

PLANNING AND ZONING COMMISSION

AGENDA

OCTOBER 3, 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 September 12, 2023 meeting
8. Staff updates.
9. Commissioner Updates.
10. Discussion: Naming tasks for the Commissioners, listing possible partners in the development, and consolidating the LUC purpose statements.
11. Future agenda items: continue with the analysis of the Comprehensive plan contents.
12. Adjournment

PLANNING AND ZONING COMMISSION

MINUTES

SEPTEMBER 12, 2023 6:30 P.M

420 CENTRAL AVE DOLORES CO. 81323

OR VIRTUALLY BY THE LINK BELOW:

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1. **CALL TO ORDER.** Chairperson Robinson called the meeting to order at 6:35 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, and Tucker, Ex Officio Youngquist. Absent Commissioner Heeney. Staff present, Manager Ruud, and Assistant Clerk Swope.
4. **IDENTIFICATION OF ACTUAL OR PERCEIVED CONFLICTS OF INTEREST.** None stated.
5. **PUBLIC PARTICIPATION 5 minutes per person.** No community members were present.
6. **APPROVAL OF THE AGENDA.** Commissioner Tucker moved and Commissioner Powell seconded to approve the agenda.
Yes: all
No: none
7. **CONSENT AGENDA**
7.1 Minutes of the August 1, 2023 meeting
Commissioner Powell moved and Commissioner Watters seconded to approve the minutes of the of August 1, 2023.
Yes: all
No: none
8. **Staff updates.**
The Commissioners heard about the August 31, 2023 Housing Taskforce meeting.

Relevant information was the recommendation by the taskforce to proceed with the affordable housing project for the 19th Street lots. Taskforce member Stark offered to study Proposition 123 requirements and potential funding opportunities. The town will contract with Rural Homes for specific items for the project.

9. Commissioner Updates.

Commissioner Powell updated the group on the Exon Building and the Rio Grande Southern Hotel. The Exon building has applied to be on the State Register and the National Register that gets the building eligible for tax credit. The Exon application will be reviewed at the review board's September 15 meeting. The property owner works directly with History Colorado and the Office of Economic Development to get 35% state tax credits and 35% Federal tax credits on approved improvement projects. Tax credits are selling for about 90% of full value. There is time between completed approved projects and applying for tax credits once the structure is on the register. Powell's goal is to see this one project through so that she can use this project as an example for other property owners going forward.

Commissioners Tucker and Powell attended the Mancos watershed meeting in Mancos on August 7. It is a voluntary plan that is data driven that informs future actions and encourages collaboration with a variety of partners once approved. Commissioner Tucker says it deals with water rights in the agricultural community. It uses adaptive management principles the first draft will be presented in February 2024. This is sponsored by the water conservancy district. This is not regulatory per say but it helps identify areas of concern and guide resiliency efforts and gets participants to agree on practices to mitigate events. There will be maps that identify areas of concern in the plan as well. One of them shows the flow of debris in a runoff event.

Commissioner Tucker would like to have this presenter come to Dolores and have the Board learn about this voluntary plan. His vision is for the town to be proactive on watershed management. The plan could provide some influence on the behavior or decisions of other members of the watershed.

10. Discussion: Comprehensive Plan planning matrix, Comprehensive Plan Relevant Documents.

Commissioner Powell prepared a compilation of documents related to the development of the Comprehensive Plan. This is an effort to keep track of work product and other materials and adopted plans related to the comprehensive plan.

She developed a rubric from this compilation to align with the goals from the Department of Local Affairs and other elements for including community members and entities the town collaborates with. Commissioner Powell wants to address the issue of compliance and enforcement of the Land Use Code. Powell envisions the commission using the rubric to create a comp plan content tracking system on the meeting room wall. P&Z members will list topics that they think should be included in the comp plan and verify that the town has met all requirements listed by the Department of Local Affairs.

The group talked about funding for this upgrade and the Commissioners would develop the scope of work for the consultant who is chosen if a grant is awarded.

The group talked about gathering the community's opinions about Land Use, and vision, and goals for the future of Dolores. They talked about using old survey data to help evaluate the values of the town. They talked about identifying patterns in all the data gathered by the town through time.

They want to develop a Comprehensive Plan based on the Department of Local Affairs criteria. They can use the survey data to measure up the Comprehensive Plan content with the vision of the community. Commissioner Tucker wants to bring to light the problems and issues of the town that have not been addressed and the issues that have been fixed. Commissioner Powell spoke about knowing several things that need to be done, but never get done (like mitigation plans and implementation). There should be an annual calendar of tasks to be tracked by the town staff. The Commissioners recognize that the town is not sufficiently staffed to be able to do what they need to do, want to and how to do it. Some elements of a Comprehensive Plan will be meant to provide guidance on mitigation, maintenance, and implementation of plans. The hope is that the plan will be a living document that oversees the actions of the town.

Manager Ruud proposes we use the existing plan and bring newer suggestions for the comprehensive plan outlines, create a bullet list of topics that will be included or discussed in the comprehensive plan development and review the older studies for background or filler for the bullet points that will appear in the new comprehensive plan.

Chairperson Robinson proposes the next steps for this content building.

1. Getting the bullet points up on large note paper and inviting residents to provide feedback of their preference on the topics with a post it notes or a sticker.
2. Maybe put values about Dolores on the paper and let people choose their most important values. The difficult component to public participation is the residents don't know as much about the Comprehensive Plan as the commission or the staff.
3. Starting the conversation with the community could be done by explaining what the Commissioners are doing, how the Comprehensive Plan reflects the vision and goals for growth in the future, how it provides direction for standards and regulations.

The Commissioners have a 2019 review of the Comprehensive Plan. Manger Ruud suggests the group review the 1997 Comprehensive Plan. His research on creating Comprehensive plans shows that the processes are lengthy and may take more than a year. He did mention that there is a line item for Comprehensive Plan Development in the 2024 budget.

The visual aid for information gathering will be a wall board listing the elements of the

existing Comprehensive Plan, the purpose statements from the new land use code and a connecting wall board for how to blend the two to form the new Comprehensive Plan outline. The table Commissioner Powell created would be the model used for this project. Commissioner Powell would like to have value statements of residents collected at the front desk to be used to evaluate the content.

11. **Future agenda items:** Naming tasks for the Commissioners, listing possible partners in the development, and consolidating the LUC purpose statements.
12. **Adjournment. The meeting was adjourned at 7:55 pm.**

Linda Robinson, Chairperson

Ann Swope, Assistant Clerk

CHAPTER 1 GENERAL PROVISIONS

PURPOSE STATEMENT

The Land Use Code is adopted for the purpose of promoting the health, safety, and general welfare of the citizens of the Town of Dolores. It is adopted in accordance with, and is intended to implement, the Town's adopted comprehensive plan. More specifically, this Land Use Code is intended to do the following:

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

CHAPTER THREE ZONE DISTRICTS

1. R-35 (current)

The R-35 Resource-35 district is designed primarily to accommodate large lot single-unit dwellings, in remote areas with minimal services or where steep slope, floodplains, or other hazards are present. The R-35 District is distinguished from the R-10 District in that the primary access to the area is through Town and substandard. The R-35 District is intended for application to areas designated "Resource-35" on the Future Land Use Map in the Comprehensive Plan.

2. R-10 (current)

The R-10 Resource-10 district is designed primarily to accommodate large lot single-unit dwellings, in remote areas with minimal services or where steep slope, floodplains, or other hazards are present. It is intended for application to areas designated "Resource-10" on the Future Land Use Map in the Comprehensive Plan.

1. Large Lot Residential 1 (LLR-1)

The LLR-1 Large-Lot Residential district is designed primarily to accommodate single-unit dwellings in very low-density development patterns. It is intended for application to areas designated "Large Lot Residential" on the Future Land Use Map in the Comprehensive Plan. Lot size: 43,560 sf (1 acre) or larger.

2. Large Lot Residential 2 (LLR-2)

The LLR-2 Large Lot Residential 2 district is designed primarily to accommodate single-unit dwellings in low density development patterns. It is intended for application as a transition between smaller, more urban lots closer to the Town center and the larger LLR-1 lots located in areas designated "Large Lot Residential" on the Future Land Use Map in the Comprehensive Plan. LRR-2 may also be applied to allow the conversion of existing LLR-1 to somewhat smaller lot development through resubdivision where sufficient services are available. Lot size: 12,000 sf (roughly 1/3 acre) to 43,560 sf (1 acre).

1. Neighborhood Residential 1 (NR-1)

The NR-1 Neighborhood Residential 1 district is designed primarily to accommodate single-family uses. It is intended for application in areas designated "Town Residential" on the Future Land Use Map in the Comprehensive Plan. Lot size: 6,000 to 12,000 sf

2. Neighborhood Residential 2 (NR-2)

The NR-2 Neighborhood Residential 2 district is designed primarily to accommodate single and two-unit dwellings along with some townhouse development designed in keeping with existing neighborhoods. NR-2 is intended to be applied in neighborhoods and areas where existing development patterns reflect this range of lot sizes and in new or redeveloping areas where Town-scale residential lots are an appropriate development pattern. It is intended for application in areas designated "Town Residential" on the Future Land Use Map in the Comprehensive Plan. Lot size: Single family or duplex: 3,000 to 6,000 sf, smaller for townhouse

3. Neighborhood Residential 3 (NR-3)

The NR-3 Neighborhood Residential 3 district is designed primarily to accommodate attached and multiunit dwellings. NR-3 zoning is appropriate adjacent to downtown Dolores and in areas walkable to downtown where full services are available. It is intended for application to areas designated "Multi-family Residential on the Future Land Use Map in the Comprehensive Plan. Lot size: Single family or duplex: 3,000 to 6,000 sf; smaller for townhouse; apartments permitted

The MHP Manufactured Home Park district is designed primarily to accommodate single-unit uses. It is intended for application to areas designated "Mobile Homes" on the Future Land Use Map in the Comprehensive Plan.

1. 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.

1. 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.

CHAPTER 4 USE SPECIFIC STANDARDS

NO PURPOSE STATEMENTS

CHAPTER 5 SITE LAYOUT AND STRUCTURE DESIGN STANDARDS

Section 5.1 Residential Design Standards

A. Design Standards: Single Unit, Two Unit, Three Unit, and Townhouse

1. Purpose

The purpose of the residential design standards is to preserve and enhance the quality and character of the built environment in the Town. More specifically, the purposes of this section are to:

- (a) Encourage high quality development as a strategy for investing in the Town's future;
 - (b) Emphasize the Town's unique and creative community character;
 - (c) Avoid repetitive and monotonous development and streetscapes;
 - (d) Protect and enhance property values;
 - (e) Provide property owners, developers, architects, builders, business owners, and others with a clear and equitable set of parameters for developing land; and
- Promote structural sustainability through the use of materials appropriate to the Town's climate and altitude.

Section 5.1 Mixed-Use and Commercial Development

A. Purposes

The mixed-use and commercial design standards are intended to promote high-quality design that works within the context of the surrounding development, neighborhood, or Town in general. The standards are further intended to:

- 1. Provide visual interest and variety while still ensuring context-appropriate design that works with surrounding structures;
- 2. Enhance the pedestrian scale of development and the streetscape;
- 3. Mitigate negative visual, pedestrian, and neighborhood impacts from the scale, bulk, and mass of large buildings;
- 4. Balance the community's economic and aesthetic goals; and

Encourage building and site design that fosters community sustainability goals, including adaptive reuse where possible.

Section 5.1 Drainage

A. Purpose

The purposes of understanding and addressing stormwater drainage issues in Dolores include:

- 1. Protecting human life, health, and property;
 - 2. Minimizing the expenditure of public monies for costly flood control projects;
 - 3. Minimizing erosion and sedimentation problems and enhancing water quality;
 - 4. Minimizing future operational and maintenance expenses; and
- Providing for inspection and monitoring procedures necessary to ensure compliance with this article.

CHAPTER 6 SUBDIVISION STANDARDS

Section 6.1 Purpose

These subdivision standards are adopted for the following purposes:

- A. To protect and to provide for the public health, safety and general welfare of present and future residents of the Town;
 - B. To guide the future growth and development of the Town in accordance with the Comprehensive Plan and other adopted plans and policies;
 - C. To ensure provision of adequate public facilities and services for subdivisions;
 - D. To provide for the coordinated development of adjoining properties to the benefits of future residents and the general public.
 - E. To provide for optimum traffic circulation within the subdivision and throughout the Town;
 - F. To ensure protection, sound use and management of natural resources and open spaces through sound development design practices;
 - G. To provide for access to open space, recreational facilities and other amenities for all residents; and
- To provide reasonable protection from possible nuisances and hazards.

Section 6.1 Public Land Dedication

A. Purpose

The requirements for open space, school sites, park and recreational areas contained in this section are intended to ensure that in the Town of Dolores there will be sufficient land dedicated or otherwise set aside to meet the demand and need of the future residents of the development for open space, school sites, and parks, containing passive or active recreational areas that are reasonably attributable to such development.

CHAPTER 7 LANDSCAPING, SCREENING AND TREES

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
- Requiring long-term maintenance including the removal of weeds and the timely replacement of landscape components lost after installation.

Section 7.1. 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.

Prevent the clear cutting of land.

CHAPTER 8 PARKING LOADING AND ACCESS

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.
- To ensure that access to parking does not impair the function of adjacent roadways or endanger the public safety.

CHAPTER 9 HAZARDOUS AND ENVIRONMENTALLY SENSITIVE AREAS

Section 9.1 Geologic Hazards

A. Purpose and Intent

1. The Town of Dolores is located within areas that are susceptible to one or more geologic hazards occurring either on the property or upstream/uphill from the property that would impact the subject property. Below is a list of common geologic hazards found in Dolores; however, this list is not exhaustive:

- a. Expansive or unstable soils and/or rock;
- b. Unstable or potentially unstable slopes;
- c. Landslide or laterally unstable areas or potential landslide areas;
- d. Flood inundation, debris flows, and debris fans;
- e. Unstable fill;
- f. Erosion and deposition areas, or highly erodible soils;
- g. Rockfall;
- h. Subsidence;
- i. Shallow water tables;
- j. Groundwater springs or seeps;
- k. Flood-prone areas;
- l. Collapsible soils;
- m. Faults;
- n. Upturned or steeply dipping bedrock;
- o. Radioactivity or radon;
- p. Problems caused by features or conditions on adjacent properties; and
- q. Other general geologic or site problems.

2. The Town recognizes that geologic hazards can be interrelated, and that evaluation of geologic hazards requires comprehensive review and analysis. The Town and Montezuma County retain geologic hazards maps that are prepared and updated from time to time. Such maps shall be considered for initial review of site hazards prior to site evaluation. The geologic hazards identified in the proposed development site on the geologic hazard maps shall be discussed in the geologic hazard assessment.

3. Further, these standards are intended to minimize losses due to geologic conditions in the Town, and to:

- a. Protect human life, safety, and property;
 - b. Provide the Town with an efficient review procedure to address potential hazards;
 - c. Minimize damage to adjacent private property;
 - d. Minimize damage to public facilities, infrastructure, and utilities;
 - e. Provide flexible approaches to evaluating geologic hazards risk;
 - f. Reduce the amount of effort and expenditures associated with response, cleanup, and repair following a geologic hazard event; and
- Inform the public about the potential risk associated with geologic hazards in Dolores.

Section 9.3 Hillside Development Standards

A. Purposes

The purposes of these standards are to:

- 1. Require retention of natural landmarks and prominent natural features that enhance the character of the Town;
- 2. Minimize the water runoff and soil erosion problems incurred in adjustment of hillside terrain to meet on-site and off-site development needs;
- 3. Retain open hillsides and significant ridgelines in as near a natural state as is feasible as an important community value;
- 4. Encourage the planning, design and development of hillside area building sites so as to provide maximum safety and human enjoyment;
- 5. Encourage minimal grading which affects the natural contour of the land and which will round off, in a natural manner, sharp angles at the top and ends of cut-and-fill slopes;
- 6. Require retention of trees and other vegetation which stabilize steep hillsides, retain moisture, minimize erosion and enhance the natural scenic beauty, and where necessary, require additional landscaping to enhance the scenic and safety qualities of the hillsides; and

Provide for the preservation and maintenance of significant ridgelines, open space and recreational lands.

Section 9.4 Grading and Erosion Control Permit

A. Purpose

The use of a grading and erosion control permit process allows the Town to understand and establish appropriate standards and criteria to mitigate, as needed, how development will actually affect the site, including terrain, drainage, or vegetation, immediately before construction is to take place, or minerals and material are to be removed. The purpose of this section is to protect the health, safety, and welfare of the citizens of Dolores by:

1. Ensuring that the development of each site minimizes adverse impacts to adjacent properties by adequately addressing drainage, erosion, earth movement, and geologic hazards, and avoiding visually unpleasant grading designs or outcomes.
 2. Ensuring that the planning, design, and construction of a development will be done in a manner that provides maximum safety and human enjoyment, while making it as unobtrusive in the natural terrain as possible.
 3. Ensuring to the maximum extent practicable the permitting of reasonable development of land and minimizing fire hazard, the maximum retention of natural vegetation to aid in protection against erosion, earth movement, and other similar hazards and to aid in preservation of natural scenic qualities of the Town.
 4. Reducing air pollution caused by dust blown from areas under development.
- Preventing the premature cutting of roads and building sites in newly developing areas of the Town.

Section 9.6 Riparian Buffer Standards

A. Purpose

This section is intended to establish buffers that minimize erosion, stabilize stream banks, protect and improve water quality, preserve fish and wildlife habitat, and preserve the natural aesthetic value of riparian areas, defined as the interface zone between land and a stream or river.

Section 9.7

Wildfire Hazard Study

A. Purpose

A wildfire hazard study is required to demonstrate how new major development will reduce or minimize the potential impacts of wildfire hazards on properties, the occupants of properties, and the occupants of adjacent properties and facilitate access to manmade structures by firefighters in the event of a wildfire. A wildfire hazards study shall be accepted by the Town only when prepared by a natural resource professional with expertise in the field of vegetation management and wildfire mitigation.

CHAPTER 10 OUTDOOR LIGHTING

Section 10.1. Purposes

These outdoor lighting standards are intended to allow the Town to preserve, protect, and enhance the use and enjoyment of public and private property through the use of appropriate outdoor lighting practices designed so as to

- A. Set general and specific standards to encourage lighting that favorably contributes to visual performance, safety, and aesthetics from properly shielded light sources for lighting applications to include security, parking lots, recreational facilities, buildings and structures, landscaping, canopies, and signs;
 - B. Preserve and enhance the natural nighttime visual environment of the Town by minimizing light trespass and controlling glare on and off property;
 - C. Increasing nighttime utility, safety, security, and productivity; to foster the nighttime use of property; and to protect the privacy of residents;
 - D. Reduce and prohibit light trespass, obtrusive light, and sky glow, and to reduce roadway glare and extreme variations of illumination, to which elderly drivers are particularly sensitive;
 - E. To preserve the views of the starry sky, encouraging the enjoyment of their aesthetics, the education of the public in the sciences, and the astronomical study of celestial bodies;
 - F. Encourage systematic practices in the use of outdoor electrically powered luminaires, consistent with conserving energy and maximizing the benefits to the citizens of Dolores; and
- Accomplishing these purposes by limiting illuminance levels; by directing the luminaire emissions away from roadways, other properties, and the sky; and by reducing illumination levels during later hours of the night.

CHAPTER 11 SIGNS

Section 11.1. General Provisions

A. Purpose

Throughout this article, the regulation of sign size, location, illumination, and similar standards are intended to encourage the communication of information and orientation for both visitors and citizens, provide for the effective identification of business establishments, minimize distractions to motorists and pedestrians while promoting visual harmony, safety and a respect for the environmental character of the community; and specifically:

1. To enhance the economy and efforts of the Dolores business community by promoting the reasonable, orderly, and effective display of signs and encouraging better communication with the public,
2. To support existing and future business ventures within the Town of Dolores;
3. For the protection and encouragement of local tourist-related businesses for the general economic well being of Dolores;
4. To preserve the value of private property by assuring compatibility of signage with surrounding land uses;
5. To provide a sign code compatible with the Vision Statement of the Dolores Comprehensive Plan;
6. To establish procedures and regulations which control the location, size, type, and number of signs permitted; and

To provide an equitable mechanism whereby signs which are illegal or abandoned can be removed.

CHAPTER 12 NONCONFORMITIES

Section 12.1. Purpose and Intent

A. Changes to the LUC can impact the status of legal, existing uses, lots, and structures. It is the general policy of the Town to allow uses, structures, and lots that came into existence legally to continue to exist and be put to productive use. As these uses and structures change, they should be brought into compliance with applicable regulations as expediently as is reasonably possible.

B. These regulations are intended to:

1. Recognize the interests of property owners in continuing to use their property;
2. Promote the reuse and rehabilitation of existing buildings; and
3. Place reasonable limits on the expansion of nonconformities that have the potential to adversely affect surrounding properties, neighborhoods, or the Town as a whole.

Nothing in this article shall be interpreted as authorization for or approval of a continuance of the use of a structure or premises in violation of the Land Use Code in effect at the time of the effective date or any amendments of this LUC.

CHAPTER 13 ADMINISTRATION AND PROCEDURES

Section 13.5 Administrative Adjustment

A. Purpose

The purpose of administrative adjustment is to allow the modification of an existing numeric dimensional standard (such as lot width, depth, coverage, or area); setbacks; and building height or massing to accommodate site-specific or minor construction issues.

Section 13.7 Annexations

A. Purpose

Annexation is the legal process of bringing property from the unincorporated county into the Town limits. Annexation allows the Town to provide municipal services and exercise regulations that protect public health and safety.

Section 13.10 Comprehensive Plan Amendments

A. Purpose

The purpose of this section is to provide standards and requirements for amending the Dolores Comprehensive Plan and other adopted Town plans. The amendment process is established in order to provide flexibility in response to changing circumstances, to reflect changes in public policy, and to advance the general welfare of the Town.

Section 13.11 Conditional Use Permits

A. Purpose

A conditional use is a use that may or may not be appropriate in a given zone district depending upon the circumstances and the conditions imposed upon the approval of the use. The conditional use permit process allows the Town to consider and establish appropriate conditions to reasonably mitigate adverse impacts of the use upon the proposed site and surrounding properties.

Section 13.12 Grading and Erosion Control Permit

A. Purpose

Grading and erosion control permits are required to allow the Town to review proposed site disturbance to ensure that the applicant has designed the grading process to minimize and mitigate the disturbance of land, vegetation, drainage patterns; identify and mitigate any hazards arising from site disturbance; and establish necessary erosion control measures.

Section 13.13. Historic Preservation This section was partially funded by the State Historical Fund grant award from the Colorado Historical Society.

A. Purpose

The purpose of this section is to enhance our community's local resources and to promote the public interest in historic preservation through:

1. The protection and preservation of the Town's architectural, historic and cultural heritage, as embodied in designated historic structures, sites and districts, by appropriate regulations and incentives;
 2. The establishment of a Town Register listing designated structures, sites, and districts; and
- The provision of educational opportunities to increase public appreciation of Dolores' unique heritage.

Section 13.15 Location and Extent Review

A. Purpose

This process implements §31-23-209, C.R.S., and is intended to provide an opportunity for review of the location and extent of specified public facilities and uses sought to be constructed or authorized within Dolores, especially as to whether such public use is consistent with this LUC and the Dolores Comprehensive Plan.

Section 13.16 Minor Subdivision Plats

A. Purpose

The purpose of the minor subdivision process is to allow shortened review and approval of a subdivision where no significant public infrastructure is required. The minor subdivision process is also applicable to condominium conversions and amendments to approved final plats.

Section 13.17 Major Subdivision

A. Purpose

The purpose of the major subdivision review process is to ensure that proposed subdivisions are compliant with the standards and requirements of this LUC and to encourage quality development consistent with Town goals, policies, and objectives as included in the comprehensive plan.

Section 13.18 Condominium Subdivision/Townhouse Subdivision

A. Purpose

This section provides review procedures, submittal requirements and standards for review to ensure that the creation or conversion of condominium subdivisions will comply with the Uniform Building Code as amended by the Town of Dolores and other provisions of this Code.

Section 13.19 Conservation Subdivision

A. Purpose

The purpose of a conservation subdivision is to encourage the conservation of environmentally sensitive or hazardous areas from development while allowing the permitted zoning density of the site to be clustered in smaller lots in less sensitive locations.

Section 13.20 Planned Unit Development

A. Purpose

The PUD, Planned Unit Development District is designed to provide flexibility in the siting of structures to avoid or mitigate any hazardous areas, historic and prehistoric sites; to take advantage of the sites unique, natural, resource or scenic features; and to preserve open spaces. It is intended for application in all residential districts.

Section 13.23 Site Plan Review

A. Purpose

The purpose of a site plan is to provide the decision-making authorities with a legally binding visual representation of a proposed development to ensure compliance with the development and use-specific standards of these Regulations and to encourage quality development reflective of the goals, policies, and objectives of the Dolores Comprehensive Plan.

Section 13.25 Special Exceptions

A. Purpose

Special exceptions are deviations from otherwise applicable operational performance standards; compatibility standards; setback standards; fence standards; design standards; sign standards, limited to historic replica signs only; and road design standards; where development is proposed that would be (1) compatible with surrounding land uses, (2) in keeping with the public interest and (3) consistent with the purposes of this Code.

Section 13.26 Temporary Use Permits

A. Purpose

The purpose of a temporary use permit is to ensure that a proposed temporary use or structure is in compliance with the applicable regulations in this LUC.

Section 13.27 Variances

A. Purpose

Variances are deviations or modifications of height, yard, area, lot coverage and parking regulations of the applicable zone district where development is proposed that would not be contrary to the public interest and, due to special physical site conditions, a literal enforcement of the provisions of this Code would result in unnecessary hardship. Variance or modification of such area regulations may be permitted as may be necessary to secure appropriate development of a parcel of land that differs from other parcels in the district by being of such restricted area, shape, or slope that it cannot be appropriately developed without such modification.

Section 13.30 Zoning Map and Land Use Code Text Amendments

A. Purpose

1. Rezoning: The boundaries of any zone district may be changed, or the zone classification of any parcel of land may be changed pursuant to this section. The purpose of rezoning is to make adjustments to the official zoning map that are necessary in light of changed conditions, changes in public policy, to bring property into conformance with the Dolores Comprehensive Plan, or to advance the general welfare of the Town.

LUC Text Amendment: The purpose of this section is to provide standards and requirements for amending the text of this LUC. The purpose of text amendments is to make adjustment to the text of this Code that are necessary in light of changed conditions, changes in public policy, or to advance the general welfare of the Town.

The Dolores Comprehensive Plan ("Plan"), comprised of both text and maps, is a policy statement about community goals and desires over the next 5 to 10 years. The Study Area for the Dolores Comprehensive Plan includes the Town of Dolores and lands with the town's 3-mile Dolores Urban Influence Area. The Plan is a living document, the result of strong community participation and involvement. It is intended to be used regularly as a guide to making decisions. The plan is also a statement of current community values, a benchmark against which future changes and need may be weighed with a clear understanding of the ideas and considerations that came before. It should provide policy direction in matters relating to many aspects of government including: development review, budgeting, priorities and community desires. When kept up-to-date through periodic reviews, the plan will provide a central and integrated expression of community will.

In addition, the Dolores Comprehensive Plan is designed to comply with 1987 amendments to the Colorado Municipal Annexation Act of 1965; and specifically with Colorado Revised Statute (C.R.S.) 31-12-105 that requires the annual update of each municipality's master plan as a prerequisite to annexation. An annexation occurs when an owner of eligible land requests that his or her land become part of a municipality or when more than 50% of the land owners in an eligible area request annexation and when the municipality agrees to add the land to the municipality.

VISION STATEMENT:

We in the Dolores Community want to sustain our small mountain community atmosphere. We want to enhance and beautify the community with projects and recreational opportunities that harmonize with our small town character, heritage and the natural environment. Because regional growth has set its sights on Dolores, we want to actively plan for it in ways that protect those elements we hold valuable. We should seek complementary development, find appropriate places for different types of development, and manage growth where necessary. We should improve communication, and encourage everyone to be involved, responsible citizens.

III. GOALS AND OBJECTIVES

RESIDENTIAL / COMMERCIAL TRANSITION

Goal: Ensure reasonable compatibility between adjacent and nearby uses.

Objectives:

1. Preserve a predominant land use in each neighborhood. Mark Tucker: I don't believe this is still valid unless I misunderstand the intent
2. Develop operational performance standards (e.g., noise, dust, fumes, vibrations standards) for all uses.
3. Clarify existing zoning and definitions.
4. Utilize alleys as zone district boundaries where such boundary designations can separate otherwise incompatible uses. Alleys or the rear of lots is the ideal location for zoning boundaries. More harmonious streetscapes exist where land uses on both sides of a street are the same.
5. Establish mass and scale standards (e.g., setbacks, height limits, lot coverage, floor area ratios) appropriate for each zone district. Mark Tucker: Has there been any progress on items 5-9?
6. Establish compatibility standards for land use transition areas to include the following and/or similar concepts: staggered setbacks, staggered height, landscaping/ screening standards, etc.
7. Protect reasonable solar access for all uses.
8. Provide incentives to existing uses which are incompatible (e.g., light industrial and manufacturing uses) with Dolores' small town and residential character to relocate to appropriate, designated areas.
9. Require new light industrial and manufacturing uses to locate in appropriate, designated areas.

10. Oppose large-scale retail and other uses that would be incompatible with the small town and residential character.
11. Oppose commercial and industrial development except in designated areas within the 3-mile urban influence area.
12. Preserve the integrity of predominately residential neighborhoods.
13. Permit non-residential uses in predominately residential neighborhoods that are compatible and/or complementary with residential neighborhoods, including the following and/or similar uses: home occupations (e.g., telecommuting, home offices, professional offices, caterers, personal services, plant maintenance service, day care home), churches, community center, group homes, bed and breakfasts, and accessory dwellings.
14. Define "home occupation" to require, among other things, that residential use remain the primary use on the parcel or lot, and the presence of a resident, occupant operator.
15. Develop standards for non-residential uses and mobile homes in residential neighborhoods to mitigate the impact of such uses upon the neighborhood.
16. Optimize the use of core commercial property to create a dynamic and successful core commercial district.
17. Establish remote parking areas to serve the core commercial district.
18. Permit non-commercial uses in predominately commercial areas that are compatible and/or complimentary with commercial areas, to include the following and similar uses: accessory apartments and professional offices.

PROPOSED LIGHT INDUSTRIAL BUSINESS PARK-- CONFLICT RESOLUTION WITH DOWNTOWN BUSINESS DISTRICT

Goal: Encourage the development of light industrial and manufacturing uses in appropriate designated areas and the preservation of such existing uses, in order to promote economic diversity and to compliment, but not compete with, the downtown business district.

Objectives:

1. Identify appropriate areas for light industrial and manufacturing, and commercial development.
2. Oppose light industrial and manufacturing, and commercial development outside of designated areas in the urban influence area.
3. Utilize land trades as a vehicle or incentive to encourage the relocation of existing light industrial and manufacturing uses to the light industrial park.
4. Minimize the costs of infrastructure in the light industrial park by imposing or adopting only reasonable development standards.
5. Protect the environment and natural setting of the industrial park, within reason.
6. Protect the skyline by avoiding development silhouettes along the canyon rim.
7. Establish reasonable standards to mitigate visual impacts of the light industrial park.
8. Screen sensitive view sheds from view along the highways.
9. Establish mass and scale standards to relate the size of structures to the size of the parcels.
10. Limit principal uses in the light industrial park to light industrial and manufacturing uses.
11. Develop flexible zoning standards and regulations that meet the needs of diverse economic activity and approved uses.

12. Limit (strictly) retail activity in the light industrial park to ensure that such uses are clearly subordinate and accessory to other permitted uses.
13. Permit one accessory dwelling unit per lot in the light industrial park.
14. Encourage the Dolores town government and the Chamber of Commerce to work together on economic development.
15. Establish priorities for public improvements in all areas based on their job creation and revenue generating characteristics (direct or Indirect).

PROTECTION AND ENHANCEMENT OF THE NATURAL SETTING

Goal: Development in Dolores will respect, conserve and complement the rural and natural setting.

Objectives:

1. Locate development on land suitable for development (e.g., avoid the river, wetlands, floodplain, steep slopes, ridge lines).
2. Provide incentives to cluster development and protect sensitive or open lands, upzoning in certain areas and downzoning in others.
3. Mitigate the negative impacts of development (e.g., noise, dust, smoke, fumes, vibration).
4. Preserve important visual and natural features of the landscape.
5. Encourage "least change" grading solutions that respect the topography and minimize cuts and fills.
6. Preserve and protect open spaces, replacing vegetation destroyed by development.
7. Conserve wildlife habitat areas.
8. Provide environmentally responsive storm drainage systems.
9. Encourage non-vehicular modes of travel.
10. Promote environmental education and awareness.
11. Preserve native vegetation as much as possible and minimize its alteration.

TOWN APPEARANCE, STREETScape, COMMUNITY IMAGE

Goal: Present a friendly and inviting small town; a pedestrian environment that is comfortable for residents and visitors alike.

Objectives:

1. Make implementation of sidewalks or boardwalks a top priority in the capital improvement plan.
2. Require sidewalks or boardwalks on at least one (1) side of every street in residential districts, as appropriate, and on both sides of streets in the commercial and industrial districts.
3. Aggressively pursue grants to fund streetscape Improvements.
4. Continue the established grid, or modified grid pattern of streets and alleys where practicable.
5. Promote the use of alleys for optional, but preferred, service and vehicular access.
6. Correct any existing sidewalk deficiencies.
7. Encourage maintenance of a landscaped buffer between street surfaces and sidewalks in residential districts.
8. Maintain appropriate setbacks, height limits, and other mass and scale standards for all new buildings and to provide adequate separation between potentially Incompatible uses.
9. Establish build-to lines instead of front yard setbacks for all uses in the Community Business District.
10. Encourage street frontage landscaping to reduce the visual impact of parking areas. Parking lots should be screened and setback from the street.

11. Establish simple and attractive sign regulations with restricted size and lighting (no internal lighting) and number of signs per establishment. Wall signs should be architecturally compatible with building designs. Ground monument-style free standing signs are preferred. High, pole mounted signs would detract or be disruptive to canyon views and are more appropriate to metropolitan areas.

12. Develop attractive entry signage in conformance with the design regulations.

13. Explore alternatives (e.g., reducing lanes to three (3), narrower lanes, adding street trees to narrow the

perceived width of the street) and seek C.D.O.T. cooperation to decrease speed limits through Dolores.

14. Improve, beautify and enhance all parks and public open spaces for pedestrian and recreational activities, as well as for just sitting.

15. Require all utilities to be installed underground .

Mark Tucker: Would this apply to both residential and commercial utilities?

HISTORIC PRESERVATION, DOWNTOWN REDEVELOPMENT AND ENHANCEMENT

Goal: Create a positive business and residential atmosphere, that reflects a sense of community (and history).

Objectives:

1. Adopt regulations or take other measures to provide sidewalks, deciduous street trees, street furniture

and human scale lighting in the commercial districts.

2. Adopt mandatory build-to lines in the Community Business District, except where necessary to

accommodate active public spaces (like sidewalk cafes). Buildings in the Community Business District must front directly upon the street and located any required parking in the rear of the property.

3. Locate parking in the rear of businesses in the Community Business District.

4. Make sure that firewalls are built between commercial buildings with less than minimal setbacks.

5. Enhance the pedestrian experience and the role of Flanders Park as the central core and focus of the community.

6. Permit and encourage the inclusion of prominent and somewhat higher architectural features on the

buildings around Flanders Park to clearly identify the community core and focus. Height limits should offer some flexibility to encourage architectural features that attract attention to the community business district

as the community core and focus. Examples of desirable architectural features include monuments, flagpoles and ornamental towers.

7. Inventory historical structures.

8. Identify key historical design elements in existing residential and commercial structures.

9. Include at least some of the key design elements in each new principle structure/ site development.

Key Residential Design Elements Found In Dolores, include:

Eaves & Porches Gables & Cross gables Pitched roof, Dormers & Chimneys Interesting Front Doors

10. Provide incentives to property owners to bring existing structures into compliance with design regulations.

11. Adopt historical preservation regulations to protect all historical structures.

12. Assist property owners in obtaining grants and other funding for the renovation of historical structures.

13. Promote the availability of public bath rooms in commercial districts .

Mark Tucker: Is this still valid?

14. Support the formation of an economic development committee.

RECREATIONAL OPPORTUNITIES AND TRAILS

Goal: Enhance recreational opportunities, including sidewalks and trails, for people of all ages and abilities.

Objectives:

1. Prioritize the construction of sidewalks, and previously approved trails (i.e. the Riverwalk and Ridgewalk Trails) and park improvements In the Capital Improvement Plan, along with all other public improvements.
2. Develop a parks improvement plan for all town parks to include a full range of recreational facilities (e.g., tennis courts, trails, ice skating rink, chess park, shuffle board, swimming pool, track, a skate board park, a fountain).
3. Connect all developed areas to the Town Core via a system of sidewalks and trails.
4. Acquire sidewalk and trail rights-of-way or easements via voluntary dedication or purchase.
5. Strive to protect and respect private property and privacy in the implementation of sidewalks and trails.
6. Connect the sidewalks to the trails system and public lands.
7. Maintain flexibility on actual sidewalk and trail alignments within an overall plan.
8. Develop sidewalk/ trail standards to meet the needs of pedestrians, bikers, and handicapped persons.
9. Develop a trail signage program to designate appropriate uses and to provide educational opportunities.
10. Aggressively pursue grants to fund the acquisition of public open space and park lands.
11. Require new development to make public land dedications in order to maintain the town's existing public lands "level of service."
12. Create or enhance opportunities for swimming in the river.
13. Improve fish habitats.
14. Cooperate with other local governmental entities in the planning of recreational opportunities and trails.

PUBLIC FACILITIES AND SERVICES

Goal: Provide Dolores with the best possible public facilities and services within the financial constraints of the Town.

Objectives:

1. Update the capital improvements plan regularly, consistent with community priorities.
2. Establish and maintain an appropriate "level of service" for each public facility and service.
3. Prioritize the maintenance of each public facility and service.
4. Require a pre-annexation agreement as a condition of all municipal services outside of town.
5. Require new development to pay their proportionate share of the cost of capital facilities necessary to serve new development.
6. Establish plant investment and user fee structures to cover the cost of public facilities and services where appropriate; for example, water and sewer enterprises.
7. Rely on user fees to pay long term operation and maintenance costs.
8. Earmark all fees collected and use them solely for their intended purpose; i.e., to cover costs incurred in

the provision of public facilities or the value of services rendered.

9. Obtain title to all public parks within town boundaries.

10. Establish standards for parkland dedication or cash-in-lieu of such dedication that will at least maintain the existing parks and recreational facilities "level of service."

11. Seek to develop additional funding sources for the library, since higher user fees would be counter to the broad public interests served by the library.

FUTURE LAND USE PATTERN

Goal: Dolores' future land use pattern will be characterized by a compact, commercial core area; a

highway commercial area with well-defined edges; an isolated light industrial area; and residential

densities decreasing with distance from the commercial core.

Objectives:

1. Designate lots with frontage on Railroad Avenue up to one-half (1/2) block off Railroad Avenue for highway commercial treatment; i.e., direct vehicular access will be permitted.

2. Designate the entire commercial core for the pedestrian commercial treatment; i.e., front setbacks will be treated as mandatory build-to lines except where sidewalk cafes or other similar pedestrian activity areas are planned.

Commercial Highway Treatment (side parking preferred)

Community Business Treatment (mandatory build-to lines & rear parking)

3. Expand commercial designations to include lots in the triangular area west of Fourth Street that is defined by Railroad Avenue and Riverside Street.

4. Consider expanding the community business designation into the immediately adjacent blocks when vacant lots in the area reach substantially buildout.

5. Maintain Fourteenth Street as the hard commercial edge or limit to strip commercial expansion on the east side of town.

6. Designate a minimum number of individual, appropriate sites for small scale, neighborhood

commercial uses as needed to provide convenience items to serve residential neighborhoods. Such designations should be limited to sites on street corners or highway locations.

7. Define the term 'usable lands', as used herein, to include only lands that are generally free of hazards: 100-year floodplain, steep slopes (>30%), and geologic hazards.

8. Establish a series of future land use categories that will prescribe a pattern of declining residential densities applicable to usable lands in the east Dolores Valley, based on distance from current town boundaries as follows:

a) Up to one-half (1/2) mile east of town, lot sizes may range from 6,000-10,000 sq. ft.

b) From one-half (1/2) to one (1) mile east of town, lot sizes may range from 10,000-sq. ft. to one (1) acre.

c) From one (1) to three (3) miles east of town, lot sizes may range from one (1) to three (3) acres.

9. Locate mobile homes in well planned mobile home parks with perimeter landscaping and usable common areas.

10. Designate Granath Mesa for 'very low density' residential development (1 unit per 35 acres)

commensurate with the limited access currently available unless and until alternate access is developed or guaranteed via May Canyon. Granath Mesa density may increase to 1 unit per 10 acres with such alternate access.

11. Designate Hay Camp Mesa and Lost Canyon for "low density" residential development (1 unit per 10 acres). Direct all access to Hay Camp Mesa away from the town of Dolores.

12. Establish residential future land use category for all other areas with lot sizes ranging from three (3) acres and larger.

13. Relocate nonconforming light industrial uses within the urban influence area to designated light industrial areas such as the town's planned light industrial park.

14. Request referral(s) from the county on all development proposals within the three (3) mile urban influence area.

15. Discourage the further subdivision of previously subdivided and developed residential neighborhoods where such action is not supported by the neighborhood residents.