	--	DMC
Recreational Marijuana Business	--	--	--	--	--	--	P/ C [1]	P/ C [1]	--	--	--	--	--	DMC
Retail Sales														DMC
General with drive-thru	--	--	--	--	--	--	--	P	--	--	--	--	--	DMC
Without drive-thru	--	--	--	--	--	--	C	P	--	--	--	--	--	DMC
Testing	--	--	--	--	--	--	P/ C [1]	P/ C [1]	P/ C [1]	--	--	--	--	DMC
	Note [1]: Conditional use approval required when the subject property is located adjacent to residential districts or uses.													
Warehouse and Storage Services														
Outdoor Storage, Commercial or Industrial	--	--	--	--	--	--	--	--	P	--	--	--	--	
Personal, Self-Service Storage	--	--	--	--	--	--	--	P	P	--	--	--	--	
Warehouse, Commercial	--	--	--	--	--	--	--	P	P	--	--	--	--	
Wholesale and Distribution	--	--	--	--	--	--	--	--	P	--	--	--	--	
Waste and Salvage														
Junk or Salvage Yard	--	--	--	--	--	--	--	--	C	--	--	--	--	
Refuse Hauling Facility	--	--	--	--	--	--	--	--	C	--	--	--	--	
TRANSPORTATION, UTILITIES, AND COMMUNICATIONS														
Transportation														
Bus/Public Transit Station or Terminal	--	--	--	--	--	--	--	P	P	--	--	--	--	
Train Passenger Terminal	--	--	--	--	--	--	--	P	--	--	--	--	--	

Table 4.1: Primary Uses

	L L R	n e w	R 1	n e w	M R F	M H	C B 1 + 2	C H	L I	n e w	P	R 1 0	R3 5	Additio nal Use Limitati ons
	L L R 1	L L R 2	N R 1	N R 2	N R 3	M H P	D M U	C M U	I N D	P 1	P 2	R 1 0	R 35	
	Key: /P/ Permitted Use /PL/ Permitted with Use Limitations /C/ Conditional Use /-/ Not Permitted [1] Affordable Housing Required													
Utilities and Public Facilities														
Major	--	--	--	--	--	--	--	--	P	--	P	--	--	
Minor (e.g., lift stations, substations, pump stations)	P	P	P	P	P	P	P	P	P	P	P	P	P	
Offices, Buildings, Yards, and Land	--	--	--	--	--	--	--	--	P	--	P	--	--	
Wireless Communication Facilities														
Wireless Communication Facilities	P	P	P	P	P	P	P	P	P	P	P	C	C	Sec. 4.5.E
AGRICULTURE														
Agriculture														
Community Garden	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 4.6.C
Farm Stand	P	P	--	--	--	--	--	--	--	--	P	--	--	
Greenhouse, Non-Commercial	P	P	--	--	--	--	--	--	--	--	P	--	--	
Commercial	--	--	--	--	--	--	--	--	P	--	--	--	--	
Stable														
Commercial	--	--	--	--	--	--	--	--	P	--	--	--	--	
Private	P	--	--	--	--	--	--	--	--	--	--	P	P	

Commercial Uses

Bed and Breakfast, or Boarding or Rooming House

A bed and breakfast or boarding or rooming establishment may provide lodging and breakfast for temporary overnight occupants in no more than three separate bedrooms for compensation. One off-street parking space per bedroom offered for use for temporary overnight accommodations, in addition to off-street parking otherwise required pursuant to Article 8, Parking, Loading, and Access.

General Retail (Indoors)

The footprint of each general retail (indoor) structure shall be limited to 10,000 square feet.

Recreational Vehicle/Travel Trailer Park

Recreational vehicle/travel trailer park and incidental facilities shall comply with the standards in this section.

Such areas may be occupied only by persons using travel trailers, truck campers and tents for overnight and short duration camping (4-month maximum);

Each space shall be at least 1500 sq. ft. in area;

Each space shall be at least 22 ft. in width;

Each park shall be served by central town water and sewer facilities;

No dependent recreational vehicle, travel trailer, truck camper or tent shall be located more than 200 ft. from a water and sewage service building; and

Provisions shall be made for adequate all-weather walkways to each space.

Short-Term Rentals

The purpose of the Town of Dolores Short-Term Rental regulations is to:

Maintain the character of residential neighborhoods in Dolores.

Preserve long-term rental residential properties for the residents of Dolores and surrounding local communities.

Facilitate the permitting of short-term rental units subject to appropriate restrictions and standards.

Allow for varied accommodations and experiences for visitors.

Establish a licensing and permitting system to ensure that all taxes including sales and lodging taxes, fees, and fines related to short-term rentals are both assessed and current.

Map the location of short-term rental properties within the community with the purpose of measuring their concentration and impact in order to reevaluate the effectiveness of these regulations on a regular basis.

Protect the health, safety and welfare of guests and occupants of short-term rentals and the residents of the Town of Dolores.

The Dolores Board of Trustees intends for these short-term rental regulations to be supportive of both neighborhood conservation and local businesses in the Town. The Board may adjust the total number of permits issued annually as necessary to meet the purposes of these regulations.

Applicability

It shall be unlawful for any person to operate any short-term rental unit without a valid short-term rental permit, as approved pursuant to the provisions of this short-term rental regulations and other applicable provision of the Dolores Land Use Code.

The short-term rental permit shall be issued to the specific owner of the property and does not run with the property. The permit shall not be transferred or

assigned to another individual, person, entity, or address, but may be managed by a third party on behalf of the owner.

A short-term rental permit shall only be issued to:

A natural person whose name appears on the deed of the property.

A trust, if the beneficiary of the trust is a natural person; or

A not-for-profit corporation licensed pursuant to Section 501(c) of the Internal Revenue Code.

Limited Liability Company or a closely held corporation with three or fewer members or shareholders who are natural persons.

Nothing in this section shall limit the ability of a property owner; property covenants, conditions, and restrictions (CC&Rs); homeowners' association or similar association from prohibiting or further limiting the short-term rental of property where the authority to do so exists.

Nothing in this section shall prohibit the operation of a hotel, motel, or bed and breakfast inn where such use is permitted.

Where Permitted

Short-Term Rentals are permitted in all zones except the MH – Mobile Home and P – Public zones where all short-term rentals are expressly prohibited.

Located in a Habitable Structure: Short-term rentals shall be located in a habitable structure that complies with the Dolores LUC and applicable Town building and life safety codes adopted under Title 15 of The Dolores Municipal Code as may be amended from time to time and shall not be located in:

Non-residential areas within buildings or accessory structures (e.g., shed, garage),

Commercial (office/retail) or industrial (warehouse) spaces, or

Outdoors in a temporary structure (e.g., tent, yurt, treehouse, or other similar structure) or in a recreational vehicle, mobile home, travel trailer, commercial or passenger vehicle or trailer, or any portable storage unit.

Maximum Number of Permits

Short-term rentals are organized into the following categories:

Category 1: Full-Time Use: A dwelling unit that is not owner-occupied and is primarily used or made available for short-term rentals.

Category 2: Part-Time Use: A dwelling unit that is owner-occupied for more than 180 days per calendar year and that is rented as an entire unit during the time when the owner is not in residence.

Category 3: Accessory Dwelling Unit Use: A dwelling unit with an ADU where either the primary home or the ADU are owner-occupied and the other unit is made available for short-term rentals on a periodic basis.

Category 4: Accessory Space Use: A bedroom or other habitable space offered for short-term rental within an owner-occupied dwelling unit.

Category 5: Residential Unit in Mixed-Use or Commercial District: A residential structure or space located in a mixed-use or commercial district where lodging is a permitted use.

Short-term rentals are permitted in these categories as follows:

Categories 1, 2, and 5: A maximum of number of short-term rental permits equal to 7% of the Town's eligible residential structures and spaces may be issued in Dolores for any one-year period. The number of eligible residential structures and spaces for any given year shall be determined by the Building Official within 30 days after adoption of this ordinance and by January 15 of each year thereafter. In any year where the maximum number of permits has been issued, whether new or renewal, no additional permits will be issued.

Categories 3 and 4: Short-term rental permits are required for ADUs and accessory spaces. There is no maximum limit on the number of permits the Town may issue in these categories.

No more than one permit shall be issued per structure.

A short-term rental permit may not be issued for a permanently affordable dwelling unit.

Short-Term Rentals in existence at the time of adoption of this Short-Term Rental Regulation shall be subject to all of the requirements of this Regulation, the Dolores Land Use Code, and the applicable provisions of Title 15 of the Dolores Municipal Code. The owners of existing Short-Term Rentals shall apply for and obtain a Short-Term Rental Permit not later than 60 days after the effective date of the ordinance adopting this Short-Term Rental Regulation or shall be deemed to be in violation hereof.

Generally Applicable Requirements

Use

Short-term rentals shall be used for lodging purposes only.

A short-term rental may not include simultaneous rental to more than one party under separate contracts.

Use of the short-term rental unit as a party house for any commercial or large social events or gatherings, such as weddings, is prohibited. These uses may be permitted through the Town's temporary use permit or special event process.

Overnight guest occupancy for Short-Term vacation rentals shall not exceed the maximum number of allowable overnight guests permitted by the applicable building codes adopted by the Town of Dolores under Title 15 of the Dolores Municipal Code as determined by the Building Official and stated in the permit.

During the daytime, maximum number of total guests and visitors allowed at any time in a short- term vacation rental shall not exceed the maximum overnight occupancy plus six (6) additional persons per property, or fourteen (14) persons, whichever is less.

Noise

Quiet hours shall be from 10:00 p.m. to 7:00 a.m. and no outside assembly of more than the maximum overnight occupancy shall be permitted during this period.

Outdoor amplified sound (microphone or speaker system) shall not be allowed at any time. This provision does not apply to casual music from personal music devices or similar situations that are typical of residential surroundings.

Pets if allowed by owner shall be secured on the property at all times. Continual nuisance barking by unattended pets is prohibited.

Outdoor Fire Areas: Outdoor fire areas, when not prohibited by state or local fire codes, may be allowed but shall be limited to three feet in diameter, shall be located on a non-combustible surface, shall be covered by a fire screen, and shall be extinguished as soon as it is unattended or by 10:00 p.m. whichever is earlier.

Taxes and Insurance

The owner shall obtain a business license from the Town of Dolores.

The owner shall be responsible for payment of all applicable sales and lodging taxes.

Advertising: All short-term rental advertising shall include the Dolores Short-Term Rental Permit number and the maximum unrelated occupancy permitted in the unit pursuant to the currently adopted International Building Code or International Residential Code, as applicable.

Health, Safety, and Code Compliance

Short-Term rental units must remain compliant with all zoning, parking, building, fire, noise, and other applicable Town codes.

The short-term rental unit shall be equipped with operational smoke detectors, carbon monoxide detectors, 2A:10B:C fire extinguisher, and other life safety equipment as may be required by the Town.

Parking in private driveways shall be utilized first with overflow parking on the street where permitted. Parking on-site in non-driveway areas (e.g., setbacks or yards) shall be prohibited. Where on- site parking is not available, the property owner shall instruct the renter where to find the closest legal parking, which may include on-street parking.

Short-Term Rental permit holders will encourage guest parking limited to the frontage of the permitted STR and shall otherwise comply with the parking requirements of the zone in which the Short- Term Rental is located.

The owner shall maintain weekly trash collection services. Garbage/refuse containers shall not be left out at the collection point 24 hours after collection and property shall be free of trash and debris.

Local contact and guest information: Each vacation rental shall have a designated local contact person(s). The local contact may be a property management/real estate company, rental agent or other person engaged or employed by the owner to rent, manage or supervise the vacation rental. A property owner may designate themselves as the local contact person if the owner meets the criteria of this section. The local contact must reside within a thirty-minute (30) drive of the rental property and be available twenty-four (24) hours a day 365 days a year during tenancies for timely response to guest and neighborhood questions and concerns. An alternate local contact shall be designated, available and meet the criteria of this section when the primary is not available. All local contacts shall list their name and telephone/cell number and it shall be provided to the Town of Dolores on the application for a short-term rental which shall be made available to the Town Marshal. Any change to the contact(s) name or telephone/cell number shall be submitted to the Town within twenty-four (24) hours of the change. Each rental unit shall also display the following information in a prominent interior and easy to access location:

The short-term rental permit number.

A copy of the Dolores Short-Term Rental Regulations.

Site-specific instructions about parking locations and trash pick-up.

Vehicle Maintenance and Repair (Garage)

Motor vehicles without valid registration or a work order shall be classified as salvage and junk, and may not be kept, stored, or worked on in an auto repair shop.

Accessory Uses

**Table 4.3:
Accessory Uses**

	LL R	ne w	R1	ne w	M RF	M H P	C B1 + C B2	C H	LI	ne w	P	R 10	R3 5	
Key	LL R1	LL R2	N R1	N R2	N R3	M H P	D M U	C M U	IN D	P1	P2	R 10	R 35	Add. Use Stand.
	/P/ Permitted, /PL/ Permitted with Use Limitations, /--/ Not Permitted													
Dwelling														
Accessory Dwelling Unit [1]	P	P	P	--	--	--		--	--	--	--	P	P	Sec. 4.6.A
Caretaker or guard residence, accessory	--	--	--	--	--	--		--	P	--	P	--	--	
Shelter [2]	P	P	P	P	P	P	P	P	P	--	P	--	--	
Short-Term Rental	PL	PL	PL	PL	PL		PL	PL	PL			PL	PL	Sec. 4.5.B
General														
Accessory Use or Structure	P	P	P	P	P	P	--	--	P	--	P	P	P	Sec. 4.6.B
Drive-Thru	--	--	--	--	--	--	--	P	--	--	--	--	--	Sec. 4.6.D
Greenhouse, noncommercial	P	P	P	P	P	P	P	P	P	P	P	P	P	
Home Occupation	P	P	P	P	P	P	P	P	--	--	--	P	P	Sec. 4.6.E
Kennel, Private	P	P	P	P	P	P	--	--	--	--	--	P	P	
Outdoor Sales Lot	--	--	--	--	--	--	--	P	P	--	--	--	--	
Outdoor and Sidewalk Seating	--	--	--	--	--	--	P	P	--	--	--	--	--	
Outdoor storage	--	--	--	--	--	--	--	--	P	--	--	--	--	
Park/playground	P	P	P	P	P	P	P	P	P	P	P	P	P	
Recreational Vehicle Park	--	--	--	--	--	P	--	--	--	--	--	--	--	Sec. 3.6.B
Restaurant	--	--	--	--	--	--	P	P	--	--	--	--	--	
Retail sales	--	--	--	--	--	--	P	P	--	--	--	--	--	
Solar energy facility	P	P	P	P	P	P	P	P	P	P	P	P	P	
Wind energy facility	P	P	P	P	P	P	P	P	P	P	P	P	P	

[1] Shall be located on a lot with a single unit detached or duplex dwelling.

[2] Accessory to public, civic, and institutional uses only.

Accessory Dwelling Units

Applicability

Accessory dwelling units (ADUs) in applicable zones are permitted on any parcel where a single-unit detached dwelling unit or duplex is permitted or currently exists. Where each duplex unit is on an individual lot, each lot may have an ADU.

Ownership and Occupancy

The property owner shall live in either the primary or accessory dwelling unit.

The accessory dwelling unit shall not be sold separately or subdivided from the primary dwelling unit or lot unless both lots created by the subdivision conform to the minimum lot size for the zone district where located.

Dimensional Standards and Location

All new and existing ADUs must be located in a habitable structure that meets applicable Town building and life safety codes. ADUs shall not be located in:

*Non-habitable areas within buildings or accessory structures (e.g., shed, garage),
Commercial (office/retail) or industrial (warehouse) spaces, or
Outdoors in a temporary structure (e.g., tent, yurt, treehouse, or other similar structure) or in a recreational vehicle, mobile home, travel trailer, commercial or passenger vehicle or trailer, or any portable storage unit.*

ADUs must have separate water and sewer taps.

One accessory dwelling unit is permitted per residential lot. The ADU shall be located on the same lot as the primary unit and the primary unit must be constructed prior to the accessory dwelling unit.

Accessory dwelling units may be internal or attached to the primary dwelling unit or separate, detached accessory dwelling unit that may or may not be attached to a detached garage.

Unless specifically addressed in this section, accessory dwelling units are subject to the same zone district dimensional regulations for a principal building; e.g., setback requirements and lot coverage standards.

A detached accessory dwelling unit shall not cover more than 30 percent of the available rear yard between the primary structure building line and the rear yard setback line.

These standards do not apply to legally established detached garages that contain an accessory dwelling unit. Any expansion of a detached garage for conversion into an ADU shall comply with the appropriate setback and yard requirements for the detached garage.

Maximum height for a new, detached accessory dwelling unit shall not exceed the height of the principal dwelling unit unless the ADU still conforms to the height limit for the zone district.

The footprint of a detached accessory dwelling unit shall not exceed the footprint of the principal dwelling unit.

An existing accessory structure whose height or setback(s) does not meet the requirements for a dwelling in the zone district may be converted into an accessory dwelling unit, but the structure may not be altered in any manner that would increase the degree of height or setback non-conformity and provided the ADU complies with all other applicable standards such as parking and storage.

Size

The gross floor area of an attached or internal accessory dwelling unit shall not exceed the gross floor area of the primary dwelling unit.

The gross floor area of a detached accessory dwelling unit shall be no more than 80 percent of the gross floor area of the principal dwelling unit. A detached ADU may be as small as permitted by the adopted Building Code.

Construction

Accessory dwelling units must contain a kitchen or a food prep area, bathroom, sleeping area, and 100 square foot or larger storage area, all for the sole use of the unit.

Water and sewer service shall be provided pursuant to the Dolores Municipal Code.

Mobile homes, manufactured housing, recreational vehicles, travel trailers, and any other wheeled or transportable structure shall not be used as accessory dwelling units.

A new street address for a new ADU is required to assist in emergency response.

Design

An ADU, either detached or an extension of an existing structure, shall meet all design standards applicable to the primary structure.

Accessory dwelling units shall have a separate entrance with a clearly labeled street address.

Parking

The accessory dwelling unit shall have at least one dedicated off-street parking spaces in addition to the parking required for the primary dwelling unit.

Home Occupations

Home occupations are permitted in an accessory dwelling unit.

Accessory Use or Structure, General

Accessory uses or structures may be permitted subject to the following conditions:

Such uses shall be limited to those customarily associated with and appropriate, incidental, and subordinate to the principal use.

Such uses shall be located on the same lot or tract as the associated principal use.

Such uses shall be controlled in the same manner as the associated principal use, except as otherwise expressly provided in this Code.

Accessory structures shall not exceed the total square footage of the principal structure.

The maximum height cannot exceed height of principal structure

In no event shall an accessory use be construed to authorize a use not otherwise permitted in the zone district in which the principal use is located.

No accessory use or structure shall be established prior to the principal use or structure to which it is accessory.

Notwithstanding other provisions of this Code to the contrary, all accessory structures larger than 120 square feet shall be considered an accessory building. Any structure larger than 120 sq. ft. requires a building permit. All accessory structures regardless of size are subject to setbacks and spacing between buildings.

Community Garden

Community gardening is permitted on rooftops that are structurally capable of supporting the garden.

Use Standards

The site shall be designed and maintained so that water and fertilizer will not drain to adjacent property.

A minimum three-foot wide, clearly marked entrance path shall be provided from a public right-of-way to the garden.

The on-site sale of community garden products is prohibited except when permitted as an approved temporary use.

The use of motorized equipment is restricted to hours beginning at 7:00 AM and ending at 9:00 PM.

An on-site trash storage container must be provided and located as close as practicable to the rear lot line or, when located on a lot with other uses, the rear side of the community garden. Compost bins or piles must also be located in the same location. Trash must be removed from the site at least once a week.

The keeping of animals is prohibited.

Within a residential zoning district, operating hours for community garden activities are restricted to between 5:00 AM and 11:00 PM daily.

Customary accessory uses are regulated in the accessory use section.

Community gardens in residential zones shall be restricted to one, non-illuminated identification sign not exceeding eight square feet and eight feet in height and set back a minimum of five feet from the front and side property lines. In all other zoning districts, signs shall comply with the permanent sign standards for the applicable zoning district.

Drive-Through (Thru) Facility

The following standards shall apply to businesses that contain a drive-through establishment, regardless if the drive-through is part of another use (e.g., restaurant or financial institution) or if it is a stand-alone use (e.g., automatic teller machine).

Audible electronic devices such as loudspeakers, automobile service order devices, and similar instruments located within 50 feet of any residential zone district shall not be audible beyond the subject property line.

All drive-through areas, including but not limited to menu boards, stacking lanes, trash receptacles, loudspeakers, drive up windows, and other objects associated with the drive-through area shall be located in the side or rear yard of a property to the maximum extent feasible, and shall not cross, interfere with, or impede any public right-of-way.

Home Occupation

The following home occupation standards are intended to permit residents to engage in home occupations that are compatible with residential land uses and to ensure that home occupations do not adversely affect the integrity of residential areas. A home occupation shall be considered an accessory use, subject to the following standards.

No persons shall be engaged in a home occupation other than persons occupying the subject property as their residence; provided, however that up to a maximum of one person who does not occupy the property as their residence may be employed as part of the home occupation where one additional off-street parking space is provided, in addition to off-street parking otherwise required pursuant to Article 8, Parking, Loading, and Access.

There shall be no visible storage of equipment, materials or vehicles that have more than two axles.

The home occupation shall be conducted entirely within the principal residential building or within a permitted accessory structure; and

No equipment shall be used that creates undue noise, vibration, electrical interference, smoke or particulate matter emission, excessive power demands or odors. Home occupations shall comply with the operational performance standards of Section 4.8.

Zone Districts

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- Section 3.6. Manufactured Home Park District (MHP)..... **Error! Bookmark not defined.**
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- A. Setback Encroachments **Error! Bookmark not defined.**
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Districts Established

In order to implement the Dolores Comprehensive Plan and the other purposes and provisions of this Land Use Code, the Town of Dolores, Colorado, is hereby divided into the following zoning districts:

Designation	Zoning Districts
R-35, R-10	Resource 35 and Resource 10
LLR-1, LLR-2	Large Lot Residential 1 and 2
NR-1, NR-2, NR-3	Neighborhood Residential 1, 2, and 3
MHP	Manufactured Home Park
DMU	Downtown Mixed-Use
CMU	Corridor Mixed-Use
P-1, P-2	Public 1 and 2
IND	Industrial
PUD	Planned Unit Development District

Official Zoning Map

Map Adoption

The boundaries of the zoning districts set out herein are delineated upon the Official Zoning Map of the Town of Dolores, Colorado, an up-to-date copy of which shall be maintained on the Town’s website and in the office of the Zoning Administrator. Original copies of the official zoning map and all amendments thereto shall be maintained in the Town Clerk’s office. In case of any dispute regarding the zoning classification of property subject to this Code, the original map maintained by the Town Clerk shall control.

Zoning Map Amendment

No changes or amendments to the district boundaries shown on the official zoning map shall be made except in compliance and conformity with all procedures set forth in Section 13.30, Zoning Map and Land Use Code Amendments. If, in accordance with these procedures, changes or amendments are made to district boundaries, such changes or amendments shall be made promptly after official adoption of the change or amendment as provided for herein.

Interpretation of District Boundaries

The district boundary lines shown on the official zoning map are usually along streets, alleys, property lines or extensions thereof. Where uncertainty exists as to the boundaries of districts as shown on the official zoning maps, the following rules shall apply.

- Boundaries indicated as approximately following streets, highways or alleys shall be construed to follow the centerline of such street, highway, or alley.
- Boundaries indicated as approximately following platted lot lines shall be construed as following such lines.
- Boundaries indicated as approximately following Town limits shall be construed as following Town limits.
- Boundaries indicated as approximately following the centerline of irrigation ditches or drainage ways shall be construed to follow such centerline.

Boundaries indicated as parallel to or extensions of features indicated in this subsection shall be so construed. Distances not specifically indicated on the original zoning map shall be determined from the graphic scale on the map.

Whenever any street, alley or other public way is vacated by official action of the Board of Trustees the zoning district line adjoining each side of such street, alley, or other public way shall be automatically extended to the centerline of such vacated street, alley or way, and the area included in that change shall be subject to all regulations of the extended districts.

Where physical features of the ground are at variance with information shown on the official zoning map, or when there arises a question as to how or whether a parcel of property is zoned and such question cannot be resolved by the application of Section 3.2.C.1(a) through (f), above, the property shall be considered as classified R-35, Resource-35, temporarily, and subject to Sec. 13.30, Zoning Map and Land Use Code Amendments.

Additional Standards

Structures and uses are subject to other applicable regulations outside of this article. For user reference, specific standards can be found in the following sections:

Additional Standards			
Article	Title	Article	Title
5	Site Layout and Structure Design Standards	9	Hazards and Environmentally Sensitive Areas
6	Subdivision Standards	10	Outdoor Lighting
7	Landscaping, Screening, and Trees	11	Signs
8	Parking, Loading, and Access	12	Nonconformities

Table 3.2: Dimensional Standards for Residential Structures

	LLR-1	LLR-2	NR-1	NR-2/NR-3, DMU, CMU	NR-1 [1], NR-2, NR-3, DMU, CMU	NR-3, DMU, CMU	NR-3, CMU	
Standard					Town House [2]	3-4 DU Multifamily	5-8 DU Apartment	9+ DU Apartment
Min. Lot Dimensions								
Lot Area (min/max)								

Table 3.2: Dimensional Standards for Residential Structures

	LLR-1	LLR-2	NR-1	NR-2/NR-3, DMU, CMU	NR-1 [1], NR-2, NR-3, DMU, CMU				NR-3, DMU, CMU	NR-3, CMU			
Standard					Town House [2]	3-4 DU Multifamily		5-8 DU Apartment		9+ DU Apartment			
Single Family min/max (sq. ft.)	43,560/ no max.	12,000/ 43,560	6,000/ 12,000	3,000/ 6,000									
Duplex min/max (sq. ft.)	43,560/ structure	12,000/ structure	6,000/ structure	3,000/ structure									
3-4 unit Multifamily home	43,560/ structure	12,000/ structure	6,000/ structure	6,000/ structure									
Townhouses and Apartments					1200/unit	7000/ structure		10,000/ structure		10,000/ structure			
Min. Lot Width (ft.) All districts except DMU	70	70	50	50	20	50		20		50			
DMU				n/a	n/a	n/a		n/a					
Max. Lot Cover. (%) All districts except DMU	20	50	50	60	70	70		70		70			
DMU				100	100	100		100					
Front Build-to Line (ft)					See Sec. 3.5.C.2								
Min/max range (ft)	n/a	n/a	n/a	n/a	10-20 ft		10-20 ft		10-20 ft		10-20 ft		
Min. Setbacks (ft)				NR	DMU	NR	DMU	NR	DMU	NR	DMU	NR	DMU
Front Yard	25	25	10	10	0	n/a	6/0	n/a	6/0	n/a	6/0	n/a	6/0
Street Side	25	25	10	10	0	10	6/0	10	6/0	10	6/0	10	6/0
Interior Side Yard	20	20	6	6	0	6	6/0	15	6/0	6	6/0	15	6/0
Rear Yard	20	20	6	6	25	6	6/25	10	6/25	10	6/25	10	6/25
Det. Acc. Struct, from alley	0	0	0	0	0	0	0	0		0	0	0	0
Structure Dimensions													
Min. Area/unit (sq. ft.)	800	800	800	800	800/unit		400/unit		400/unit		400/unit		
Max. Height, Principal Bldg (ft.)	35	35	35	35	35		35		35		35		
Max. Height, Access. Bldg (ft)	[4]	[4]	[4]	[4]	27		27		27		27		
Notes	[1] May require conditional use permit approval in NR-1 district. [2] Side setbacks measured at exterior of building, not between individual units [3] 20 abutting LLR-1 or LLR-2 [4] Height of principal building												

Mixed-Use Districts

Purpose and Intent

Downtown Mixed-Use (DMU) (combined CB-1 and CB-2)

The DMU Downtown Mixed-Use district is designed to accommodate a wide variety of commercial activities, to make Dolores a more attractive and energetic place to live, work, and shop and to enhance the economic development of Dolores. It is intended for application in areas designated “Community Business” on the land use map of the Comprehensive Plan.



Fig. 3E: Downtown mixed-use development character

Corridor Mixed-Use (CMU) (was CH)

The CMU Corridor Mixed-Use district is designed to accommodate a wide variety of commercial activities, to make Dolores a more attractive and energetic place to live, work and shop and to enhance the economic development of Dolores. It is intended for application in areas designated “Commercial Highway” on the land use map of the Comprehensive Plan. New single-family and duplex development is not permitted in the CMU district but residential uses that existed as of the adoption date of this LUC are considered compliant uses and permitted to maintain their residential status.



Fig. 3F: Corridor mixed-use development character

Uses

Permitted and conditional uses are identified in Table 4.1: Primary Uses.

Accessory uses are identified in Table 4.3: Accessory Uses.

Area and Bulk Standards

Residential development: Each residential lot in a mixed-use district shall comply with the dimensional standards in Table 3.2: Dimensional Standards for Residential Structures.

Mixed-Use and Non-Residential Structures: Each mixed-use or non-residential lot in a mixed-use district shall comply with the dimensional standards in Table 3.4: Dimensional Standards for Mixed-Use and Non-Residential Structures.

Standard	DMU	CMU	P2
Min. Lot Dimensions			
Lot Area/unit (sq. ft. or ac.)	[1]	[1]	[1]
Min. Lot Width (ft.)	[1]	[1]	[1]
Max. Lot Coverage (%)	100	70	50
Min. Setbacks (ft)			
Front Yard	0	0	25
Street Side	0	0	25
Interior Side Yard	0	0	10
Rear Yard	25	25	10
Detached Accessory Structure, Setback from Alley	0	0	25
Structure Dimensions			
Min. Area/unit (sq. ft.)	Res: 400	Res: 400	400
Max. Height, Principal Bldg (ft.)	35	35	35
Max. Height, Accessory Structure	[2]	27	[2]
Notes	[1] Must meet setback, height, and lot coverage requirements. [2] Height of principal building		

District-Specific Site and Structure Standards

DMU and CMU Location of Residential Use

Residential development in mixed-use structures shall be located either behind the front 30% of the building or above the ground floor.

Single and two-unit dwellings are only permitted in mixed-use structures or as a replacement for a single or two-unit dwelling that pre-existed the effective date of this LUC. Replacement dwelling units are subject to conditional use permit review.

Existing commercial structures may not be converted to residential use on the ground floor.

Downtown Core Standards

The following standards apply on either side of Railroad Avenue and Central Avenue between N 3rd and S 9th:

Townhomes and apartment buildings are permitted by conditional use only.

The ground floor of a mixed-use or non-residential building must have a minimum floor-to-ceiling height of 11 feet.

The ground floor of a mixed-use or non-residential building shall contain the following minimum floor area designed for commercial use:

Lots with street frontage of less than 50 feet: at least 800 sq. ft. or 25 percent of the buildable lot area, whichever is greater; or

Lots with 50 feet or more of street frontage: at least 20 percent of the buildable lot area.

Downtown Design

A. Front Setbacks and Build-To Lines

The front setback of each primary structure in the DMU district shall meet one of the following standards, as applicable. If the setback or build-to required by this section differs from Table 3.4, this section shall govern.

1. If the entire width of the front façade of either of the adjacent buildings is built to the front property line, then the entire width of the front façade of the proposed building shall also be built to the front property line.
2. If part of the width of the front façade of either of the adjacent buildings is built to the front property line, then at least 50% of the width of the front façade of the proposed building shall also be built to the front property line.
3. If no part of the front façade of either of the adjacent buildings is built to the front property line, then the front façade of the proposed building shall be built no more than 5 feet further from the front property line than the front façade of the adjacent building nearest the street.
4. When the requirements of subsections 1, 2, or 3 above are applied to a building on a corner lot, they shall only require comparison with the front façade of the adjacent building facing the same street as the proposed building (not adjacent buildings that face different streets).
5. If only one of the adjacent lots on the same block face is occupied with a primary structure, the requirements of subsections 1, 2, 3, and 4 above shall only require comparison with the one adjacent lot that is occupied with a primary structure. If neither of the adjacent lots facing the same block face is occupied with a primary structure, then the requirements of subsections 1, 2, 3, or 4 above shall require comparison with the nearest building located on the same block face and facing the same street.

B. Maximum and Minimum Building Heights

Regardless of the maximum height permitted in Table 3.6, no primary or accessory structure shall be taller than:

1. The tallest building on the block face where the proposed building is located, or
2. 10 feet taller than the tallest building on the block across the street from the front façade of the proposed structure, whichever is less. (See Figure 3.G.)

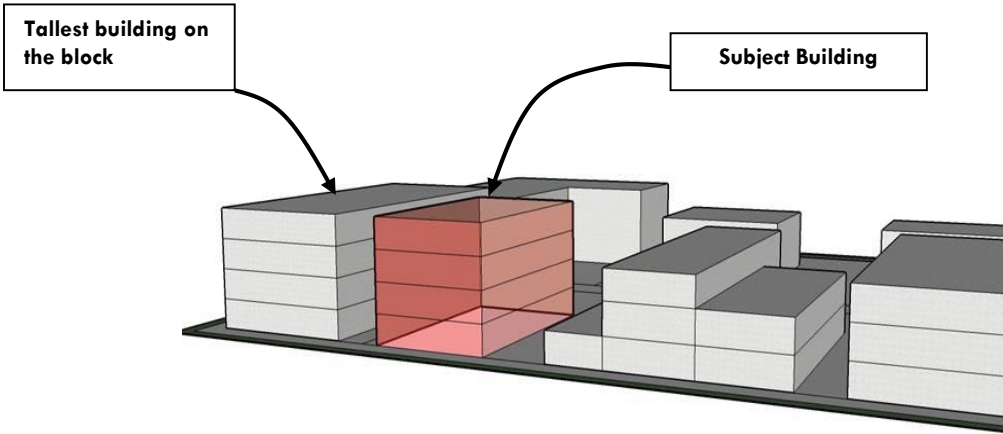


Figure 3.G: No primary structure may be taller than the tallest building on the block, or more than 10 feet taller than the tallest building on the block face across the street, whichever is less.

C. Building Design Standards

1. Maximum Building Size

No single primary building shall have a building footprint of more than 10,000 square feet of gross floor area.

2. Maximum Building Width

The width of the building façade (as viewed from the street frontage), shall be no more than 35% wider than the width of the widest façade on any other building on the same block face or on the block face immediately across the street.

3. Facades and Articulation

Each multi-family residential principal structure shall meet the standards of subsections (b) and (c) below. Each non-residential principal structure or mixed-use principal structure (i.e., containing both residential and non-residential uses) shall meet at least two of the three standards in subsections (a) through (c) below, with the choice of those standards to be at the option of the owner:

- (a) Transparency: A minimum of ten percent of each facade area that faces a street must be composed of transparent materials. At least 1/2 of this amount must be provided so that the lowest edge of the transparent materials is no higher than four feet above the street level.
- (b) Wall Plane Articulation: Each facade greater than 50 feet in length abutting a street, measured horizontally, must incorporate architectural features such as wall plane projections, recesses, or other building material treatments and textures that visually interrupt the wall plane. No uninterrupted length of any facade must exceed 50 horizontal feet.
- (c) Roof Articulation: Where sloping roofs are used, at least one projecting gable, hip feature, or other break in the horizontal line of the roof ridgeline (as viewed from the street frontage must be incorporated for each 50 lineal feet of roof.

Where flat roofs are used, the design or height of the parapet must include at least one change in setback or height of at least three feet along each 50 lineal feet of façade.

- (d) **Entryway Design and Location:** Each principal building must have clearly defined, highly visible main entrances for occupants and/or customers with features designed to emphasize the importance of the entrance, which must include at least one of the following features, with the choice of the features to be at the option of the owner:
- (1) A canopy or portico;
 - (2) A roof overhang;
 - (3) A horizontal recess or projection;
 - (4) An arcade or arch;
 - (5) Architectural moldings integrated into the building design; or
 - (6) An architectural feature used to emphasize the entryway of another building in the DMU district.

4. Pedestrian-Oriented Design Features

- (a) **Multi-family Residential Buildings:** Each multi-family dwelling development must be designed so that all principal entrances of principal buildings shall have direct access to a sidewalk, walkway, path, or pathway that leads to a public street.

Non-residential and Mixed-Use Buildings: Each principal structure containing non-residential or mixed uses must be designed so that ground-floor façades that face public streets include arcades, display windows, entry areas, awnings, or similar features designed to attract or protect pedestrians along no less than 60 percent of their horizontal length. In addition, all principal entrances of principal buildings not facing an alley must have direct access (i.e., access without having to cross a public street) to a sidewalk, walkway, path, or pathway that leads to a public street.