

**Planning And Zoning Commission
Agenda
December 5, 2023 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
2. Pledge Of Allegiance
3. Roll Call
4. Identification Of Actual or Perceived Conflicts of Interest.
5. Public Participation 5 minutes per person.
6. Approval of the Agenda
7. Consent Agenda
 - 7.1 Minutes of the November 7, 2023
 - 7.2 Reschedule January 2, 2024 meeting to January 9, 2024 or some other January date TBD.
8. Staff Updates.
 - A. **Manager Ruud** – verbal update on recent administrative activities or direction from the BOT.
Attachments - Manager Report to the Board November 13, 2023, Public notice of Planning Commission vacancy.
 - B. **Attorney Kelly** - verbal report about Ordinance 567 amending Short Term Rental permit calculations etc. Information about direction to the Commission regarding reviewing the 10% trigger point for redevelopment of commercial properties. No attachments
 - C. **Building Official Doudy** – update on new Short Term Rental Permit applications, building permits, and ongoing new Town hall renovations.
attachments: Building Official’s Report to the Board of Trustees, Nov 13, 2023
9. Commissioner Updates.
 - 9.1 **Chairperson Robinson** – Reviewing the LUC for additional issues within the code including the publishing component of adoption date and amendment dates included as footnotes on the pages and on the title page, and those pertaining to communication and interaction between staff and the Commission regarding business and development permits - see discussion item 10.

A

Attachment - November Planning Commission Committee report.

10. Discussion:

A. Board direction to review threshold of applicability for improvement within the commercial zone districts. Attachment, Article 7 and 8 of the Land Use Code, screen shot of public input for Land Use Code Update 2019

B. Process to obtain a consultant for the Comprehensive Plan update. Discussion only.

C. Review terms of Commissioners. Chairperson Robinson Term expires 5/7/24, Vice Chairperson term expires 5/7/2024, Commissioner Tucker 4/2/2024, Commissioner Powell term expires April 2, 2024. The newly vacant term, when filled, expires 5/6/2025. Committee members renewing in 2024 will serve 2-year terms. Attachment Municipal Code 2.08.Planning and Zoning Commission. (Ord 341 1986)

11. Future Agenda Items: continue with the review of the 2022 land Use Code.

12. Adjournment

**Planning and Zoning Commission
Minutes
November 7, 2023 6:30 pm**

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1. **Call to order.** Chairperson Robinson called the meeting to order at 6:36 p.m.
2. **Pledge of allegiance.** The pledge was recited by the group.
3. **Roll call.** Present at the meeting were chairperson Robinson commissioners Watters, Powell, tucker and Heeney, staff members attorney Kelly, building official Doudy, manager Ruud and assistant clerk swope. Absent: ex Officios Lewis and Youngquist.
4. **Identification of actual or perceived conflicts of interest.** None.
5. **Public participation 5 minutes per person.** None.
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 October 3, 2023 meeting.**
7.2 **The minutes of the October 17, 2023 continuation meeting.**
Commissioner Tucker moved and Commissioner Watters seconded to approve the minutes of October 3 and October 17, 2023.
Yes: all
No: none
8. **Staff updates.**
A. Manager Ruud
Manager Ruud updated the Commissioners on the available comprehensive planning grants and reported that there were limited grants and most of them are generic grants in a very competitive field of municipalities. He mentioned that the contract planner, Nancy Dosdall of S E H and her staff can be utilized in the update process. Ms. Dosdall suggested that if the town was to hire their services, she recommends engaging with her colleagues who are less expensive. Regarding Proposition 123, he found that the state of Colorado has determined the number of

affordable housing units is 297 for Dolores. A percentage of this number will be the goal for new affordable housing units each period. Funding would be pursued for the period and Manager Ruud thinks it is unlikely the town will meet the goals established by the state. This will only impact on the 4th year funding opportunities if the town has not met the required percentage of new units.

Concerning the review of the development permit for the Steak Out Restaurant, Manager Ruud confirmed that the plan met the zoning requirements for the redevelopment that was being carried out.

The Commissioners were very disappointed with the outcome of the renovation of the restaurant building formerly known as the Ponderosa. The Commission feels like the purpose of the code was completely ignored by this development. They envisioned the Land Use Code development standards applying to this renovation. They were disappointed with the landscaping on the street front (highway frontage) and the complete coverage of the parking lot in concrete. Commissioner Powell's take-away was that "if the renovation of the Steak Out met the requirements of the LUC, it was inconsistent with the Town's vision as stated in the 1997 Comp Plan. Accordingly, the LUC should be revised to align renovations as well as new construction with the vision.

The concern of the Commission is that the Land Use Code development standards would not be applicable for the majority of the existing commercial property in Dolores and development might only take place if the trigger points of the applicability of the code can be avoided.

The Commissioners are interested in being informed of all zoning reviews done by the town staff. They also showed interest in the methods which the staff use to determine applicability of the standards. They would like to become more familiar with the function of the code.

They would also like the applicants to be shown the elements of the code that support the purpose of the code.

The paper edition of the code has some deficiencies in publishing standards as well. The cover page does not have the adoption date and none of the pages have reference to the adoption date. It is customary that editions of the code have adoption and amendment dates included as footers or citations.

The Commission may schedule an annual evaluation of the Land Use Code to determine if the result of development applications are meeting the purpose of the Code.

Attorney Kelly and Manager Ruud gave the Commissioners suggestions and direction on how to approach the Board of Trustees with their concerns and request direction for the Commission to redraft the applicability of the development standards so that the vision of the code would be kept intact.

Building Official Doudy is going to schedule an Incident Command System 100 training for the Board of Trustees, Committees, and staff. The purpose of this training is to improve the town's ISO rating. The benefit is a unified understanding of organized responses to emergencies and events in town jurisdiction.

B. Attorney Kelly. Attorney Kelly spoke to the Commission about due process. If a property owner's project or proposal is going to be discussed at a meeting the owner has the right to be notified and represent themselves. The subject of discussion should be listed on the agenda. Omission of these actions can be determined a sunshine law violation.

C. Building official Doudy: no further items were discussed at this meeting.

9. **Commissioner updates.** Commissioner Tucker updated the Commission on the replacement of the county Weed manager this fall. This means that the weed map for Dolores is on hold until the newly appointed manager gets their feet on the ground.
10. **Discussion:** No other discussion took place in this meeting.
 - A. Continue working on the Comprehensive Plan development process.
 - B. Review the 2019 P & Z review of the 1997 comprehensive plan for the next discussion.
11. **Future agenda items:** continue with the analysis of the comprehensive plan contents.
12. **Adjournment.** The meeting was adjourned at 8:07 p.m.

Linda Robinson, Chairperson

Ann Swope, Assistant Clerk



Manager's Report Dolores Colorado

To: Mayor and Trustees
From: Paul Ruud, Dolores Town Manager
Date: November 13, 2023
Re: Trustees' Meeting Update

Monday's Town Board Meeting Manager Updates:

Resolutions for: GOCO Grant for the improvements at Joe Rowell Park
DOLA Grant for the Phase 2 Water Project

Discussions: Dolores Town Budget 2024 – Treasurer Heather Robertson Presenting

Proposition 123 – Manager Paul Ruud

The Town of Dolores Opted In on Proposition 123 on October 31, 2023, per the direction of the Town Board from the October 23, 2023, Board of Trustees Meeting and Resolution No R557 Series of 2023. Manager Ruud utilized the State of Colorado Proposition 123 – Affordable Housing Commitment form with a Baseline Amount of 7 Affordable Housing Units per the Trustees' discussion and the approved Resolution. Within minutes of filing that commitment form, I received an email from the State and then a phone call from Robyn DiFalco, who is the Local Planning Capacity Grant Program Manager (Prop 123), of the Community Development Office of the Division of Local Government of the Department of Local Affairs. Robyn advised Paul that the Commitment Filing was filed in error, but since the Town of Dolores filled prior to the November 1 Deadline, the State would work with the Town to correct the Baseline and Commitment numbers based on the State formula. Over the next several days, I spoke with Robyn and her team on numerous occasions, exchanged numerous emails, and finally received the updated Town of Dolores Baseline and Commitment that the State says is correct. To say that I was surprised by the

State's numbers would be an understatement. The State's formula showed the corrected Baseline as 297 existing Affordable Housing Units in the Town of Dolores, which in turn led to a Commitment of an Annual Goal of 9 new Affordable Housing units and a Three Year Cycle Goal of 27 new Affordable Housing units. The State offered that they were pleased to discuss how their numbers were generated, but given the tone and tenor of the many discussions that Paul had with the State, it was clear that the State wasn't willing to lower those numbers by more than a few percentage points, and even those modest reductions would have taken hours of discussions to achieve. So, the end result is that the Town of Dolores has a ambitious Commitment goal, that we probably will not meet, and therefore it is quite probable that the Town of Dolores will need to 'Sit Out' for the forth year of the Proposition 123 Funding Opportunities. The Town of Dolores has opted in on the Proposition 123 Program at this time and we are allowed to seek Proposition 123 Funding Opportunities for the next three years.

Montelores Coalition Coordinator Recruitment – Manager Paul Ruud

Trustee Kalin Grigg and Manager Ruud have been working on recruiting a Coordinator on behalf of the new Montelores Coalition and we are pleased to announce that an offer has been made to Michelle Furi to be the Coordinator of the Coalition. Many of you are familiar with Michelle from the Town of Dolores Town Manager recruitment, Michelle has a wealth of relevant professional experiences, and the Coalition is excited to welcome Michelle as the Coordinator. The Montelores Coalition is now preparing a Contract with Michelle to be the Coordinator.

Dear Publication Department:

Please print the following publication(s) in your paper on the publication dates that follow the notices. Send the bill to the Town of Dolores, P.O. Box 630, Dolores, Colorado 81323.

Please email me at Tammy@townofdolores.com if you have any questions.

Tammy Neely,
Town Clerk

VACANCY ON THE DOLORES
PLANNING AND ZONING COMMISSION

NOW, THEREFORE, BE IT KNOWN, that notice is hereby given of Aa vacancy on the Planning and Zoning Commission. This vacant position has a term that expires on May 5, 2025. An applicant who shall be a resident of the town shall be appointed by the Town Board of Trustees.

Applicants can submit letters of interest to the Dolores Town Board of Trustees c/o Town of Dolores, P.O. Box 630, Dolores, Colorado, electronically to tammy@townofdolores.com or drop off at 420 Central Avenue, Dolores, Colorado. Please provide a letter stating your interest in serving on the Commission and any experience you feel may be beneficial. Questions can be referred to the Town of Dolores 970-882-7720.

Applicants must have been a resident of Dolores corporate limits for 30 days before the date of appointment and be 18 years of age.

Position open until filled.

A Letter of Interest is due by 4:30 p.m. Wednesday December 6, 2023, and can be sent electronically to tammy@townofdolores.com

Appointment will be made at the December 11, 2023 Board of Trustees meeting, or at any future Board Meeting from the time applications are received.

If you have questions, please contact the Town Hall at 882-7720.

Done this 28th day of November 2023

/s/ Tammy Neely
Town Clerk

Publish in The-Journal Wednesday November 29,
and December 5, 2023

Town board November 13, 2023

Building Official/Building Inspector report

Current projects:

1. #1110 – Multiple inspections
2. #1111 – Multiple inspections
3. #1109 – Sewer line
4. #1112 – Multiple inspections
5. #1113 – Multiple inspections
6. #1114 - Multiple inspections
7. #1116 – Framing
8. #1117 – Rough in solar
9. #1118 - Multiple inspections
10. #1119 – Gas line
11. #1088 – Gas line

New permits: Eight permits for a total of \$1,512.68

12. #1112 – Porch replacement
13. #1113 – Re-roofing
14. #1114 – Re-roofing
15. #1116 – R-3 Remodel
16. #1117 – Solar installation
17. #1118 – Re-roofing
1. #1119 – Gas Line

Consultations - Phone and in person

55 Phone and in-person

Construction Inspections

22 construction inspections of permits issued.

Future projects on the horizon:

New detached three car garage

Possible new single-family R-3

Remodel of building for a gym and karate studio

Business Inspections

1

Food trailer/truck inspections

None

STR Inspections

1 STR pre-inspections

Internet Technology

No report

SPECIAL PROJECTS

1. New Town Hall
 - a. Cabinets have been relocated.
 - b. New counter tops are ordered.
 - c. Drywall is scheduled to be installed.
 - d. Old floor covering has been removed.
 - e. New Dias is ordered.
 - f. New drop in ceiling is ordered.

STR's

No report this month

Compliance issues

No new issues this month

Planning and Zoning Commission, Town of Dolores Report to Board on November 7, 2023 P&Z meeting

Comprehensive Plan revision

In the past couple of months, the commission has been working to identify major areas of interest and concern to address in a revision of the comprehensive plan. Our last comprehensive plan was created in 1997 and has never been updated. The state recommends that comprehensive plans be revisited every 5 years. There remain relevant elements of the 1997 comp plan, but there are also many new conditions and best practices to consider. Much of the commission and staff's brainstorming work is documented on large sheets of paper that we hung on the wall, which staff has in house. Our work remains limited to background preparation for a contract comprehensive plan planner to utilize in preparing a revised comp plan.

Tuesday night, Manager Ruud reported that his research indicates the grant opportunities for a comprehensive plan development remain limited, generic, and highly competitive.

Concerns over some LUC sections

From some recent development in town, Planning and Zoning members have questioned the effectiveness of pieces of the Feb. 14, 2022 Land Use Code in delivering the results that we envisioned.

Specifically at this time we are concerned that the provisions triggering compliance with the Land Use Code standards starting at a 10%-or-greater change to the existing building envelope, is NOT delivering results aligned with the vision of Dolores set forth in the LUC.

Our concern is particularly for development affecting the public realm and local environmental conditions as described Articles 7 and 8. Considering the few open lots in Dolores, that trigger full compliance with the LUC, we think it is highly likely that much, if not the majority, of development in town will fall under that 10%-change-to-existing-building-envelope trigger point. Attorney Kelly explained that there are constitutional provisions around vested property rights and further research is needed to determine those limits.

I was instructed by the Manager Ruud and Attorney Kelly to request permission from the Town Board of Trustees to look at the possibilities to revise that provision downward, or identify other available options, so the implementation of the vision set forth by the 2022 LUC can begin to develop.

We ask for approval to further research this issue and subsequently propose revisions to the LUC.

Within the next few months' meetings, we will discuss whether other items of the Feb. 14, 2022 LUC may similarly not be working as we intended.

Linda Robinson, Chair
Dolores Planning and Zoning Commission

Article 7: Landscaping, Screening, and Trees

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Section 7.1. Purpose

This section is designed to provide standards for the installation and maintenance of landscaping, walls, and screening devices to promote the general welfare of the community. This is accomplished by:

- A. Enhancing the appearance of all development by providing standards for the quality, quantity, and functional aspects of landscaping and buffering.
- B. Decreasing the use of water for landscaping purposes by encouraging the use of drought-resistant, low-water native and naturalized plant materials that thrive in the regional soil types and environmental conditions in planting zone 4 in southwestern Colorado;
- C. Preserving healthy environmental conditions by providing shade, air purification and oxygen generation, groundwater recharge, stormwater runoff retardation, water quality treatment, and noise, glare, and heat abatement through the preservation of established trees and installation of landscaping;
- D. Encouraging the replanting of trees and vegetation lost to land development activity to provide heat abatement, wind deflection, and support and increase property values;
- E. Improving the quality and diversity of plant and tree selection through the implementation of landscape standards and specifications;
- F. Encouraging the creation of an attractive appearance along streets and by screening from view those uses that may be unattractive to public view;
- G. Using landscaping materials, including ground covers, shrubs, and trees that facilitate the control of erosion and the reduction of glare and dust; and
- H. Requiring long-term maintenance including the removal of weeds and the timely replacement of landscape components lost after installation.

Section 7.2. Applicability

A. New and Complying Development

This article shall apply to all new development unless otherwise specified in an individual subsection.

B. Redevelopment: Expansion, Enlargement, and Nonconformities

1. When landscaping would otherwise be required for new development, this article shall apply a proportionate requirement to redevelopment, defined for this article as whenever any building is enlarged in height or in ground coverage, as follows:
 - (a) Minimal Change. Square footage changes that increase the total gross floor area of a structure by less than 10 percent, as determined by the building permit application, shall not be required to provide additional landscaping.
 - (b) Proportionate Change. Square footage changes that increase the total gross floor area of a structure by more than 10 percent but less than 75 percent, as determined by the building permit application, shall require a corresponding percent increase in compliance with landscaping standards until the site reaches compliance.

- (c) Full Compliance. Square footage changes that increase total gross floor area of a structure by 75 percent or greater, as determined by the building permit application, shall be required to fully comply with these standards.
 - (d) Measurement is based on changes to an individual structure that is subject to improvements, regardless of the total number of structures on the site.
2. Any application by a property owner to expand or replace part of an existing structure shall remain on record for five years from the date of work completion. Any subsequent application by the same property owner(s) to expand or replace part of an existing structure shall be cumulative to any requests made within the previous five years. The cumulative total shall be used by the Town to determine the property owner's necessary level of compliance.

C. Existing Development

Existing development shall comply with the requirements of this article unless otherwise specified or exempted in an individual subsection.

Section 7.3. Landscaping

A. Applicability

1. This section identifies three types of landscaping, located generally as identified in Figure 7.A and applicable to new development and redevelopment as identified in Table 7.1, below:

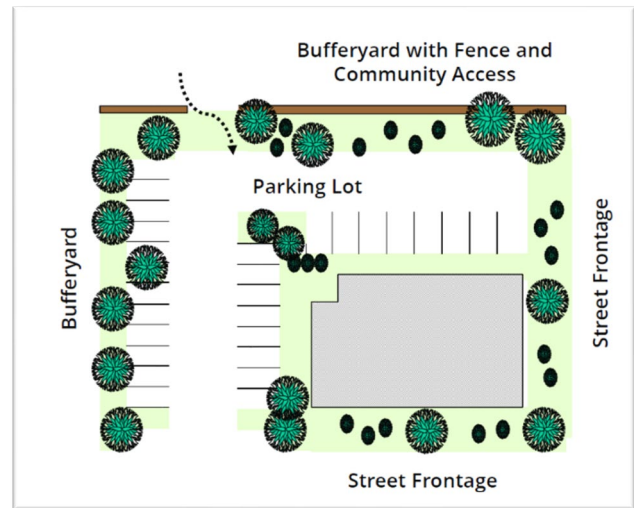


Figure 7.A: Illustrated location of different required landscape types

Table 7.1: Landscaping Applicability

Landscape Type	Section	R-35, R-10	LLR-1, LLR-2, NR-1	NR-2, NR-3, MHP	DMU, CMU	P-2	IND
Key: ✓ = Applicable, ✗ = Not Applicable							
Street Frontage	7.B	✗	✗	✓ All districts and uses located on a public street			
Bufferyards	7.C.1	✗	✗	✗	✓	✓	✓
Parking Lot Landscaping	7.D	✗	✗	✗	✓ Any parking lot with 10 or more spaces		
Tree Protection	7.7	✓	✓	✓	✓	✓	✓

2. A property or development site may have more than one type of required landscaping. Each type of landscaping is calculated separately. One type of required landscaping may not be calculated toward nor substituted for the provision of a different type of required landscaping. For example, street frontage landscaping may not be calculated toward off-street parking lot landscaping

B. Street Frontage Landscape Area Standards

1. Applicability

Any front or side-street yard ("street frontage") of each lot or tract and any adjacent right-of-way on the private property-side of a sidewalk shall be landscaped according to this section.

2. Dimensions

- (a) The minimum depth of the street frontage landscape area shall be 10 feet, measured inward from the property line.
 - (1) Where a sidewalk is installed or required the depth shall be measured from the inside edge of the sidewalk.
 - (2) A property owner may provide landscaping between the right-of-way and a sidewalk in addition to required street frontage landscaping. All property owners shall maintain the area between the right-of-way and a sidewalk pursuant to Dolores Municipal Code Section 8.08.21.
- (b) Street frontage landscape areas may be located within required zone district yards and required setbacks.

3. Plant Materials

- (a) The street frontage landscape area shall be planted in 75 percent organic materials. The remaining 25 percent may be covered in inorganic materials.
 - (1) Turf grass or other material that requires regular mowing may not be planted in street frontage landscape areas in mixed-use or non-residential districts.
 - (2) Smooth concrete or asphalt surfaces are not considered landscaping.
- (b) One tree, with a minimum two-inch caliper, shall be planted per 35 linear feet (or fraction thereof) of required street frontage landscaped area.
 - (1) Required trees shall be spaced at least 35 feet apart.
 - (2) Access driveways shall not be subtracted from calculations of the amount of street yard landscaping required. If there are driveways along the frontage or property line, required landscaping shall be condensed into the remaining landscaping area.
- (c) Generally applicable plant materials standards are located in Section 7.4.
- (d) Street tree species shall be chosen from the list in Appendix A.
- (e) The use of coniferous trees is not permitted in street frontage landscape areas.

C. Bufferyards

1. Applicability

- (a) When made applicable by new development or development change as described in Section 7.2.B, the exterior boundary of a lot that adjoins or is located across an alley from a different zone district, structure, or use, and that does not adjoin a public street right-of-way, shall meet the bufferyard requirements shown in Table 7.2, below.
- (b) A lot may require both street frontage landscaping and bufferyards depending upon the types of surrounding development.
- (c) In the DMU district, the requirements of this section shall be accommodated to the maximum extent feasible. The bufferyard design may be adjusted by the Zoning Administrator to accommodate the space available on the lot.
- (d) There are three types of landscaping bufferyards identified in Table 7.2 that are intended to accomplish the following:
 - (1) B1: Visual Enhancement is intended to create a partial visual separation between uses or districts.
 - (2) B2: Filtered Screen is intended to create a semi-opaque visual separation between uses or districts.
 - (3) B3: Screened Separation is intended to provide both space and a partial visual separation between uses or districts. This bufferyard is intended for use where a new development is located adjacent to a district or use that is significantly different in intensity, such as a residential district next to an industrial district.
- (e) The dimensions and planting requirements for each type of bufferyard is specified in Table 7.3, immediately following Table 7.2.

Table 7.2 Required Bufferyards

		Key: B1, B2, or B3 = Bufferyard Required, see Table 8-3 for planting requirements X = No Bufferyard Required													
		Proposed New Development or Redevelopment Required to Install Buffer on Site (see Section 7.B for applicability)													
		Resource 35 and 10		Residential (LLR-1, LLR-2, NR-1, NR-2, NR-3 and MHP)			Mixed-Use (DMU, CMU)				Public (P-1, P-2)		Industrial (IND) and Marijuana in all districts		
Structure/ Use		SFR	Non- Res	Single FR	Multi- FR	Non- Res	Single FR	Multi- FR	Mixed Use	Non- Res	P1	P2	I1	MJ	
Existing Development (no change)	Re- source	Single Family	X	B2	X	B1	B2	X	B1	B2	B2	B2	B3	B3	B3
		Non-Res	B2	X	B2	B2	X	B3	B2	B1	X	B1	B2	B2	B3
	Residential	Single Family	X	B2	X	B1	B2	X	B1	B2	B2	B2	B2	B3	B3
		Multi Family	B1	B2	B1	X	B2	B2	X	B2	B2	B2	B2	B3	B3
		Non-Res	B2	X	B2	B1	X	B3	B1	B1	X	B2	B1	B2	B3
	Mixed-Use	Single Family	X	B2	X	B1	B2	X	B1	B2	B2	B2	B3	B3	B3
		Multi Family	B1	B2	B1	X	B2	B2	X	B2	B2	B2	B3	B3	B3
		Mixed-Use	B2	B1	B2	B1	B1	B3	B2	X	B2	B2	B1	B2	B3
		Non-Res	B2	X	B2	B1	X	B3	B1	B1	X	B1	B2	B2	B3
	Public	P1	B2	B1	B2	B2	B1	B1	B2	X	B1	X	B1	B3	B3
		P2	B3	B2	B3	B3	B2	B3	B3	X	B2	B1	B1	B2	B3
	Industrial or MJ	I1	B3	B2	B3	B3	B2	B3	B3	B2	B2	B2	B3	X	B3

2. Types of Bufferyards

The bufferyards identified in Table 7.2 shall meet the following minimum dimensions and planting requirements:

Table 7.3: Standard Bufferyard Types

Requirement	B1	B2	B3
Planting Area Width (min. avg., ft)	6	10	10
Min. Trees	none	1 per 35 linear feet	1 per 15 linear feet
Min. % Organic Landscape Material	75	75	75
Max. % Non-organic Landscape Materials	25	25	25
Max. Organic Groundcover in Turf Grass	Not permitted	N/A	N/A
Opaque Screen Fence	Optional	Optional	Required
Open Fence	Optional	Optional	N/A

3. Location and Calculations

- Bufferyard depth is measured from the property line inward. Where a buffer area overlaps another buffer area, the area of overlap of one bufferyard shall be subtracted from the total required landscape point calculation to avoid double counting.
- Bufferyards may be located within required yards and setbacks.
- Access driveways shall not be subtracted from the linear frontage in calculations of the amount of landscaping required. If there are driveways along the frontage or property line, required landscaping shall be condensed into the remaining site perimeter landscaping area.

4. Additional Standards and Instruction

- If a use or district does not conform with the categories identified in Table 7.2, the Zoning Administrator shall determine which category best matches the use.
- A six-foot high sight-obscuring fence or wall shall be provided on the property line where a commercial or industrial use or structure is adjacent to or across an alley from any residential uses, including residential as part of a mixed-use development.
 - A screening fence or wall is not required where the residential uses is separated from the commercial or industrial use by a public street.
 - A continuous hedge may be substituted for the required fence or wall, as long as it has a minimum height at installation of three feet and reaches six feet or more at maturity.
 - Vinyl or powder-coated, colored chain link fencing is allowed within a bufferyard where a sight obscuring fence is required so long as the chain link fence has sight-obscuring slats installed.

D. Off-Street Parking Lot

1. Applicability

The following requirements shall be applicable to all new off-street surface parking lots with 10 or more spaces.

2. Required Landscape Area

All surface parking lots shall incorporate the following interior landscaping:

- (a) Landscape islands shall be installed for every 10 parking spaces contained in a parking row, either within the parking row or at the end of the parking row.

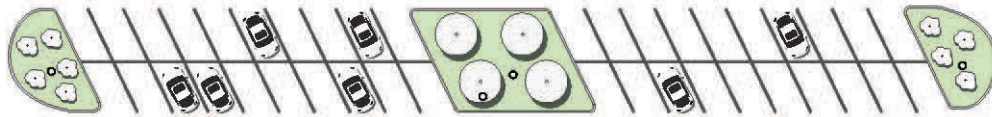


Figure 7.B Sample parking lot landscaping layout

- (b) Parking lots with 50 or more spaces shall also be divided into subsections of no more than 25 spaces with landscape divider strips shall be placed between the sections.

3. Landscape Area Design

- (a) Minimum standards for landscape islands:
 - (1) Minimum dimensions:
 - (i) Width: six feet.
 - (ii) Area: 200 square feet.
 - (2) Planting per 200 square feet: four, five-gallon deciduous shrubs and one deciduous tree with a minimum caliper of two and one-half inches.
- (b) Minimum standards for landscape dividers:
 - (1) 10 feet in width and shall extend the length of the parking row.
 - (2) Include a four-foot-wide sidewalk and a six-foot wide planting strip.
 - (3) Meet planting requirements for landscape islands, as outlined above, with one tree planted every 40 feet.
- (c) Landscaped areas within parking lots or the along perimeter of the property must be protected from vehicular traffic through the use of concrete curbs, extruded asphalt or other approved permanent barriers.
- (d) No paving shall be permitted within four feet of the center of a tree.
- (e) All of the required parking lot landscaped areas must contain a minimum of 75 percent organic landscaping material, with a maximum of 25 percent inorganic landscaping material. Approved sidewalks are not counted toward the percentage of inorganic material unless specifically provided for in this section.

- (f) Clear vision areas where the parking lot access drive enters from a public right-of-way must be maintained as required in Section 2.3.F. Plant materials within these clear vision areas must be trimmed down to no more than 30 inches above grade, or in the case of trees, the lowest branch height trimmed up to 8 feet above grade.
- (g) Where appropriate, the use of porous pavement and/or specially designed brick or block should be considered to increase on-site water retention for plant material, replenishment of groundwater supplies and to reduce problems associated with runoff.
- (h) Parking lots shall be designed so as not to drain into or across public sidewalks, adjacent property, or directly into natural watercourses. Curbs used to protect landscape islands should have 18 to 24-inch-wide curb cuts at frequent intervals to allow storm water infiltration. The surface of landscape islands and divider strips shall be concave to help channel surface water runoff. The following drainage structures are permitted within parking lot landscape areas:
 - (1) Rain gardens,
 - (2) Bio-swales,
 - (3) Drainage easements, and
 - (4) Drainage inlets.

Section 7.4. Materials, Installation, and Maintenance

A. General Standards

The following criteria and standards shall apply to landscape materials and installation:

1. Plant Materials List

The Town of Dolores suggested and prohibited plant list provided in Article 7 Appendix A shall be used as necessary to identify plant material requirements or prohibitions within Dolores. Where a species is chosen for a landscape plan that is not identified on a Town plant list, the applicant shall provide information about growth and spacing characteristics on the landscape plan. Plant information shall be taken from objective sources, including professional landscape organization websites or nursery cut sheets. Plant materials identified in any prohibited plant list may not be used in landscaping.

2. Shrubs and Trees

- (a) Tree and plant materials shall be selected for: energy efficiency and water efficiency; adaptability and relationship to the native environment; color, form and pattern; ability to provide shade; soil retention; and resistance to fire. The overall landscape plan shall be integrated with all elements of the project, such as buildings, parking lots, and streets, and to achieve a desirable microclimate and minimize energy demand.
- (b) Locally appropriate shrubs and grasses shall be utilized in order to minimize the consumption of water. Naturalized vegetation within sensitive land and resource areas shall be preserved unless the Town approves an alternative naturalized landscaping plan that preserves significant desirable naturalized vegetation.
- (c) If turf areas are included in landscaping, it must be a sod or seed mix specifically cultivated to thrive in the conditions present at the particular site.

- (1) The use of non-naturalized, high water consumptive turf or other monoculture seeding such as Kentucky Blue Grass is discouraged.
- (2) The applicant must provide information regarding the composition of a sod or seed mix as part of the detailed plant list as required.
- (3) No person or organization shall impose private covenants, conditions, deed clauses, or other agreements that require the installation of turf or prevent the utilization of water efficient landscaping, provided such landscaping receives appropriate approval. No person shall prohibit landscaping materials and designs solely on the basis that they make use of water-efficient landscaping.

3. Weed Control

The Colorado Revised Statutes at Title 35, Article 5.5, Colorado Noxious Weed Act will be used for control of noxious weeds.

4. Quality

All plant and landscaping materials must be free of weeds, insects, diseases, mechanical injuries, and other objectionable features at the time of planting. Where appropriate, certified weed-free products, such as mulch, shall be used.

5. Coverage

- (a) Grass, ground cover, shrubs, organic mulch, and other organic landscape materials shall be used to cover at least 75 percent of open ground. Shade provided by trees, shrubs, or structures, or anything not on the horizontal plane of the site does not qualify as ground cover.
 - (1) Open ground includes all fill slopes and hillsides, regardless of the angle of the slope.
 - (2) Open ground also includes all fill rock and shot rock slopes that must be covered with an appropriate depth of soil to allow for the healthy growth of the coverage.
 - (3) Inorganic material can be incorporated into a landscape plan where appropriate and can be used to cover up to 25 percent of open ground.
- (b) No area required to be landscaped shall include any artificial trees, plants, or turf; impervious surfacing other than sidewalks, decorative pathways, or other public amenities; or any carpeting designed as a visual substitute for lawn or other groundcover.
- (c) Areas devoted to pasture, farm crops, or undeveloped areas of a parcel shall not be considered landscaped for the purpose of fulfilling any landscape requirements.

6. Trees

Trees used for landscaping shall be a species common to, or adapted to this area of the state, and not identified as prohibited on any Town plant list. Trees shall have the following characteristics:

- (a) Canopy trees, with an outer layer of dense leaves that block light and provide shade, shall be deciduous trees that have a minimum height of 30 feet at maturity. All canopy trees shall have a caliper width of at least two inches at time of planting.

- (b) Understory trees shall be deciduous trees that have a maximum height of less than 30 feet at maturity. All understory trees shall have a caliper width of at least one and one half (1.5) inches at time of planting.
- (c) Coniferous trees shall have a minimum height of 20 feet at maturity. All coniferous trees shall be at least four feet in height at time of planting.
- (d) Street trees shall be canopy trees.

7. Shrubs, Hedges, and Ornamental Grasses

Shrubs shall have the following characteristics:

- (a) Small or dwarf deciduous shrubs that typically do not grow to a mature height or spread exceeding three feet shall have a minimum height of twelve inches with a minimum of four canes.
- (b) Intermediate deciduous shrubs with a mature height or spread of three to seven feet shall have a minimum height of 18 inches with a minimum of four canes.
- (c) Large or tall deciduous shrubs with a mature height exceeding seven feet shall have a minimum height of 24 inches and a minimum of five canes. Where these shrubs have a narrow habit the minimum number of canes may be reduced to one.
- (d) Ornamental grasses shall have a minimum two-gallon pot size at time of planting.
- (e) Hedges, where installed as a bufferyard screen, shall be planted and maintained so as to form a continuous, unbroken, solid, visual screen which will be at least three feet in height at the time of planting and achieve a minimum height of six feet within five years.

8. Ground Cover, Perennials, and Annual Planting Areas

Ground covers, perennials, and annual planting areas used in lieu of grass in whole, and in part, shall be planted in such a manner as to present a finished appearance and reasonably complete coverage at maturity.

9. Lawn Grass

Grass areas may be sodded, plugged, sprigged, or seeded, except that sod or other erosion control products shall be used in swales, berms, or other areas subject to erosion.

10. Naturalized Plants and Grasses

Naturalized plants and grasses shall not be considered weeds that are subject to [Dolores Municipal Code]; however, the area planted in naturalized plants and grasses shall be kept weed-free to maintain this exemption.

11. Fractions in the calculation of number of trees and shrubs.

In the calculation of trees and shrubs for any required landscaping, all fractions shall be rounded to the nearest whole number.

B. Interference and Visibility

1. All landscaping shall be sized and located so that it does not interfere with utilities, easements, or fire hydrants.
2. All landscaped areas must comply with the clear vision area standards for intersections as established in Section 2.3.F.

C. Location of Utilities

Proposed utilities shall be located, when possible, so that their installation will not adversely affect vegetation to be retained on a site.

D. Installation

Landscaping, watering devices, walls and screening structures shall be installed in accordance with the approved landscape or screening plan prior to issuance of a final Certificate of Occupancy for the building or use. The Building Official may grant a temporary Certificate of Occupancy during the winter months when installation is impracticable or not feasible.

E. Maintenance Requirements

1. Landscaped areas shall be reasonably maintained by the owner or the lessee of the property, including pruning, trimming, watering, and other requirements necessary to create an attractive appearance for the development. Lack of maintenance of required landscaping material shall constitute a violation of this Code.
2. Any plant materials not surviving shall be replaced within 30 days of their demise or in the next appropriate season.

F. Irrigation Systems

Irrigation systems shall be installed to current water regulations for safety purposes and reported to the Town Staff for inspection.

Section 7.5. Screening

A. Screening Standards

Where screening standards are required by this Code, the following screening standards shall apply:

1. Height of Screening Devices

The height of screening devices shall be measured from the highest finished adjacent grade of the element to be screened.

2. Outdoor Storage Areas

All outdoor storage areas for materials, trash, mechanical equipment (including ground-based satellite dishes) or other similar items shall be screened from street view by a minimum six-foot high screening device. The screening device shall consist either of plant material or a wall constructed of or finished with materials to match the main building of the site.

3. Roof Mounted Equipment

Roof mounted mechanical equipment shall be screened by parapet walls or other screening devices except solar equipment.

Section 7.6. Fences and Walls

In any residential district or along the common boundary between any residential or nonresidential district where a wall, fence, or screening separation is erected or where a screening wall or fence is required by this Code, the following standards for height and design shall be observed.

- A. No fence or wall erected within a required front yard shall exceed four feet in height above the adjacent grade.

- B. No fence or wall erected within a required side or rear yard shall exceed six feet in height above the adjacent grade, provided, however, where houses on adjacent lots are constructed such that the front of one house faces the back of the adjacent house, then the maximum rear yard fence height shall be four feet.
- C. Fences and walls shall be erected in accordance with the requirements of Section 2.3.F, Clear Vision Area.
- D. Barbed wire fences are prohibited.

Section 7.7. Tree Preservation

A. Purpose

The terms and provisions of this section are intended to accomplish the following:

- 1. Encourage the protection of healthy trees and provide for the replacement and/or replanting of trees that are necessarily removed during construction, development, or redevelopment; in accordance with species included in State Noxious Weed list.
- 2. Provide for the preservation and protection of larger established trees, which provide a valuable amenity to the urban environment and which, once destroyed, can only be replaced after generations, if at all.
- 3. Provide for open space and more efficient drainage of land; thereby, reducing the effects of soil erosion and the need for additional drainage facilities.
- 4. Prevent the clear cutting of land.

B. Applicability

- 1. When a grading or building permit is requested for a property, all healthy trees of desirable species, as identified in Appendix A, that meet the following criteria shall be maintained on private property prior to issuance of the requested permit.
 - (a) A single trunk of six inches caliper or greater, measured at four feet above natural grade DBH (diameter breast height), and at least 12 feet high; or
 - (b) A multi trunk having a total caliper width of eight inches, measured by combining the caliper width of the largest stem or branch with one half the caliper width of each additional stem or branch, all measured at four feet above natural grade level, and at least twelve feet high.
- 2. An inventory of all trees meeting these criteria ("established tree") must be shown on the site plan.

C. Review

The Town may hire a certified arborist or other qualified professional to assist with tree preservation and removal issues. Fees for this work may be charged to the applicant or property owner.

D. Exemptions

The following established trees are exempt from the provisions of this section:

1. Trees located within necessary public rights of way, easements, and the designated buildable area of a building lot or site to be removed subject to site plan approval and prior to the issuance of a grading or building permit.
2. Any established tree that is determined by the zoning administrator to be standing dead, severely damaged from an emergency (such as a storm, flood, or other act of God), or is otherwise in a hazardous or dangerous condition so as to endanger the public health, welfare, or safety, may be removed without delay. Authorization for removal without site plan approval may be given by the Town Administrator, and the tree may then be removed.

E. Preservation of Established Trees

1. All existing, healthy established trees must be preserved or transplanted on the site unless their removal is approved by the Zoning Administrator.
2. Where established trees are removed, they shall be replaced elsewhere on the site as follows:

Table 7.4: Tree Replacement Ratios

DBH of removed tree in inches	Ratio of replacement trees to removed tree
At least 6 and less than 15	1:1
At least 15 and less than 25	2:1
At least 25 and less than 35	3:1

For each increment of 6 inches above 35 inches, one additional replacement tree shall be provided

3. Tree replacement shall be made within 180 days of the removal. Any tree or tree areas identified to be retained on the site plan that do not remain alive for a period of at least two years after the development of the site, or stage ceases, shall be considered damaged in violation of this Code and shall be replaced.
4. If the site layout cannot reasonably accommodate the number of trees required in compliance with the replacement ratios and/or tree spacing consistent with standard forestry practices, the zoning administrator shall either:
 - (a) Approve an increase in the size of the on-site replacement trees and reduce the number of trees required. The quantity and quality of the replacement trees shall be sufficient to produce a reasonable tree canopy for the size of the lot; or
 - (b) Require payment of an in-lieu fee in compliance with subsection (3) of this section for the required number of trees or any portion thereof.

(c) In-lieu fee. Payment of a fee shall be made to the Town for tree planting elsewhere in the community should on-site location of the replacement trees not be possible, subject to the following:

- (1) The in-lieu fee will be based on the fair market value of the number of trees required for the same or equivalent species, delivered and installed, as determined by the zoning administrator.
- (2) The fees will be used to purchase trees that will be planted within the public right-of-way or on other public property as directed by the Town Board.
- (3) Payment of the in-lieu fee shall be made prior to issuance of the project final permit.

F. Penalties for Unauthorized Removal of Established Trees

It shall be considered an unauthorized removal if an established tree is removed without first obtaining site plan approval, or if it is intentionally or unintentionally killed by means of grading, grubbing, placement of fill, or other unacceptable construction methods and the Town may enforce the provisions of Article 18, Violation, Enforcement, and Penalties.

G. Tree Protection Measures

The following protection measures shall be required for established trees as identified on the site plan:

1. Prior to construction or land development, the developer shall clearly mark with three inch wide red ribbon or tape all established trees within 30 feet of a public right of way, public easement, or buildable lot area, as included on the applicable approved and filed final plat.
2. No attachments or wires of any kind, other than those of a protective nature, shall be attached to any established tree.
3. With major grade changes of six inches or greater, a retaining wall or tree well of rock, brick, landscape timbers or other approved materials shall be constructed around the established tree no closer than the drip line of the tree. The top of the retaining wall or tree well shall be constructed at the new grade.
4. Unless otherwise approved by the Town, no construction or construction related activity shall occur under the canopy, drip line, or closer than five feet, whichever is more, of any established tree or group of established trees.

Section 7.8. Removal of Dead, Diseased, or Dangerous Trees

- A. The Zoning Administrator may enter upon any premises without a warrant to inspect all trees in the Town.
- B. If the Zoning Administrator finds that there exist dead trees or overhanging limbs that pose a danger to persons or property, the Zoning Administrator will notify the owner, lessee, agent, occupant, or other person in possession or control of the property upon which the condition exists of the duty to remedy the condition within 15 days from the date of the notice or such shorter time as the Zoning Administrator finds appropriate in view of the nature and extent of the condition.

- C. If the Zoning Administrator determines that any tree growing on private property within the Town is afflicted with any dangerous or infectious insect infestation or disease, the Administrator will notify the owner, lessee, agent, occupant, or other person in possession and control of the property of the condition and order such person to take specific prescribed measures that the Zoning Administrator determines are reasonably necessary to cure the infestation or disease and to prevent its spread, within 10 days from the date of the notice or such time as the Zoning Administrator finds appropriate in view of the nature and extent of the condition. If necessary to address a dangerous or infectious insect infestation or disease, the Zoning Administrator may require that work shall be completed under the supervision of a certified arborist.
- D. If the person notified pursuant to Subsection B or C of this section fails to correct the condition as required by the notice prescribed in such subsection, except in cases of extreme emergency, the Zoning Administrator may enter the property, pursuant to an administrative warrant issued by the municipal court, and correct the condition and charge the costs of such correction, plus reasonable administrative costs, to the owner and to the lessee, agent, occupant, or other person in possession and control of the property.
- E. Nothing in this section shall be deemed to prohibit the Zoning Administrator from taking such steps to correct an immediate threat to the public health, safety, or welfare that the Zoning Administrator determines is posed by such diseased, dead, or dangerous trees.

Article 7 Appendix A: Dolores Suggested and Prohibited Plant List

Prohibited Plants

Any plant included in the State of Colorado or Montezuma County Noxious Weed Guide (or successor list).

Suggested Plants

Native or naturalized trees, shrubs and grasses, appropriate to Southwestern Colorado that require minimum water use, as identified by any of the following guides or sources:

Colorado State University Extension Service

City of Durango Tree & Shrub Guide

Dolores and Mancos Conservation District

Waterwise resources for the San Juan Basin or as identified by the Denver Botanic Gardens

Applicants may provide additional documentation to the Town for consideration but the Town reserves the right to reject sources that are not in keeping with this list.

Article 8: Parking, Loading, and Access

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Section 8.1 Purpose

The purpose of this section is to require off-street parking facilities in proportion to the parking demand for each use in order to ensure functionally adequate, aesthetically pleasing and secure off-street parking. The regulations and design standards of this section are intended to accomplish the following:

- A. To ensure the usefulness of parking facilities.
- B. To ensure sufficient parking spaces on-site to prevent excessive parking on public streets and in residential neighborhoods.
- C. To ensure that access to parking does not impair the function of adjacent roadways or endanger the public safety.

Section 8.2 Applicability

A. New and Complying Development

New development occurring after the effective date of this section, and development existing on the effective date of this section and complying with the number of off-street parking spaces required by this article shall be subject to the following provisions.

- 1. Every use of a building or land hereafter established shall provide the minimum off-street parking spaces as required by this section.
- 2. The number of parking spaces may be reduced when the land use or floor area of a building is changed or reduced to a use or floor area for which fewer parking spaces are required.
- 3. Accessible parking shall be provided in compliance with Section 1106 of the International Building Code and ICC A117.1.

B. Expansion, Enlargement, Change of Use, and Nonconformities

- 1. Whenever any existing building is enlarged in height or in ground coverage, or the use is changed to a use that requires additional parking per Table 8.1, off-street parking shall be provided as follows:
 - a. Minimal Change. Square footage changes that increase the total gross floor area of a structure by less than 10 percent, as determined by the building permit application, shall not be required to provide additional off-street parking.
 - b. Proportionate Change. Square footage changes that increase the total gross floor area of a structure by more than 10 percent but less than 75 percent, as determined by the building permit application, shall require a corresponding percent increase in compliance with off-street parking standards until the site reaches compliance. For example, if the full off-street parking requirement for an existing structure is 20 spaces and the site already includes 10 spaces, a 50% expansion of the current structure requires 50% compliance with the missing 10 spaces, or 5 new parking spaces.
 - c. Full Compliance. Square footage changes that increase total gross floor area of a structure by 75 percent or greater, as determined by the building permit application, shall be required to fully comply with these standards.

- d. Change of Use. A change, expansion, or addition of any use that requires off-street parking in addition to that already provided shall meet the requirements of Table 8.1 for the change, expansion, or addition. If the current use has insufficient parking to meet the requirements of Table 8.1, that parking shall only be required to be remedied if the entire use of the structure is changed, and then only to the maximum extent feasible on the site.
2. Existing parking spaces shall not be reduced below the minimum required by this section.
3. Measurement is based on changes to an individual structure that is subject to improvements, regardless of the total number of structures on the site.
4. Any application by a property owner to expand or replace part of an existing structure shall remain on record for five years from the date of work completion. Any subsequent application by the same property owner(s) to expand or replace part of an existing structure shall be cumulative to any requests made within the previous five years. The cumulative total shall be used by the Town to determine the property owner's necessary level of compliance.
5. Where site or structure changes identified in this section require the provision of additional off-street parking, accessible parking shall be provided first and may not be adjusted through administrative modification.

C. Providing Off-Street Parking on Constrained Sites

Where the existing lot size and applicable zone district dimensions make the provision of all required off-street parking infeasible on the lot and the property owner is not able to address that requirement sufficiently through the parking reductions in Section 8.4E, off-site parking in Section 8.5, or shared parking in Section 8.6, the property owner may seek an administrative modification to reduce the required amount of parking and to allow parking to be located in required side or rear setbacks.

Section 8.3 Computing Parking

The minimum number of parking spaces required for a specific development proposal shall be based on the requirements listed in Table 8.1, Schedule A: Off-Street Parking Requirements, and the following provisions.

A. Multiple Uses

In computing the parking requirements for any building or development, the total parking requirements shall be the sum of the specific parking space requirements for each class of use included in the building or development, except as modified by Section 8.6, Shared Parking.

B. Fractions

When measurements determining the number of required parking spaces result in fractions, any fraction less than one-half ($\frac{1}{2}$) shall be disregarded and any fraction of one-half ($\frac{1}{2}$) or more shall be rounded upward to the next highest full number.

Section 8.4 Off-Street Parking Requirements

A. Accessible Parking

1. All permanent parking lots shall provide the minimum number of accessible parking spaces required by the federal Americans with Disabilities Act (ADA). All accessible parking spaces shall meet the design and location requirements identified in Section 1106 of the International Building Code and shall be constructed in conformance with ICC A117.1. Information about these standards is available from the Town Building Official.
2. Accessible parking spaces shall be counted toward the minimum number of spaces required.

B. Schedule A: Off-Street Parking

Off-street parking spaces shall be provided on-site in accordance with the following minimum requirements:

Table 8.1 Schedule A: Off-Street Parking

Use Category	Use Type	Parking Requirement
RESIDENTIAL USES		
Household Living [1]	Dwelling, accessory unit	1 per du
	Dwelling, multi-unit in same structure	1 per studio; 1.5 per 1 br; 2.0 per 2 br; 2.5 per 3 br; 2.5 + .5 for each br more than 3
	Dwelling, single-family detached	2 per du
	Dwelling, single-family attached (duplex, townhome)	2 per du
	Manufactured home/Mobile home	2 per du
	Note: [1] Affordable housing requires a minimum of one space per du.	
Group Living	Assisted living facility	1 per 2 beds plus 1 per 100 sf of assembly area
	Community residential facility	1 per 4 beds plus 1 per 100 sf of assembly area
	Nursing home	1 per 2 beds plus 1 per 100 sf of assembly area
	Shelter	1 per 4 beds
CIVIC AND INSTITUTIONAL USES		
Assembly	Cemetery	Schedule C, below
	Cultural institutions and museums	1 per 400 sf gfa
	Government offices and civic buildings	1 per 300 sf gfa of space used by the public + 1 per 600 sf gfa of space not used by the public
	Libraries	1 per 300 sf gfa of space used by the public + 1 per 600 sf gfa of space not used by the public
	Civic or philanthropic institution, other than listed	1 per 300 sf gfa

Table 8.1 Schedule A: Off-Street Parking

Use Category	Use Type	Parking Requirement
	Religious assembly	1 space per 5 seats, plus 1 space per 50 sf of gfa of assembly area without seats, plus additional spaces as required for accessory uses based on parking standards for such use. If no fixed seating, then based on maximum capacity under the provisions of the International Building Code.
Education	Trade, business, tech, vocational, or technical school	1 per 300 sf of enclosed floor space
	Primary or secondary school	Elementary Schools: 2 per classroom; Middle Schools: 2 per classroom; High Schools: 6 per classroom and 1 per 300 sf of administrative office space
	College or university	1 per 300 sf of enclosed floor space
Health Care Facilities	Hospice, Hospital	1 per 2 beds based on maximum capacity, plus 1 per 350 sf of office and administrative area, plus parking as required for accessory uses
	Medical or dental office or clinic including urgent care facilities	1 per 250 sf gfa
Parks and Open Space	Community garden	1 per 5,000 sf of lot area
	Public park or playground	Schedule C, below. Playfields (soccer, baseball, etc.) shall have minimum of 20 spaces per field.
	Park or open space maintenance or storage structure	1
COMMERCIAL USES		
Adult or Child Day Care	Center	1 per 500 sf gfa, plus 1 additional per 800 sf gfa for pickup/delivery
Amusement and Recreation, Indoor	Bowling alley	4 per lane
	Private club	1 per three seats. If no fixed seating, then based on maximum capacity under provisions of International Building Code.
	Recreation, indoor (other than listed)	1 per 200 sq. ft. of floor area
	Skating rink, indoor	1 per 300 sf gfa
	Theatre, indoor; auditorium, stadium	1 per four seats. If no fixed seating, then based on maximum capacity under provisions of International Building Code.
Amusement and Recreation, Outdoor	Golf course	4 per green
	Gun club, skeet, or target range, outdoor	2 per target area, or 1 per 5 seats, whichever is greater

Table 8.1 Schedule A: Off-Street Parking

Use Category	Use Type	Parking Requirement
	Equipment rental	1 per 400 sf gfa indoor retail or customer service area
Animal-related Services	Kennel, commercial	1 per 800 sf gfa
	Stables, commercial	1 per 5 stalls
	Veterinary clinic	1 per 600 sf gfa
Assembly, Entertain. & Trade	All	1 space per 5 seats, plus 1 space per 50 sf of gfa of assembly area without seats, plus additional spaces as required for accessory uses based on parking standards for such use. If no fixed seating, then based on maximum capacity under the provisions of the International Building Code.
Commercial Service	General services	1 per 300 sf gfa
Eating and Drinking Services	Bar or Tavern	1 per 100 sf gfa
	Catering	1 per 400 sf gfa
	Craft Alcohol	1 per 250 sq. ft. of floor in public space, including outside dining/drinking areas.
	Restaurant	1 per 250 sq. ft. of floor including outside dining/drinking areas.
	Restaurant with drive-thru	Restaurant plus stacking spaces, see Section xx, below
	Sidewalk cafe	Same as restaurant
Financial Services	All uses	1 per 400 sq. ft. of floor area
Lodging Facilities	Bed & breakfast inn	1 per guest room in addition to those required for principal residence
	Hotel/Motel	1 per guest room or residence unit up to 100 units, then .75 per unit over 100; 50% of spaces may be counted to satisfy parking requirements of accessory uses
	RV Park	1 per RV site
Office, Business or Professional	All uses	3 per 1,000 sq. ft. of floor area
Retail (Sales)	Farmer's market	1 per 250 sf, with a minimum of 6
	Retail, general (indoors)	1 per 300 sf gfa
	Retail, general (outdoors)	1 per 250 SF retail sales area; 1 per 1,000 SF greenhouse sales area; 1 per 1,000 SF outdoor display area
Vehicle Sales, Equipment, and Repair	Auto parts sales (with accessory service)	1 per 1,000 sq. ft. of floor area
	Service station	2 + 1 per 333 SF GFA for retail
	Vehicle maintenance and repair	1 per 250 SF GFA

Table 8.1 Schedule A: Off-Street Parking

Use Category	Use Type	Parking Requirement
	Vehicle sales, leasing, and rental	1 per 1,000 SF GFA plus storage of vehicles for sale
INDUSTRIAL USES		
Industrial	All	Table 8-2, Schedule B, below
TRANSPORTATION, UTILITIES, AND COMMUNICATIONS		
Transportation-Related Uses	Transit passenger shelter	None
	Transit passenger terminal	1 space per 200 sf of gross floor space
AGRICULTURE		
Stable	Stable, Commercial	Table 8-2, Schedule B, below.

C. Schedule B: Parking for Industrial Uses

Uses that reference this subsection in Table 8.1 shall provide the minimum number of spaces identified in Table 8.2, Schedule B: Off-Street Parking for Industrial Uses.

Table 8.2: Schedule B: Off-Street Parking for Industrial Uses

Use or Activity	Minimum Required	
Office or administrative area	1 per 500 SF GFA	
Indoor sales area	1 per 200 SF GFA	
Indoor storage, distribution, warehousing, assembly, vehicular service, or manufacturing area:	1-3,000 square feet of floor area	1 per 250 SF GFA
	3,001-5,000 square feet of floor area	1 per 500 SF GFA
	5,001-10,000 square feet of floor area	1 per 750 SF GFA
	10,001 or more square feet of floor area	1 per 1,250 SF GFA
Outdoor use, sales, display, or storage area (3,000 square feet or less)	1 per 750 GFA	
Outdoor use, sales, display, or storage area (more than 3,000 square feet)	1 per 1,000 GFA	
Notes:		

The total number of required spaces is cumulative based on the variety of different functions present in a single use.

D. Schedule C: Parking Calculation for Unspecified Uses

Uses that do not have established standards in Schedule A or B may be required to establish parking standards pursuant to this Schedule C. This schedule is typically applicable to uses that have widely varying parking characteristics that make it difficult to establish a single standard.

1. Upon receiving an application for a use subject to Schedule C standards, the Zoning Administrator shall apply the off-street parking standard specified for the listed use that is deemed most similar to the proposed use.
2. The Zoning Administrator may also establish minimum off-street parking requirements based on a parking study prepared by the applicant. Such a study shall include estimates of parking demand based on recommendations of the Institute of Transportation Engineers

(ITE), or other acceptable estimates, and shall include other reliable data collected from uses or combinations of uses that are the same as or comparable with the proposed use. Comparability shall be determined by density, scale, bulk, area, type of activity, and location. The study shall document the source of data used to develop the recommendations.

E. Parking Reductions

1. DMU Downtown Parking

No off-street parking or loading space shall be required for any use located in the DMU District.

2. On-Street Parking

The use of legal, on-street parking to meet a portion of the minimum off-street parking requirements is permitted.

a. Marked spaces shall be counted if:

- (1) 50 percent or more of the stall length of a parallel space is adjacent to the property served; or
- (2) 50 percent or more of the stall width of perpendicular or angled parking is adjacent to the property served.

b. Unmarked parallel spaces shall be determined by dividing the total curb length adjacent to the property served where parking is permitted by 20 feet.

3. Small Use Exception

Any nonresidential individual use in a space that is 2,000 square feet or smaller shall be exempt from the minimum parking requirement of Table 8.1.

4. Senior Housing

- a. The required minimum number of off-street parking spaces may be reduced by 33 percent for any group living use or multi-family use in which occupancy of at least 80 percent of the units is restricted for use by those 60 years of age or older.
- b. The required minimum number of off-street parking spaces may be reduced by 50 percent for any group living use or multi-family use in which occupancy of more than 80 percent of the units is restricted for use by those meeting the definition of “handicapped” individuals under the federal Fair Housing Act Amendments

Section 8.5 Off-Site Parking

The Zoning Administrator may allow required parking spaces to be provided on a site other than that of the use for which the spaces are required. In general, such exception may be considered for employee parking or for institutional uses where longer term parking is common. Off-site parking shall meet the following conditions:

A. Same Ownership

The parking area is located on land under the same ownership as the use it serves, or a recorded easement in perpetuity that has been established for the use of an off-site location for parking and filed with the Montezuma County Clerk & Recorder.

B. Distance Between Off-Site Parking Area and the Proposed Use

1. Off-site parking for multiple-unit dwellings shall not be located more than 600 feet from any normally used entrance of the principal use served.
2. Off-site parking for nonresidential or mixed uses shall not be located more than 600 feet from any normally used entrance of the principal use served.
3. Required distances shall be measured along the shortest legal, practical walking route. This route may include crossing a right-of-way provided it uses a legal crosswalk.

C. No Undue Hazard

The off-site parking area shall be convenient to use without causing unreasonable:

1. Hazard to pedestrians,
2. Hazard to vehicular traffic,
3. Traffic congestion,
4. Interference with commercial activity or convenient access to other parking areas in the vicinity,
5. Detriment to the appropriate use of business lands in the vicinity, or
6. Detriment to any abutting residential neighborhood.

Section 8.6 Shared Parking

The Zoning Administrator may allow shared parking. Shared parking shall mean that where the required spaces provided for one use may also be credited as required spaces for a complementary use. A permanent and irrevocable easement of the parking facilities in favor of the use to be benefited shall be dedicated and recorded in the Montezuma County records as a condition of such use. Shared parking shall meet the following conditions:

A. Proximity to Use

1. Shared parking spaces shall be located within 600 linear feet of the primary entrance of all uses served as measured along the shortest legal, practical walking route. This route may include crossing a right-of-way provided it uses a legal crosswalk.
2. Shared parking spaces shall not be separated from the use they serve by an arterial or collector street with a right-of-way greater than 80 feet.
3. Adequate and safe pedestrian access must be provided from and to the shared parking areas.

B. Shared Parking Calculation

The following number of parking spaces may be shared by any non-residential use not normally open, used, or operated during the same hours as the following uses:

1. Up to 50 percent of the parking spaces required for food, beverage, and indoor entertainment uses, or
2. Up to 100 percent of parking spaces required for religious assembly uses and elementary, middle, high school, university, or college auditoriums.

Section 8.7 Parking Lot Design and Layout

A. Parking Space Dimensions, Lighting and Design

1. Each off-street parking space shall consist of an open area measuring at least nine feet wide by 18 feet long and seven feet high; provided, however, parallel parking spaces shall measure at least nine feet wide by 23 feet long and seven feet high.
2. Off-street parking shall be free of weeds, properly drained, and surfaced with concrete, asphalt, sealed pavers, cobbles, sealed brick or any other material with similar characteristics and uses and shall be maintained in a usable condition at all times.
3. Off-street parking areas serving development in mixed-use, commercial, or industrial zone districts shall be landscaped and screened in accordance with requirements of Article 7, Landscaping, Screening, and Trees.

B. Drive-Thru Lanes and Stacking

1. Design

Any facility offering drive-through service shall provide stacking lanes which are a minimum of eight feet in width and which provide direct forward access to each service window, station, or other point of service.

- a. Stacking lane shall be marked and shall be separate from any other driveway, parking space, or aisle.
- b. Stacking lanes shall be measured from the point of service and shall provide 20 feet per vehicle.
- c. Common stacking lanes for several service points may be used for financial and restaurant uses, provided that separate stacking for at least three vehicles is provided for each point of service before stacking is merged into a common lane.

2. Stacking Requirements by Use

- a. General Uses: Unless otherwise specified below, each service point shall be provided with a stacking lane for a minimum of three vehicles. The off-street loading zone must lie outside the stacking lane.
- b. Financial Uses: Each teller station at a drive-through financial institution shall be provided with a stacking lane for a minimum of five vehicles.
- c. Restaurant Uses: Each remote ordering station and each service window at a restaurant with drive through service shall be provided with a stacking lane for a minimum of five vehicles.

B. Restricted Use of Parking Areas

No automobile trailers, boats, detached campers; junk vehicle or any other object that will render a parking space unusable according to the purpose of this section shall be parked or stored in off-street parking areas. Junk vehicles shall be defined as those that lack a current license or are wrecked and/or dismantled.

Section 8.8 Access Standards

A. Driveways and Access

Driveway improvements should be extended and connect directly to the street surface. All required off-street parking shall be provided with driveway access to a public street or alley in accordance with the standards of this section:

1. Minimum Driveway Width

Driveways shall be a minimum of 12 feet in width when serving one dwelling unit, or 20 feet wide when serving more than one residence or another use such as a boarding house.

2. Maximum Driveway Frontage

The combined width of driveway cuts or entrances shall not be more than 40 percent of the frontage of the lot along any street or alley.

3. Maximum Driveway Grade

The maximum driveway grade shall be 10 percent.

4. Corner Visibility – Street, Alley and Driveway Intersections

No walls, buildings, or other obstruction to view in excess of four feet in height shall be placed on any corner lot within a Section 2.4 Clear Vision Area.

5. Surface

Access surface shall be constructed of asphalt, concrete, or other approved driving surface capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds.

- Broad mix of uses downtown
- Allow mixed residential and commercial downtown
- Talk about architectural design standards for downtown
- Allow increased building height downtown with residential upstairs
- Change codes to make some nonconforming buildings + signs conforming
- Residential transitions + 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
- Standards for VRBO/Airbnb
- Better coordination/integration with hazard regulations floodplain/slopes
- Solar energy facilities solar access
- Dark skies lighting
- Business friendly
- Annexation

- Streamlined approval processes
- Environmental stewardship
- Downtown viability
- ADA accessibility
- Code enforcement + compliance
- Eco-friendly community
- Sign regulation update
- Special event process

- Make the code easy to understand
- Eliminate conflicts in regulations
- Update definitions
- Simplify + approval process
- Add illustrations
- Address enforcement
- Eliminate conflicts with external codes - such as building code
- 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 nonconformities
- Allow greater building height downtown
- Maintaining sales tax
- Parking - ADA location

- What do form-based codes do + how does that work here?
- Infill development
- Affordable housing and housing that residents can afford + Historic Dist.
- Future of tourism + OHV discussion RR
- ~~Amplify~~ display opportunity

Sections:

2.08.010 - Created—Membership—Filling of vacancies.

- A. There is created a planning and zoning commission for the town, consisting of seven members, who shall be residents of the town and shall be appointed by the town board for two-year terms as follows: Three members for one year, two members for two years, and one member for three years. As the term of each member expires the vacancy thus created shall be filled by a majority vote of the town board for a two-year term.
- B. If a vacancy occurs other than by expiration of term, a majority vote of the town board shall appoint a new member to fill the unexpired term.

(Ord. 341 (part), 1986)

2.08.020 - Organization.

The planning and zoning commission shall elect a chairman from among the appointed members and shall create and fill such other of its offices as it may determine. The term of the chairman shall be one year with eligibility for reelection. The position of chairman shall be filled at the first regularly scheduled meeting in January of each year.

(Ord. 341 (part), 1986)

2.08.030 - Rules—Recordkeeping.

The planning and zoning commission shall recommend rules for adoption by the town board for the transactions of business and shall keep a record of its meetings, resolutions, transactions, findings and determinations. These records shall be a public record.

(Ord. 341 (part), 1986)

2.08.040 - Powers and duties generally.

The planning commission shall function and operate and perform all the duties and obligations and shall have all the powers and authority as provided under, by and through, Title 31, Article 23 of the Colorado Revised Statutes of 1973, as amended, and the appointed members shall be subject to removal from office as provided by said statutes.

(Ord. 393 § 1, 1991; Ord. 341 (part), 1986)

2.08.050 - Regular and special meetings.

The planning and zoning commission shall hold at least one regularly scheduled meeting each month and such special meetings as are necessary in the opinion of the chairman; provided, that a special meeting may be called by any four appointed members of the commission and the town administrator upon due notice to the chairman and the other members of the commission.

(Ord. 341 (part), 1986)

2.08.060 - Clerk—Frequency of meetings.

The town planner or designee shall be the ex officio clerk for the planning and zoning commission, keep its records and notify it of the filing of applications for permits and such other matters as may come before the commission. Such commission shall, when there is business to transact, hold a meeting at least once each month or more often, as the business of the commission requires.

(Ord. 341 (part), 1986)

2.08.070 - Absence from meetings.

Should a member of the planning and zoning commission be absent for three consecutive meetings of the commission without cause, the office of such member shall be deemed to be vacant and the term of such member terminated. The town planner or designee shall inform the town board of such action. An absence due to illness or any unavoidable absence from the town and notice thereof to the town clerk, one day before the day of any regular meeting by such member shall excuse the member. The regular meeting is provided for by law or by rule of the commission and any regularly advertised and noticed public hearing shall be deemed a regular meeting.

(Ord. 341 (part), 1986)

2.08.080 - Hearings.

The commission shall hold public hearings before submitting recommendations to the town board. The town board shall not hold its public hearings or take action until it has received the recommendations of such commission. Public hearings shall be in conformance with CRS 31-23-108, as amended.

(Ord. 341 (part), 1986)

2.08.090 - Conflicting provisions.

Whenever the provisions of this chapter are at variance with any of the other lawfully adopted ordinances, rules and regulations of the town, this chapter shall govern.

(Ord. 341 (part), 1986)